MONTANA
CODE
ANNOTATED

1995

KFM/9030/1.995/.A2/Index/c.2

MONTANA CODE ANNOTATED

Adopted by Chapter 1, Laws of 1979

Code Commissioner & Director of Legal Services
Gregory J. Petesch

Staff Attorneys

Bart Campbell
Valencia Lane
John MacMaster
Doug Sternberg, Legal Researcher

Lee Heiman
Eddye McClure
David Niss

Indexers

Nadine E. Wallace

Tracy Wortman

Director Legislative Services
Hank Trenk

Support Services

Operations Bureau Chief
Ann Patten

Copy Editors
Sally Bush-Arrigo
Carol Ann Jacobsen
Mary Ellen Randall

Data Entry
Martin Baumann
Ellen Garrity
Lois O'Connor

Distribution
Kevin Hayes

Programmers
Lee Heiman
Tom Mulvaney
Glenn Ruckdashel

Proofreaders
Jesse Northerner
George Rigney

Typesetting
Kevin Hayes
Ann Patten

Published and Distributed by

Montana Legislative Council
Room 138, State Capitol
Helena, MT 59620-1704
Telephone (406)444-3064

Printed and Bound by
Darby Printing
6215 Purdue Dr
Atlanta GA 30336

STATE LAW LIBRARY
DEC 14 1995
OF MONTANA

MONTANA CODE ANNOTATED
1995

CONTENTS

Volume 1

Preface

CONSTITUTION

Titles
1. General Laws and Definitions
2. Government Structure and Administration
3. Judiciary, Courts
4. Reserved
5. Legislative Branch
6. Reserved

Volume 2

Titles
7. Local Government
8 and 9. Reserved
10. Military Affairs and Disaster and Emergency Services
11 and 12. Reserved
13. Elections
14. Reserved

Volume 3

Titles
15. Taxation
16. Alcohol and Tobacco
17. State Finance
18. Public Contracts
19. Public Retirement Systems

Volume 4

Titles
20. Education
21. Reserved
22. Libraries, Arts, and Antiquities
23. Parks, Recreation, Sports, and Gambling
24. Reserved
25. Civil Procedure
26. Evidence
27. Civil Liability, Remedies, and Limitations
28. Contracts and Other Obligations
29. Reserved

Volume 5

Titles
30. Trade and Commerce
31. Credit Transactions and Relationships
32. Financial Institutions
33. Insurance and Insurance Companies
34. Reserved

Volume 6

Titles
35. Corporations, Partnerships, and Associations
36. Reserved
37. Professions and Occupations
38. Reserved
39. Labor

Volume 7

Titles
40. Family Law
41. Minors
42 and 43. Reserved
44. Law Enforcement
45. Crimes
46. Criminal Procedure
47 and 48. Reserved
49. Human Rights

Volume 8

Titles
50. Health and Safety
51. Reserved
52. Family Services
53. Social Services and Institutions
54-59. Reserved
60. Highways and Transportation
61. Motor Vehicles
62-66. Reserved
67. Aeronautics
68. Reserved

Volume 9

Titles
69. Public Utilities and Carriers
70. Property
71. Mortgages, Pledges, and Liens
72. Estates, Trusts, and Fiduciary Relationships
73 and 74. Reserved
75. Environmental Protection
76. Land Resources and Use
77. State Lands
78 and 79. Reserved

Volume 10

Titles
80. Agriculture
81. Livestock
82. Minerals, Oil, and Gas
83 and 84. Reserved
85. Water Use
86. Reserved
87. Fish and Wildlife
88 and 89. Reserved
90. Planning, Research, and Development
91-99. Reserved

INDEX

L

LABOR AND EMPLOYMENT
Accidents, See Safety; **WORKERS' COMPENSATION**
Accountings by employee
  duty, 39-2-407
  return of things, 39-2-408, 39-2-605
Actions
  aliens, restraint of employment when, 39-2-305
  blacklisting employees, 39-2-802, 39-2-803
  contractors, recovery on bond to guarantee wages, 39-3-705
  lawful product use during nonworking hours, based on, 39-2-313
  minimum wage, enforcement, 39-3-407
  nature of employment, misrepresentation, 39-2-303
  overtime compensation, enforcement, 39-3-407
  preference, enforcement, 39-29-103, 39-29-104, 39-30-206, 39-30-207
  termination, failure to give reason on demand, 39-2-801
  wrongful discharge, 39-2-314, 39-2-911, 39-2-914, 39-2-915
Advertising, strikebreakers — for, 39-33-204, 39-33-205
Affirmative action, women, See **Women**
Agency, applicability of laws, 39-2-503, 71-3-522
Agricultural industry
  creation of jobs, Title 90, chapter 9
  unemployment insurance, Title 39, chapter 51, part 2
  workers' compensation coverage exclusion, 39-71-401
Alcohol consumption
  blood or urine testing, 39-2-304
  lawful use during nonworking hours, discrimination prohibited and exceptions, 39-2-313
Amusements, employment at, See **RECREATION**
Applicability of laws
  agency, 39-2-503
  child support income withholding, 40-5-422
  confidential employment, 39-2-103
  "employment" defined, 39-2-101
  factors, 39-2-503
  federal law, 39-1-104
  fiduciaries, 39-2-103
  law enforcement agencies, 39-2-304
  restraint of trade, 30-14-206
  safety, See **Safety**
  tests or testing, 39-2-304
  trusts, 39-2-103
Applicants for employment
  blacklisting, See **Blacklisting**
  blood or urine testing, 39-2-304
  investigative report on, See **CONSUMER PROTECTION, Investigation and reporting**
  lie detector tests, 39-2-304
  nature of employment, deception, 39-2-303
  occupational disease, preemployment physical, 39-72-404
  physical examination, payment of cost by employee not to be required, 39-2-301
  preference, See **Preference to handicapped persons; Preference to veterans**
  urine or blood testing, 39-2-304
Apprenticeship, Title 39, chapter 6, See **APPRENTICESHIP AND APPRENTICES**

LABOR AND EMPLOYMENT (Continued)

Arbitration, See **ARBITRATION; COLLECTIVE BARGAINING; PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Asbestos, occupations related to, Title 75, chapter 2, part 5, See **ASBESTOS**
Attachment of wages, termination because prohibited, 39-2-302, 39-2-503
Bailees' services, applicability of laws, 70-6-207
Bartenders, employment under 18 prohibited, 39-2-306
Blacklisting
  company liability, 39-2-803
  damages, 39-2-802, 39-2-803
  penalty, 39-2-804
  personal liability, 39-2-802
  unlawful, 39-2-801, 39-2-804
Blanket disability insurance, See **INSURANCE, DISABILITY**
Blind persons, See **Preference to handicapped persons; BLIND OR VISUALLY DISABLED PERSONS; DISCRIMINATION, Disabled persons**
Blood or urine testing, 39-2-304
Boiler operators, employment of unlicensed operators unlawful when, 50-74-316, 50-74-317
Breach of obligations by employee as cause for termination, 39-2-606
Care, duty of employee
  gratuitous employee, 39-2-401
  own benefit, employee for, 28-1-202, 39-2-403
  reward, employee for, 39-2-402
  skill, degree required, 39-2-406
  substitute, in selection, 39-2-410
Care, duty of employer, 39-2-701
Car pools, exemption from motor carrier regulations, 69-12-102
Casual labor
  minimum wage exclusions, 39-3-406
  overtime compensation exclusions, 39-3-406
  unemployment insurance coverage exclusions, 39-51-204, See also **UNEMPLOYMENT INSURANCE**
  workers' compensation coverage exclusions, 39-71-118, 39-71-401, 39-71-405
Character of employment, misrepresentation, 39-2-303
Chemicals, hazardous — information to employees, Title 50, chapter 78, See **HAZARDOUS CHEMICALS**
Child abuse records, confidentiality — disclosure exceptions, 41-3-205
Child labor, See **MINORS, Employment**
Child support
  income withholding, effect, 40-5-422
  medical support reform, payor of income, 40-5-804, 40-5-807, 40-5-809, 40-5-810, 40-5-812 — 40-5-814
Civil service employees, See **PUBLIC OFFICERS OR EMPLOYEES**
Claims, See **Actions**
Closures or retrenchment
  governmental facilities, 2-18-1201 — 2-18-1206, 39-2-1001 — 39-2-1004
  plant, 75-20-304
Collective bargaining, Title 39, chapters 31 — 33, See **COLLECTIVE BARGAINING**
Commissioner of labor and industry, See **LABOR AND INDUSTRY, DEPARTMENT OF**
Community service corps program, Title 90, chapter 14, part 1
  advisory council, representation, 90-14-104
Comparable worth, 2-18-208, 2-18-209, 39-3-104
Compliance to employer's instructions, 39-2-404, 39-2-701
Confidential employees, 39-2-103, 39-2-606, See **FIDUCIARIES; TRUSTS**
Conflict of laws, employment preference, 39-30-108
Consumer protection, employee as investigator, 30-14-122
Consumer reports, effect, See **CONSUMER PROTECTION, Investigation and reporting**

LABOR AND EMPLOYMENT (Continued)

- **Contract of employment**, 39-2-101
  - collective bargaining regarding, See **COLLECTIVE BARGAINING**
  - death or incapacity of employer, effect, 39-2-502
  - "employment" defined by, 39-2-101, 39-51-203, 39-71-401
  - liability, provisions discharging void, 39-2-703 — 39-2-705
  - personal service, for — duration, 28-2-722, 39-2-602, 39-2-603
  - relatives, renewal of contract, 2-2-302
  - renewal, 2-2-302, 39-2-603
  - specific performance unavailable, 27-1-412
  - strikebreakers, for, 39-33-203
  - successor employer bound when, 39-2-502
  - term of employment, 28-2-722, 39-2-602, 39-2-603
  - wage provisions
    - successor employer bound when, 39-2-502
    - violating contracts to be void, 39-3-208
  - wrongful discharge
    - common-law remedies, preemption, 39-2-913
    - exemptions, 39-2-912
- **Contractors**, See **PUBLIC CONTRACTS, Contractors; TAXATION, GENERAL PROVISIONS, Public contractor's license tax on gross receipts**
- **Contracts, public**, See **PUBLIC CONTRACTS**, generally
- **Convicted persons**, formerly, See **OFFENDERS, FORMER**
- **Cooperation with federal agencies**, 39-1-104
- **Corrections facilities and programs, community** — offenders placed in, 53-30-303, 53-30-323, 53-30-326
- **Cost definitions**, 30-14-202
- **Covenants not to compete**, 28-2-703 — 28-2-705
- **Credit unions**, See **CREDIT UNIONS**
- **Crime victims and witnesses**
  - notification of employer, assistance, 46-24-205
  - place of employment of victim, confidentiality when, 44-5-311
- **Criminal charges**, See **Violations**
- **Criminal proceedings**, release of defendant — conditions, 46-9-108
- **Custom and usage**, conformity of employee, 39-2-405
- **Damages**
  - blacklisting of employees, 39-2-801 — 39-2-803
  - fellow servant, negligence of
    - mining employees, 39-2-704
    - railroad employees, 39-2-703
  - nature of employment, misrepresentation, 39-2-303
- **Death of**
  - employee
    - coroner, inquiry by, 46-4-122
    - fellow servant, liability, See **Fellow servant**
    - occupational disease benefits, 39-72-403, 39-73-109
    - silicosis benefits, 39-73-109
    - surviving employee, responsibility, 39-2-411
    - termination of employment, 39-2-501
    - workers' compensation, 39-71-721 — 39-71-726, See also **WORKERS' COMPENSATION**
  - employer, 39-2-502
- **Debt adjustment by employer**, 31-3-203
- **Delivery personnel**, overtime compensation exclusions, 39-3-406
- **Department of**, Title 39, chapter 1, part 1
- **Dependent care assistance**, income tax credits or deductions, 15-30-186, 15-30-201, 15-31-131
- **Detention center inmates**
  - annoyance prohibited, 7-32-2247

LABOR AND EMPLOYMENT (Continued)
Detention center inmates (Continued)

- county detention center work program, 7-32-2225 — 7-32-2227
- release, temporary — for, 7-32-2246
- work release program, 46-18-701 — 46-18-705

Development programs, See **ECONOMIC DEVELOPMENT**, generally; **INDUSTRIES AND INDUSTRIAL DEVELOPMENT, Development projects**
Diligence, obligation of employee, 28-1-202, 39-2-401 — 39-2-403
Disabled persons, See also **Preference to handicapped persons**
- certification, 39-30-103, 39-30-106, 39-30-107
- discriminatory practices, See **DISCRIMINATION**
- medicaid, eligibility when, 53-6-131
- minimum wage and overtime compensation exclusions, 39-3-406
- sheltered workshops, Title 18, chapter 5, part 1; Title 53, chapter 7, part 2
- state policy, 49-4-202
- vocational rehabilitation, Title 53, chapter 7, See **PUBLIC ASSISTANCE, Vocational rehabilitation**

Discharge of employee, See **Termination of employment; Wrongful discharge**
Discrimination, See **DISCRIMINATION, Employment; Government, state and local**
- preferences, See **Preference** entries; **BLIND OR VISUALLY DISABLED PERSONS, Vending facilities and vendors**

Diseases, See **Health safeguards; OCCUPATIONAL DISEASE**
Displaced homemakers, Title 39, chapter 7, parts 3 and 6, See **DISPLACED HOMEMAKERS**
Disputes, Title 39, chapter 31, See **COLLECTIVE BARGAINING, Disputes**
Domestic service, See also **Personal services contracts**
- hours of work, 39-2-604
- nursing laws inapplicable, 37-8-103
- unemployment insurance coverage, 39-51-202, 39-51-204, See also **UNEMPLOYMENT INSURANCE**
- workers' compensation coverage exclusion, 39-71-118, 39-71-401

Drivers, overtime compensation exclusions, 39-3-406
Drug use, blood or urine testing, 39-2-304
Eminent domain, condemnation commissioners — relationship grounds for exclusion, 70-30-207
Emission regulation in workplace, See **Health safeguards**
Employee ownership opportunity
- business assistance services, 90-5-304
- citation of employee ownership opportunity act, 90-5-301
- definitions, 90-5-303
- policy, 90-5-302
- securities registration, exemption, 30-10-105
- services for ownership development, 90-5-305

Employees, 39-2-301, 39-2-903
- abduction of, tort action, 27-1-515
- applicants, See **Applicants for employment**
- benefits or benefit plans, trust provisions
  - applicability of laws, 72-1-103, 72-33-108
  - beneficiary, trust or trustee as, 72-33-203, 72-33-207
  - insurance producer provisions, exemptions, 33-17-103
  - minors, transfers to, 72-26-502, See **TRUSTS, Minors, transfers to**
- blood or urine testing, 39-2-304
- care, See **Care**, duty of employee
- collective bargaining, Title 39, chapter 31, See **COLLECTIVE BARGAINING**
- counseling services or activities, applicability of professional counseling provisions, 37-23-201
- covenant not to compete, 28-2-704
- elk licenses and permits, landowner preference — designation, 87-2-501, 87-2-705
- governmental facility or agency, closure — notification, 2-18-1206, 39-2-1003
- gratuitous, 39-2-401
- hazardous chemical information, right to, Title 50, chapter 78, See **HAZARDOUS CHEMICALS**

LABOR AND EMPLOYMENT (Continued)
Employees (Continued)

- indemnification, 39-2-701
- injured, employment preference when, 39-71-317
- lawful product use during nonworking hours, limitations and exceptions, 39-2-313, 39-2-314
- liability, See **Liabilities**
- lie detector tests prohibited, 39-2-304
- life insurance, See **INSURANCE, LIFE, Group life**; **Groups and group requirements**
- negotiable instruments, fraudulent endorsement — employer responsibility, 30-3-420
- obedience to employer, 39-2-404
- preference to employer's business, 39-2-409
- prison industries programs, inmates, 39-71-118
- prospective, See **Applicants for employment**
- seduction of, suit for, 27-1-514
- skill, degree required, 39-2-406
- substitute, responsibility, 39-2-410
- surviving employee, 39-2-411
- urine or blood testing, 39-2-304
- usage, conformity to, 39-2-405

Employers, 39-2-301, 39-2-1002
- acquisitions of employee belong to, 39-2-102, 39-2-408
- care, duty of, 39-2-701
- death, 39-2-502
- fellow servant liability, See **Fellow servant**
- governmental facility as, closure or retrenchment requirements, 39-2-1001 — 39-2-1004
- hazardous chemical information to employees, Title 50, chapter 78, See **HAZARDOUS CHEMICALS**
- incapacity, 39-2-502
- liability, See **Liabilities**
- liability insurance, See **INSURANCE, CASUALTY**, generally
- nature of employment, misrepresentation, 39-2-303
- negotiable instruments, fraudulent endorsement by employees — responsibility, 30-3-420
- ownership rights, 39-2-102, 39-2-408
- preference to employer's business, 39-2-409
- preference to injured employee when, 39-71-317

Employment agreements, nonapplicability of state procurement provisions, 18-4-123
Employment at will, 39-2-503
"Employment" defined, 39-2-101
Employment service, state, 39-51-201
- administration, 39-1-102
- establishment, 39-51-307
- maintenance, 39-1-102, 39-51-307
- Montana conservation corps programs
  - contracts with, 23-1-301
  - eligibility requirements, 23-1-312
  - referrals from, 23-1-312, 23-1-313
- unemployment insurance benefits, 39-51-2103, 39-51-2104
- winter work committee, cooperation with, 7-16-4308

Enforcement of laws, 39-1-102, 39-29-104, 39-30-207, See also **Violations**
Equal employment opportunities
- right to, 49-2-308, 49-3-201 — 49-3-203, 49-4-202, See also **DISCRIMINATION, Employment**; **Government, state and local**
- wages, equal pay for equal work, 2-18-208, 2-18-209, 39-3-104
- women, See **Women**

Factors, applicability of laws, 39-2-503
Fair Practices, Code of, Title 49, chapter 3, See **DISCRIMINATION, Government, state and local**
Fairs, county agricultural — employment, 7-21-3407

LABOR AND EMPLOYMENT (Continued)

Families achieving independence in Montana (FAIM) project
  componemts, 53-4-603
  food stamp recipients, employment training program and exclusions 53-2-903, 53-2-904
  JOBS program, 53-2-902, 53-4-212, 53-4-602, 53-4-610, 53-4-703
Family employment
  minimum wage exclusions, 39-3-406
  overtime compensation exclusions, 39-3-406
  right to work, 39-33-101 — 39-33-105, See **COLLECTIVE BARGAINING, Small businesses**
  unemployment insurance coverage exclusions, 39-51-204, See also **UNEMPLOYMENT INSURANCE**
  workers' compensation coverage exclusions, 39-71-401
Federal agencies, cooperation with, 39-1-104
Federal law, applicability, 39-1-104, 39-30-108
Fellow servant, liability of, Const., II, 16
  affirmative defense, Title 25, chapter 20, M.R.Civ.P., Rule 8(c)
  employee, 39-71-413, 39-72-402
  employer
    exculpatory contracts void, 39-2-705
    mining companies, 39-2-704
    railway corporations, 39-2-703
    survival of action, 39-2-703, 39-2-704
    workers' compensation, uninsured employer, 39-71-509
Fiduciaries, applicability of laws, 39-2-103, See **FIDUCIARIES**
Firing, See **Termination of employment**
Fishing licenses, employment as residence requirement, 87-2-102, 87-2-106
Floors to protect workers, 50-77-102, 50-77-106, 50-77-107
Force to protect employee, 49-1-103
Franchise disability insurance, 33-22-401, See also **INSURANCE, DISABILITY**
Furlough programs, prisoner, See **PROBATION, PAROLE, AND CLEMENCY, Supervised release**
Garnishment of wages, termination because prohibited, 39-2-302, 39-2-503
Governmental facility
  closure or retrenchment, requirements, 2-18-1201 — 2-18-1206, 39-2-1001 — 39-2-1004
  discriminatory practices, See **DISCRIMINATION, Government, state and local**
  preferences, See **Preference** entries; **BLIND OR VISUALLY DISABLED PERSONS, Vending facilities and vendors**
Gratuitous employee, duties, 39-2-401
Group insurance
  disability, See **INSURANCE, DISABILITY**
  life, See **INSURANCE, LIFE, Group life; Groups and group requirements**
Handicapped persons, See **Disabled persons; Preference to handicapped persons**
Hazardous chemical information to employees, Title 50, chapter 78, See **HAZARDOUS CHEMICALS**
Hazardous or deleterious substance, release, 75-10-701, 75-10-715
  remedial action contractor's liability, 75-10-718
Hazardous substances, release into workplace — exclusions, 75-10-602
Health safeguards, 50-70-103, See also **OCCUPATIONAL DISEASE**
  administrative authority, 50-70-104
  asbestos, occupations relating to, Title 75, chapter 2, part 5, See **ASBESTOS**
  citation of occupational health act of Montana, 50-70-101
  coal mines, in, Title 50, chapter 73
  confidentiality of reports and records, 50-70-107, 50-70-109
  construction sites, temporary toilets, 50-77-105 — 50-77-107
  cooperation between governmental agencies, 50-70-105
  criminal charges, 50-70-116, 50-70-118, 50-77-107
  educational programs, 50-70-105
  emergency orders and procedures, 50-70-111, 50-70-117

LABOR AND EMPLOYMENT (Continued)
Health safeguards (Continued)

- emissions, 50-70-103
  - limits, establishment, 50-70-113
  - records, 50-70-109
  - variances, 50-70-114
- enforcement of provisions, by order, 50-70-105, 50-70-116
- funding, 50-70-105, 50-70-108
- hazardous chemical information to employees, Title 50, chapter 78, See **HAZARDOUS CHEMICALS**
- hearings by department of public health and human services
  - notice, 50-70-111
  - officer, 50-70-110
  - variances, on, 50-70-114
  - violations, on, 50-70-116, 50-70-117
- inspections, 50-70-115
- legal counsel, 50-70-103
- lunchroom standards, 50-70-113
- maternity leave, 49-2-310, 49-2-311
- mines, in, Title 50, chapters 72 and 73
- Montana conservation corps work experience project work sites, standards, 23-1-311
- nonsmoking areas, reservation, 50-40-201 — 50-40-205
- nuclear regulation, Title 75, chapter 3, See **RADIOACTIVE SUBSTANCES**
- orders, 50-70-111
- penalties, 50-70-118, 50-77-107
- permits for disease-causing apparatus, 50-70-112
- plan for control and abatement, 50-70-105
- pregnancy, leave of absence, 49-2-310, 49-2-311
- protective items, 50-71-201, 50-71-203
- purpose of provisions, 50-70-102
- radiation control, Title 75, chapter 3, See **RADIOACTIVE SUBSTANCES**
- records, 50-70-109
- rehearing when, 50-70-111
- reporting of
  - disease, 50-70-107
  - hazards, 50-71-109
- research, 50-71-107
  - federal standards, exceeding by rule, 50-70-113
  - hearings on rules, 50-70-111
  - permits, for, 50-70-112
- sanitary facilities, standards, 50-70-113, 50-77-105 — 50-77-107
- silicosis prevention, 39-73-102
- smoking in work areas, 50-40-103, 50-40-104, 50-40-106, 50-40-201 — 50-40-205, See also **PUBLIC ACCOMMODATIONS, Smoking areas**
- toilets
  - construction sites, temporary, 50-77-105 — 50-77-107
  - standards, 50-70-113
- trade secrets, evidence at hearings, 50-70-109
- violations, 50-70-105, 50-70-107, 50-70-116 — 50-70-118 See also **Violations**
- voluntary compliance, 50-70-116
- warnings, 50-70-116

Hearsay exceptions, statements by employer to employee, Title 26, chapter 10, M.R.Ev., Rule 801
Home arrestees, conditions, 46-18-1003
Hours of labor, specific employments, Const., XII, 2

- agricultural employment, Const., XII, 2
- amusement parks or circuses, 39-4-112
- bus drivers and attendants, 39-4-102
- caretakers, 39-4-107

LABOR AND EMPLOYMENT (Continued)
Hours of labor, specific employments (Continued)

  cement plants or quarries, 39-4-109
  city employees, 7-3-4418, 7-5-4111, 39-4-102, 39-4-107
  coal miners, 39-4-104, 39-4-107
  county detention center work program participants, 7-32-2226
  county employees, 7-5-2108, 7-32-2111, 39-4-102, 39-4-107
  county sheriff's department, 7-4-2509
  custodians, 39-2-604, 39-4-107
  domestic servants, 39-2-604
  engineers, 39-4-107
  firefighters, 39-4-107
  hoisting engineers, 39-4-101
  janitors, 39-2-604, 39-4-107
  livestock employment, Const., XII, 2
  mine workers, 39-4-101, 39-4-103, 39-4-104, 39-4-107
  Montana conservation corpsmembers, 23-1-313
  pharmacists, 39-4-105
  restaurants, 39-4-111
  retail stores, 39-4-105
  school district employees, 39-4-107
  servants, 39-2-604
  smelter workers, 39-4-103, 39-4-107
  state employees, 39-4-107
  strip mine workers, 39-4-104
  sugar refineries, 39-4-110
  telephone operators, 39-4-106
  underground mine workers, 39-4-103, 39-4-107
  violations, 39-1-102, 39-4-101 — 39-4-106, 39-4-109 — 39-4-112
  warehousemen, 39-4-105
Human Rights, Commission for, See **DISCRIMINATION**
Hunting licenses, employment as residence requirement, 87-2-102, 87-2-106
Impossibilities, employee not required to perform, 39-2-404
Incapacity of
  employee, 39-2-501
  employer, 39-2-502
Indemnification of employee, 39-2-701, See also **WORKERS' COMPENSATION**, **Benefits**, indemnity
Indian reservation residents, preference when, 2-18-111, 18-1-110, 49-2-303, 49-2-403, 49-3-103
Infectious waste management, employee training, 75-10-1005
Injunctions, See **INJUNCTION, WRIT OF**
Injuries, See **Fellow servant**; **Liabilities**; **Personal injury actions**; **Safety**; **WORKERS' COMPENSATION**
Inspection of workplace, 39-1-103
  hazardous chemical provisions, 50-78-301
  health inspections, 50-70-115
  safety inspections, 50-71-109, 50-71-321, 50-78-301
  wage matters, for, 39-3-210
Institutional employees, See **Work programs** under specific institution or disability; **INSTITUTIONS**, **Work programs for residents, patients, or inmates**
Instructions of employer, employee's obedience to, 39-2-404, 39-2-701
Insurance
  administrator provisions, exclusion, 33-17-102
  blanket disability, See **INSURANCE, DISABILITY**
  franchise disability, 33-22-401, See also **INSURANCE, DISABILITY**
  group disability, See **INSURANCE, DISABILITY**
  group life, See **INSURANCE, LIFE, Groups and group requirements**
  health maintenance organization, 33-31-304

LABOR AND EMPLOYMENT (Continued)
Insurance (Continued)

- insurance producer provisions, applicability, 33-17-201
- life, See **INSURANCE, LIFE, Group life**
- limited benefit disability, 33-22-1201 — 33-22-1205
  - tax credits for providing, 15-30-129, 15-31-132
- occupational disease, Title 39, chapter 72, See **OCCUPATIONAL DISEASE**
- silicosis, Title 39, chapter 73, See **SILICOSIS**
- small employer health insurance availability, Title 33, chapter 22, part 18
- unemployment, Title 39, chapter 51, See **UNEMPLOYMENT INSURANCE**
- workers' compensation, Title 39, chapter 71, See **WORKERS' COMPENSATION**

Investigations
- collective bargaining matters, 39-31-106
- consumer report on employee, See **CONSUMER PROTECTION, Investigation and reporting**
- occupational health — prevention, control, and abatement, 50-70-105
- safety, See **Safety**
- silicosis benefits claims, 39-73-106
- unemployment insurance claims, 39-51-301
- wage irregularities, 39-3-209, 39-3-210
- workers' compensation claims, 39-71-905

Job search programs, See **PUBLIC ASSISTANCE, Employment of recipient**
Job Service, See **Employment service, state**
Job sharing, 2-18-101, 2-18-102, 2-18-107, See also **PUBLIC OFFICERS OR EMPLOYEES**
Job training programs
- afdc recipients, work experience and training program, Title 53, chapter 4, part 7, See **PUBLIC ASSISTANCE, Aid to families with dependent children (AFDC)**
- development by department of labor and industry, 39-6-101
- displaced homemakers, Title 39, chapter 7, See **DISPLACED HOMEMAKERS**
- Montana conservation corps program, 23-1-312, 23-1-313
- older Montanans, 52-3-504
- public assistance recipients, Title 53, chapter 2, part 11, See **PUBLIC ASSISTANCE, Job training and employment programs**
- state employees, retraining and career development programs, 2-18-1203
- unemployment insurance, See also **UNEMPLOYMENT INSURANCE**
  - coverage exclusions, 39-51-204
  - federal programs, approved training under, 39-51-2602
- vocational rehabilitation, Title 53, chapter 7, See **PUBLIC ASSISTANCE**
- workers' compensation coverage exclusions, 39-71-118

Juror, employer-employee relationship grounds for challenge, 25-7-223, 46-16-115
Labor and Industry, Department of, Title 39, chapter 1, part 1
Labor Appeals, Board of, 2-15-1704, See **LABOR APPEALS, BOARD OF**
Labor organizations, Title 39, chapters 31 — 33, See **COLLECTIVE BARGAINING**
Landlord-tenant provisions, applicability, 70-24-104
Lawful product, use during nonworking hours — discrimination prohibited and exceptions, 39-2-301
Layoffs, See **Termination of employment**
Liabilities
- blacklisting, for, 39-2-802, 39-2-803
- care, duty of, See **Care** entries
- fellow servant, See **Fellow servant**
- indemnification of employee, 39-2-701
- limited partnerships, employees of, 35-12-703
- negligence, See **Negligence**
- professional corporation employee, 35-4-404
- substitute employees, 39-2-410
- surviving employee, 39-2-411

Lie detector tests for employees, 39-2-304

LABOR AND EMPLOYMENT (Continued)

Liens
  construction, contracting owner, 71-3-522
  wages, for, Title 71, chapter 3, parts 3 — 5
Life insurance, employee and group, See **INSURANCE, LIFE, Group life**
Little Davis-Bacon Act, Title 18, chapter 2, part 4
Limited partnerships, employee liability for obligations of, 35-12-703
Local government powers, 7-1-111
Lockouts, See **COLLECTIVE BARGAINING, Disputes; Strikes**
Losses of employee, indemnification, 39-2-701
Lunchrooms, standards, 50-70-113
Maritime employment, unemployment insurance coverage exclusions, 39-51-204, See also **UNEMPLOYMENT INSURANCE**
Married persons, work and labor of, 40-2-207
Master and servant, 39-2-601, 46-16-115, See **Personal services contracts**, See also this main category generally
Maternity leave, 49-2-310, 49-2-311
Medical examinations, preemployment, 39-2-301, 39-72-404
Medicaid, eligibility when, 53-6-131
Medical care savings accounts, Title 15, chapter 61
Menial labor, minimum wage and overtime compensation exclusions, 39-3-406, See also **Casual labor**
Military service
  employment, depriving of — unlawful, 10-1-603, 10-1-615
  leave of absence from employment, 10-1-604
  reserve training, 10-1-604
  veterans, **Preference to veterans; Veterans**
Minimum wage, See **WAGES AND SALARIES**
Minors, See **MINORS, Employment**
Misconduct of employee, 39-2-606
Montana Conservation Corps, Title 23, chapter 1, part 3, See **MONTANA CONSERVATION CORPS**
Montana labor and industry, preference to
  public contracts, See **PUBLIC CONTRACTS, Preferences**
  small businesses, purchase preference to, 18-5-307
Nature of employment, misrepresentation, 39-2-303
Neglect, failure to provide seats for employees, 39-2-201
Negligence
  complaint, form, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 13
  employee liability, 39-2-702
  employer, of, 39-2-701, 39-2-705
  exculpatory contracts void, 39-2-705
  fellow servants, See **Fellow servant**
  mining companies, negligence of fellow employee, 39-2-704
  professional corporation employees, 35-4-404
  railway corporations, negligence of fellow employee, 39-2-703
  third parties, of, 39-71-412, 39-72-402
  workers' compensation
    generally, Title 39, chapter 71, See **WORKERS' COMPENSATION**
    uninsured employer's employee, 39-71-509
Nepotism, Title 2, chapter 2, part 3, See **NEPOTISM**
Nonsmoking areas, reservation, 50-40-201 — 50-40-205
Notice
  accounts, receipt of items for, 39-2-407
  governmental facility or agency, closure or retrenchment, 2-18-1206, 39-2-1003
  health safeguards, See **Health safeguards**
  power of attorney to gratuitous employee, notice he will not act under, 39-2-401

LABOR AND EMPLOYMENT (Continued)
Notice (Continued)

- preference to
  - handicapped persons, preference and hiring decision, 39-30-206, 39-30-207
  - veterans, preference and hiring decision, 39-29-103, 39-29-104
- safety, See **Safety**
- skill of employee, lack, 39-2-406
- termination, 39-2-502, 39-2-503, 39-2-902

Obedience to employer, 39-2-404, 39-2-701
Occupational Disease Act of Montana, Title 39, chapter 72, See **OCCUPATIONAL DISEASE**
Occupational Health Act of Montana, Title 50, chapter 70, See **Health safeguards**
Officious service, 28-1-202
Older Montanans, job training or development, 52-3-504
Organizations, Title 39, chapters 31 — 33, See **COLLECTIVE BARGAINING**
Own benefit, employee for, 28-1-202, 39-2-403
Ownership of

- accountings by employee
  - duty, 39-2-407
  - return of things, 39-2-408, 39-2-605
- acquisitions of employee by virtue of employment, 39-2-102
- products of labor, 70-1-104
- return of things to employer on demand, 39-2-408

Ownership opportunity, employee, See **Employee ownership opportunity**
Parolees, services to, 46-23-1022
Personal injury actions, See also **Liabilities**; **Negligence**

- employee, injury to, 27-1-516
- employer, exculpatory contracts prohibited, 39-2-705
- fellow employee involvement, See **Fellow servant**
- third parties, injury by, 39-71-412, 39-72-402
- workers' compensation, Title 39, chapter 71, See **WORKERS' COMPENSATION**

Personal services contracts, 39-2-601, See also **AGENCY**, generally

- abduction of employee, tort action, 27-1-515
- accounting by employee, 28-1-202, 39-2-605
- confidentiality, violation, 39-2-606
- domestic service, See **Domestic service**
- duration of contract, 28-2-722
- force to protect employee, 49-1-103
- hours of labor, 39-2-604
- injury of employee, tort action of employer, 27-1-516
- jurisdiction of courts established by, Title 25, chapter 20, M.R.Civ.P., Rule 4B
- misconduct of employee, 39-2-606
- officious rendering of service, 28-1-202
- renewal of employment, 28-2-722, 39-2-603
- seduction of employee, tort action, 27-1-514
- specific performance unavailable to enforce, 27-1-412
- termination of employment, 28-2-722, 39-2-602, 39-2-603
- unemployment insurance, 39-51-201, See **UNEMPLOYMENT INSURANCE**
- wages
  - assignment for benefit of creditors, preferred claim, 31-2-205
  - officious service, 28-1-202
  - unemployment insurance, 39-51-201, See **UNEMPLOYMENT INSURANCE**

Personnel Appeals, Board of, See **PERSONNEL APPEALS, BOARD OF**
Physical examinations, preemployment, 39-2-301, 39-72-404
Plant closures, 75-20-304
Political activity, improper, 13-35-214, 13-35-215, 13-35-226, 13-35-228, 39-31-402
Polygraph tests for employees, 39-2-304
Port authorities, purpose and activities, 7-14-1104, 7-14-1111

LABOR AND EMPLOYMENT (Continued)

Postattack emergency regulation, 10-3-505
Preference to employer's business, 39-2-409
Preference to handicapped persons, 39-30-103
  antidiscrimination laws, not violation of, 49-2-405, 49-3-103
  certification of handicapped persons, 39-30-103, 39-30-106, 39-30-107
  citation of Montana handicapped persons' employment preference act, 39-30-101
  claim, 39-30-206
  conflict of laws, 39-30-108
  duration, 39-30-203
  eligibility, 39-30-202
  enforcement, 39-30-207
  initial hiring, 39-30-201
  notice, 39-30-206, 39-30-207
  purpose of provisions, 39-30-102
  rules, adoption, 39-30-106
Preference to Indian reservation residents when, 2-18-111, 18-1-110, 49-2-303, 49-2-403, 49-3-102
Preference to injured worker when, 39-71-317
Preference to Montana labor and industry
  public contracts, See **PUBLIC CONTRACTS, Preferences**
  small businesses, purchase preference to, 18-5-307
Preference to veterans, 39-29-101
  antidiscrimination laws, not violation of, 49-2-405, 49-3-103
  claim, 39-29-103
  eligibility, 39-29-102, 39-29-111
  enforcement, 39-29-104
  initial hiring, 39-29-102
  Montana veterans' home, superintendent of, 10-2-402, 39-29-102, 49-2-405, 49-3-103
  notice, 39-29-103, 39-29-104
  point preference, 39-29-102 — 39-29-104
  reduction in force, retention during, 39-29-111
  rules, adoption, 39-29-112
Pregnancy, 49-2-310, 49-2-311
Prisoners, See **CORRECTIONAL FACILITIES, Work programs; DETENTION CENTERS, County detention center work program; Work release program; OFFENDERS, FORMER, Employment restrictions**
Probationer or parolee convicted of theft from an employer, notification to employer of probationer or parolee, 46-23-1004
Professional corporations, employee liability, 35-4-404
Professional employer organizations and groups, Title 39, chapter 8, See **PROFESSIONAL EMPLOYER ORGANIZATIONS AND GROUPS**
Profit sharing — securities registration, exemption, 30-10-104
Promotion, investigative reports on employee, See **CONSUMER PROTECTION, Investigation and reporting**
Prospective employees, See **Applicants for employment**
Protection of employee, right to use force, 49-1-103
Public assistance recipients, See **PUBLIC ASSISTANCE, Employment of recipient**
Public employees, See **PUBLIC OFFICERS OR EMPLOYEES**
Public Health and Human Services, Department of — certification of handicapped persons, 39-30-103, 39-30-106, 39-30-107
Railroads
  closure, consolidation, or centralization — protection of employees affected by, 69-14-1001
  sale or transfer of line, labor agreements, 69-14-1103
Reciprocal Agreement for Collection of Wages Act of 1977, Title 39, chapter 3, part 3, See **WAGES AND SALARIES, Reciprocal enforcement of payment**
Reclamation and development grants program projects, creation of jobs, 90-2-1113

LABOR AND EMPLOYMENT (Continued)

Relatives, hiring, Title 2, chapter 2, part 3, See **NEPOTISM**
Renewal of employment, 28-2-722, 39-2-603
Restraint of trade, exception, 30-14-206
Retirement, See **RETIREMENT AND RETIREMENT SYSTEMS**; See also specific retirement system
Retrenchment of governmental facility, 39-2-1001 — 39-2-1004
Return of items to employer, 39-2-408, 39-2-605
Reward, duties of employee for, 39-2-402
Right to work, small businesses, Title 39, chapter 33, part 1
Room and board arrangements
  landlord-tenant provisions, applicability, 70-24-104
  meal allowance or cost of meals, exclusion from minimum wage, 39-3-402
  minimum wage, 39-3-402, 39-3-406
  overtime compensation, 39-3-402, 39-3-405, 39-3-406
  unemployment insurance coverage, 39-51-201
  withholding from wages, 39-3-204
Safety, 50-71-102
  accident reports, 39-71-307, 50-71-325
  administration of provisions, 39-71-201, 50-71-106
  advisers to department of labor and industry, 50-71-108
  advisory committees, 50-71-311
  applicability of laws, 50-71-103, 50-71-104
  citation of safety act, 50-71-101
  closure of workplace when, 50-71-327
  compensation for injury, Title 39, chapter 71, See **WORKERS' COMPENSATION**
  contractors, applicability of laws, 50-71-103
  construction site, on
    floors, 50-77-102, 50-77-106, 50-77-107
    openings, 50-77-104, 50-77-106, 50-77-107
    scaffolding, 50-77-101, 50-77-103, 50-77-106, 50-77-107
  consultation services, 39-71-1503 — 39-71-1508
  educational programs and services, 39-71-1504, 39-71-1507
  employees, 50-71-102
    blood or urine testing, 39-2-304
    report of violations, 50-71-322
    responsibility for safety, 50-71-203
  employers' responsibility, 50-71-102, 50-71-201, 50-71-202
  equipment, use prohibited when, 50-71-325
  floors on construction sites, 50-77-102, 50-77-106, 50-77-107
  funding, 39-71-201
  hazardous chemical information to employees, Title 50, chapter 78, See **HAZARDOUS CHEMICALS**
  hearings
    closure or cessation of work, on order for, 50-71-327
    equipment, when use prohibited, 50-71-325
    evidence compelled, 50-71-303
    inspection reports, use in, 50-71-321
    notice, 50-71-302
    place, 50-71-106, 50-71-327
    rulemaking authority, 50-71-106
    time, 50-71-106, 50-71-327
    violations, on, 50-71-323
  injunction of violations, 50-71-326
  inspections of workplace, 50-71-109, 50-71-321
  investigation of violations, 50-71-106, 50-71-109, 50-71-322
  judicial review, 50-71-334
  Montana conservation corps work experience project work sites, standards, 23-1-311

LABOR AND EMPLOYMENT (Continued)
Safety (Continued)

- mines, in, Title 50, chapters 72 and 73
- notice
  - appeals to district court, 50-71-334
  - equipment in violation, prohibition of use, 50-71-325
  - hearings, 50-71-302
  - rehearings, 50-71-333
- nuclear regulation, Title 75, chapter 3, See **RADIOACTIVE SUBSTANCES**
- openings at construction sites, protection, 50-77-104, 50-77-106, 50-77-107
- orders to correct violations, contents, 50-71-323
  - closure or cessation of work, for, 50-71-327
  - equipment in violation, prohibition of use, 50-71-325
  - judicial review, 50-71-334
  - time for compliance, 50-71-324
- preexisting structures and equipment, applicability of laws, 50-71-104
- protective items, 50-71-201, 50-71-203
- radiation control, Title 75, chapter 3, See **RADIOACTIVE SUBSTANCES**
- rehearings, 50-71-331, 50-71-333
  - ex parte, 50-71-332
  - judicial review, 50-71-334
  - variations to safety codes, on, 50-71-315
- required, 50-71-201, 50-71-202
- research, 50-71-107
- rulemaking authority, 50-71-106, 50-71-108, 50-71-301, 50-71-302, 50-71-311, 50-71-331, 50-71-334
- safety codes
  - advisory committees, 50-71-311
  - amendment, 50-71-311 — 50-71-314
  - assistance in compliance, 50-71-316
  - authorization, 50-71-301, 50-71-311
  - consistency with other codes, 50-71-312
  - effective date, 50-71-313
  - exceptions when, 50-71-315
  - filing with secretary of state, 50-71-313
  - hearings and notice, 50-71-302
  - publication, 50-71-314
  - rehearing, 50-71-315
  - repeal, 50-71-311, 50-71-314
  - review, 50-71-107
  - variations when, 50-71-102, 50-71-315
- safety devices and items, 50-71-201, 50-71-203, 50-71-301
- safety program required, 39-71-1505, 39-71-1507
- scaffolding, 50-77-101, 50-77-103, 50-77-106, 50-77-107
- standards, 50-71-301
- statistics on, 50-71-107
- structures to be safe, 50-71-104, 50-71-202
- supervision of provisions, 50-71-106
- use of equipment prohibited when in violation, 50-71-325
- violations
  - closure or cessation of work when, 50-71-327
  - criminal charges, 50-71-110
  - equipment, use prohibited when, 50-71-325
  - fines, 50-77-107
  - injunction, 50-71-326
  - investigation and report, 50-71-106, 50-71-322
  - orders to correct, 50-71-323

Safety Culture Act, Title 39, chapter 71, part 15, See **WORKERS' COMPENSATION**

LABOR AND EMPLOYMENT (Continued)

Salaries, Title 39, chapter 3, See **WAGES AND SALARIES**
Sanitary facilities, See also **Health safeguards**
  construction sites, 50-77-105 — 50-77-107
  standards, 50-70-113
Scaffolding, 50-77-101, 50-77-103, 50-77-106, 50-77-107
Scientific organizations, unemployment insurance coverage, 39-51-203, See also **UNEMPLOYMENT INSURANCE**
Seats for employees, 39-2-201
Securities, registration exemption, 30-10-104
Sexual or violent offenders, prohibitions and restrictions, 46-18-255
Self-organization, employees' right, See **COLLECTIVE BARGAINING**
Sheltered workshops, Title 18, chapter 5, part 1; Title 53, chapter 7, part 2
Skill of employee, duty to use, 39-2-406
Small businesses
  loan participations to create jobs, incentives, 17-6-318, 17-6-319
  right to work, 39-33-101 — 39-33-105
Small employer health insurance availability, Title 33, chapter 22, part 18
Smoking in work area, 50-40-103, 50-40-104, 50-40-106, 50-40-201 — 50-40-205, See also **PUBLIC ACCOMMODATIONS, Smoking areas**
Social worker provisions, applicability to employers, 37-22-305
State employees, See **PUBLIC OFFICERS OR EMPLOYEES**
State employment service, See **Employment service, state**
Strikebreakers, employment of, Title 39, chapter 33, part 2, See **COLLECTIVE BARGAINING**
Strikes, Title 39, chapters 31 — 33, See **COLLECTIVE BARGAINING**
Substitute employees, liabilities, 39-2-410
Surviving employees, duties, 39-2-411
Termination at will, 39-2-503, 39-2-902
Termination of employment, 39-2-501
  attachment of wages, prohibited due to, 39-2-302, 39-2-503
  blacklisting, See **Blacklisting**
  cause, 39-3-102, 39-3-103
  child support income withholding, prohibited, 40-5-422
  death or incapacity of employer, when, 39-2-502
  "discharge" defined, 39-2-903
  garnishment of wages, prohibited due to, 39-2-302, 39-2-503
  governmental facility or agency, closure or retrenchment — notification, 2-18-1206, 39-2-1003
  hazardous chemical information, employee rights — termination due to, prohibited, 50-78-204
  occupational deafness claims, filing when, 39-71-808
  occupational disease benefit claims, for filing — not allowed, 39-71-317
  personal services contract, 28-2-722, 39-2-602, 39-2-606
  pregnancy of employee, prohibited due to, 49-2-310
  reason must be given on demand, 39-2-801
  servant, of, 39-2-602, 39-2-606
  unemployment insurance, Title 39, chapter 51, See **UNEMPLOYMENT INSURANCE**
  will, at, 39-2-503, 39-2-902
  workers' compensation benefit claims, for filing — not allowed, 39-71-317
  wrongful discharge, See **Wrongful discharge**
Trade unions, Title 39, chapter 31, See **COLLECTIVE BARGAINING**
Training, Title 39, chapter 6, See **Job training programs; APPRENTICESHIP AND APPRENTICES**
Transportation employees, overtime compensation exclusions, 39-3-406
Trusts, employees, 39-2-103, 72-34-337, See **TRUSTS**, generally
Unemployment insurance, Title 39, chapter 51, See **UNEMPLOYMENT INSURANCE**
Unfair labor practices, Title 39, chapter 31, part 4, See **Violations; COLLECTIVE BARGAINING, Unfair labor practices**
Unfair trade practices, employee as investigator, 30-14-122

LABOR AND EMPLOYMENT (Continued)

Union label requirement for public printing, exceptions, 18-7-104
Unions, See also **COLLECTIVE BARGAINING**
  community service advisory council, representation, 90-14-104
  disabled electors, assistance to — not allowed, 13-13-119
  insurance administrator provisions, exclusion, 33-17-102
  small claims courts, union as party, 25-34-105, 25-35-505
Unlawful acts
  employee not bound to perform, 39-2-404
  generally, See **Violations**
Unreasonable burden on employee, performance not required, 39-2-404
Urine or blood testing, 39-2-304
Usage, employee's conformance required, 39-2-405
Veterans
  preference to veterans, Title 39, chapter 29; Const. II, 35, See also **Preference to veterans**
  reemployment, Title 10, chapter 2, part 2
    acting officer, appointment, 10-2-227
    application, 10-2-222
    benefits or seniority, restoration, 10-2-213, 10-2-225
    enforcement, 10-2-214, 10-2-226
    private employer's duty, 10-2-212
    public employees, 10-2-221
    qualifications when, 10-2-211
    reinstatement of officer, 10-2-223, 10-2-224
    vacancy, not created when, 10-2-228
Violations, 39-1-102
  aliens, employment when unauthorized, 39-2-305
  bartenders, employment when under 18, 39-2-306
  blacklisting, 39-2-801 — 39-2-804
  blood or urine testing regulations, 39-2-304
  elections, improper activities, 13-35-214, 13-35-215, 13-35-226, 13-35-228, 39-31-402
  employment preference, 39-29-104, 39-30-207
  equal pay for equal work, failure to give, 39-3-104
  federal law, applicability, 39-1-103
  fines, 39-2-201, 39-2-301, 39-2-305, 39-4-101 — 39-4-106, 39-4-109 — 39-4-112, 50-70-118, 50-77-107
  health, 50-70-105, 50-70-116, 50-70-118, 50-77-107
  hours of labor, specific provisions, 39-4-101 — 39-4-106, 39-4-109 — 39-4-112
  investigations, See **Investigations**
  lie detector test as condition of employment, 39-2-304
  maternity leave violations, 49-2-310, 49-2-311
  medical examination, requiring employee to pay costs, 39-2-301
  political activities, 13-35-214, 13-35-215, 13-35-226, 13-35-228, 39-31-402
  polygraph test as condition of employment, 39-2-304
  safety, 50-71-110, See **Safety**, violations
  seats for employees, failure to provide, 39-2-201
  urine or blood testing regulations, 39-2-304
Visually disabled persons, See **Preference to handicapped persons**; **BLIND OR VISUALLY DISABLED PERSONS**; **DISCRIMINATION, Disabled persons**
Vocational rehabilitation, Title 53, chapter 7, See **PUBLIC ASSISTANCE**
Volunteer employees, duties, 39-2-401
Wages, Title 39, chapter 3, See **WAGES AND SALARIES**
Welfare recipients, See **PUBLIC ASSISTANCE, Employment of recipient**
Winter work program in cities and towns, Title 7, chapter 16, part 43

LABOR AND EMPLOYMENT (Continued)

Women
  affirmative action
    cooperation between governmental entities, 39-7-103, 39-7-104
    funding, 39-7-103
    information resources, 39-7-103
    legislative intent and purpose of provisions, 39-7-101
    rulemaking authority, 39-7-102
  displaced homemaker program, Title 39, chapter 7, part 3, See **DISPLACED HOMEMAKERS**
  equal pay for equal work, 2-18-208, 2-18-209, 39-3-104
  maternity leave, 49-2-310, 49-2-311
Work camps, health regulation, 50-52-101, See **CAMPING AND CAMPGROUNDS**
Workers' compensation, Title 39, chapter 71, See **WORKERS' COMPENSATION**
Work programs
  afdc recipients, work experience and training program, Title 53, chapter 4, part 7, See **PUBLIC ASSISTANCE, Aid to families with dependent children (AFDC)**
  blind or visually disabled persons, vocational rehabilitation, See **BLIND OR VISUALLY DISABLED PERSONS, Vocational rehabilitation**
  inmates, See **DETENTION CENTERS, County detention center work program; Work release program**
  prisoners, See **PROBATION, PAROLE, AND CLEMENCY, Supervised release; Work release program**
  sheltered workshops, Title 18, chapter 5, part 1; Title 53, chapter 7, part 2
  vocational rehabilitation, Title 53, chapter 7, See **PUBLIC ASSISTANCE, Vocational rehabilitation**
  welfare recipients, See **PUBLIC ASSISTANCE, Employment of recipient**
  winter, Title 7, chapter 16, part 43
  work-study programs, See **UNIVERSITY SYSTEM**
Work-study programs, See **UNIVERSITY SYSTEM**
Wrongful discharge, 39-2-903
  actions, 39-2-314, 39-2-911
  arbitration, 39-2-914, 39-2-915
  citation of wrongful discharge from employment act, 39-2-901
  damages, 39-2-905
  defenses, 39-2-911
  elements, 39-2-904
  exemptions, 39-2-912
  internal procedures, exhaustion, 39-2-911
  lost wages and fringe benefits, award limited, 39-2-905
  preemption, 39-2-913
  purpose of provisions, 39-2-902
  remedies, 39-2-905
    common-law, preemption, 39-2-913
    exclusive, 39-2-902, 39-2-914
  statute of limitation, 39-2-911

LABOR AND INDUSTRY, DEPARTMENT OF, Const., XII, 2; Title 2, chapter 15, part 17
  See also **EXECUTIVE BRANCH**
Apprenticeship, authority, Title 39, chapter 6
Child-care programs administered by, coordination, 52-2-704, See also **DAY CARE**
Child labor, See **MINORS, Employment**
Closure of governmental facilities, 39-2-1001 — 39-2-1004
Coal mining, safety regulation, Title 50, chapter 73
Collective bargaining, authority, Title 39, chapter 1, part 1, See **COLLECTIVE BARGAINING**
  limitation on rights, Title 39, chapter 33
  nurses, Title 39, chapter 32
  public employees, Title 39, chapter 31, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**

LABOR AND INDUSTRY, DEPARTMENT OF (Continued)

Commissioner of, 2-15-1701, 39-1-101; Const., VI, 8; XII, 2
  depositions taken by, 39-1-103, 39-3-210
  indian reservation residents, hiring preference — duties, 2-18-111, 18-1-110
  small business regulation and licensing system plan, board of review — duties, 30-16-103, 30-16-302
  subpoenas, issuance, 18-2-424, 39-1-103, 39-3-210
Commission for Human Rights, See **DISCRIMINATION, Human Rights, Commission for**
Community Corrections Boards, representation on, 53-30-312
Community corrections facilities or programs, offender's employment — assistance, 53-30-323
Construction blasting and blasters, duties, Title 37, chapter 72
Contractor registration, See **CONTRACTORS AND CONTRACTOR REGISTRATION**
Depositions, power to take, 39-1-103, 39-3-210
Displaced homemaker program, authority, Title 39, chapter 7, part 3, See **DISPLACED HOMEMAKERS**
Employment service, state — operated by, 39-1-102, 39-51-201, 39-51-307
Enforcement authority, 39-1-102
Equal employment opportunities promoted by, 49-3-202
Examiners, Board of — agreements with, 17-5-411 — 17-5-413, 17-5-431, 17-5-433
Explosives, use regulations, Title 37, chapter 72
Fair Practices, Code of, Title 49, chapter 3, See **DISCRIMINATION, Government, state and local**
Federal agencies, cooperation with, 39-1-104
Federal laws, applicability, 39-1-104
Human Rights, Commission for, See **DISCRIMINATION**
Inspection authority, 39-1-103, See also **LABOR AND EMPLOYMENT, Inspection of workplace**
Labor Appeals, Board of, 2-15-1704
Little Davis-Bacon Act, Title 18, chapter 2, part 4
Mines, safety and health regulation, Title 50, chapters 72 and 73
Minors' employment, See **MINORS**
Montana Conservation Corps program, Title 23, chapter 1, part 3, See **MONTANA CONSERVATION CORPS**
Municipal winter work program, cooperation, 7-16-4308
Occupational disease, duties, Title 39, chapter 72, See **OCCUPATIONAL DISEASE**
Personnel, 39-51-301, 39-51-304
Personnel Appeals, Board of, 2-15-1705, See also **PERSONNEL APPEALS, BOARD OF**
Plumbing apprentices, registration, 37-69-302, 37-69-323
Powers and duties, generally, Title 39, chapter 1, part 1
Property acquisition and disposition, 39-51-308
Public contracts, duties, Title 18, chapter 2, part 4
Retrenchment of governmental facilities, 39-2-1001 — 39-2-1004
Revenue, Department of — information from employer's payroll withholding reports, 15-30-303
Safety Culture Act, Title 39, chapter 71, part 15, See **WORKERS' COMPENSATION**
Safety bureau, chief, 50-71-105
Safety, powers and duties
  coal mines, Title 50, chapter 73
  mining, Title 50, chapter 72
  occupational, Title 50, chapter 71
Salaries, 39-71-201
Seal, 39-51-301
Silicosis benefits, duties, Title 39, chapter 73, part 1, See **SILICOSIS**
Small business regulation and licensing system plan, cooperation in implementation, 30-16-303
Subpoena power, 18-2-424, 39-1-103, 39-3-210
Supervision, Const., VI, 8
Taxpayers, income tax — employer-employee relationship, review and appeal of determination, 15-1-211, 15-30-248
Travel expenses, 39-71-201
Unemployment insurance, authority, Title 39, chapter 51, See **UNEMPLOYMENT INSURANCE**

LABOR AND INDUSTRY, DEPARTMENT OF (Continued)

Wages, authority, See **WAGES AND SALARIES**
Welfare recipients, See **PUBLIC ASSISTANCE**
Winter work program, municipal — cooperation, 7-16-4308
Women, affirmative action, 39-7-101 — 39-7-104
Workers' compensation, duties, Title 39, chapter 71, See **WORKERS' COMPENSATION**
Workers' compensation insurance advisory organizations, dissemination of individual risk premium modification factors, 33-16-1033

LABOR APPEALS, BOARD OF, 2-15-1704
Taxpayers, income tax — employer-employee relationship, review and appeal of determination, 15-1-211, 15-30-248
Unemployment insurance, authority, Title 39, chapter 51, See **UNEMPLOYMENT INSURANCE**

LABORATORIES
Abortion, participation, See **ABORTION**
Agricultural chemical ground water protection
  "no observable effect level" defined, 80-15-102
  "oncogenic potential" defined, 80-15-102
  quality assurance, quality control, and confirmatory procedures, 80-15-105
Agricultural technology transfer and assistance projects, 90-9-103, 90-9-314
AIDS testing and counseling, 50-16-1003, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Air quality, for, 75-2-112
Alfalfa leaf-cutting bee, 80-6-1106
Animal and research facilities protection, Title 81, chapter 30, part 1
Animals, animal semen, or animal biologics — quarantined, testing expenses, 81-2-704
Bee, 80-6-311, 80-6-1106
Blood, breath, or urine tests, 39-2-304, 61-8-404
Clinical laboratory science practitioners, Title 37, chapter 34, See **CLINICAL LABORATORY SCIENCE PRACTITIONERS**
Commerce, Department of, 30-12-103
Comprehensive health association plans, payment of charges, 33-22-1521
Crime laboratory reports, hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
Criminal investigation agents, facilities for, 44-2-116
Criminalistics, laboratory of, 44-3-214, 44-3-301 — 44-3-303
Dairy products, analysis, 81-22-101, 81-22-301
Dental, Title 37, chapter 4
Denturists, 37-29-305, 37-29-401
Developmentally disabled persons in residential facilities, medications — test modifications, 53-20-145
DNA testing and procedures, 44-6-101 — 44-6-103, 44-6-106 — 44-6-108, 44-6-110
Employees, malpractice, See **MALPRACTICE, MEDICAL**
Factory-built buildings, testing laboratories, 50-60-403
Fees, rulemaking authority, 50-1-202
Fire protection and safety regulations, 50-61-103, See **FIRES AND FIRE PROTECTION**, generally
Fish or eggs, infected — confirmation, 87-3-225
Grain, testing
  grade or dockage, 80-4-727
  protein, 80-4-709
Hazardous chemical information, 50-78-103, 50-78-301
Health care information, See **HEALTH CARE INFORMATION**
Health Facility Authority, financing, 90-7-104, See **HEALTH FACILITY AUTHORITY**
HIV-related testing and counseling, 50-16-1003, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Hospital laboratories, See **HEALTH CARE FACILITIES**
Infectious waste management, Title 75, chapter 10, part 10, See **HAZARDOUS WASTES**
Institutional residents, ancillary charges — payment, 53-1-401, 53-1-501, 53-1-502

LABORATORIES (Continued)

Justice, Department of — operation, 61-8-404
Liquor, analysis, 16-1-304
Livestock disease control, 81-2-102, 81-2-704
Managed care entities, education services, 53-6-705
Meat establishments
    pathogenic examination of animals, for, 81-9-230
    sanitary conditions, consultations, 81-9-233
Medicaid, payments for services, See **PUBLIC ASSISTANCE, Medicaid**, generally
Metabolic tests for newborns, for, 50-19-203
Milk or cream, analysis, 81-22-101, 81-22-301
Mining, test borings or core samples — determination of hydrologic consequences, 82-4-222
Mobile homes, testing laboratories, 50-60-403
Nuclear facility safety systems, testing requirements, 75-20-1203
Naturopathic physicians, diagnostic procedures ordered by, 37-26-301
Optical, 37-10-301
Paint, analysis, 30-12-1001, 30-12-1003, 30-12-1004
Paternity blood tests, accreditation of laboratory, 40-5-237
Petroleum products, testing, 82-15-104
Premarital examinations
    confidentiality, 40-1-208
    penalty for violations, 40-1-208
    reports, 40-1-206
    serological tests, 40-1-203, 40-1-204, 40-1-206
Prenatal serological tests, for, 50-19-102, 50-19-104
Protein testing, 80-4-709
Public Health and Human Services, Department of
    approval, 40-1-206, 40-1-209
    authority generally, 50-1-202
Public health centers, 50-5-101
Public water supply, for analysis of water, 75-6-103, 75-6-106, See also **WATER SUPPLY, PUBLIC**
Recreational vehicles, testing laboratories, 50-60-403
Research and farm animal facilities protection, Title 81, chapter 30, part 1
Seed, See **MONTANA STATE UNIVERSITY**
Serological test requirements
    confidentiality, 50-19-108
    employment, 39-2-304
    premarital, 40-1-203, 40-1-204, See also **Premarital examinations**
    prenatal, 50-19-102 — 50-19-104
    results, exhibit, 50-19-107
    sexually transmitted disease, 50-18-104, 50-19-105
Services, organization, 50-1-202
Sexually transmitted disease, for testing, 50-18-104, 50-19-105
Smoking in, prohibited when, 50-40-106
Sterilization, participation, See **STERILIZATION**, generally
Television districts, personnel, 7-13-2510
Transportation, Department of, 17-5-501, 17-5-502
Tumors, reports concerning, 50-15-703
University system
    assistantships, 20-25-703
    facilities, 20-25-302
Urine test requirements, 39-2-304
Veterinarians
    exemptions from licensing provisions, 37-18-104
    procedures performed by, 37-18-102
Weather modification research, 85-3-202

LABORATORIES (Continued)

Well-child care, insurance coverage for tests, 33-22-303, 33-22-512, 33-30-1014
Wool, See **MONTANA STATE UNIVERSITY**

LACHES, 1-3-218, 15-17-326, 31-2-342, 37-43-307, 40-2-610; Title 25, chapter 20, M.R.Civ.P., Rule 8(c)

LAKES
Artificial, licensing provisions, 49-3-204, 87-4-603, 87-4-606, 87-4-607
Boundaries, as, 70-16-201, 70-20-201
Breakwater construction, See **Shore protection**
Camping, See **CAMPING AND CAMPGROUNDS**
Cities and towns, regulation of ponds, 7-13-4401
Conservation, See **Shore protection**
Conservation easements, effect, 77-2-319
Construction projects on, See **Shore protection**
Dams and reservoirs, Title 85, chapter 15
Dead animals in, unlawful, 75-10-213
Defined, 23-2-301, 75-7-202
  change in definition, when, 75-7-203
Detergent phosphorus compounds, model rule on sale and distribution, Title 75, chapter 7, part 4
Docks and wharves, Title 7, chapter 14, part 28; Title 85, chapter 16, See **Shore protection**; **FERRIES AND WHARVES**
Dredging, See **Shore protection**
Echo Lake, boats — sound levels limited, 23-2-523
Fines for violations, 75-7-216
Fish and fishing
  areas or districts closed to, when, 87-1-304, 87-1-305
  interstate privileges, 87-2-1001 — 87-2-1004
  ponds, licensing provisions, 49-3-204, 87-4-603, 87-4-606, 87-4-607
  propagation, waters controlled for, 87-1-223
  stocking lakes from hatchery output, 87-3-202
Flathead Basin Commission, 2-15-213 — 2-15-215
  account, 75-7-306
  authority, 75-7-305
  citation of flathead basin commission act of 1983, 75-7-301
  cooperative programs, 75-7-304, 75-7-308
  county government authority, 75-7-307
  definitions, 75-7-303
  donations, gifts, and grants, 75-7-305
  duties, 75-7-304
  funds, 2-15-215, 75-7-304 — 75-7-308
  hearings, 75-7-304
  purpose, 75-7-302
  report, biennial, 5-11-210, 75-7-304
Flathead Basin Commission Act of 1983, Title 75, chapter 7, part 3
Flathead Lake, 23-2-523, 75-7-302, 75-7-303, 87-3-204, 87-5-404, 90-1-104
Forest practices in streamside management zones, 77-5-301 — 77-5-307
Frontages, funds for recreational uses, 87-1-605
Game refuges, establishment, Title 87, chapter 5, part 4, See **FISH AND WILDLIFE, Preserves and refuges**
Highways near, use of mineral slag for sanding or snow removal prohibited when, 60-2-241
Hunting — areas or districts closed to, when, 87-1-304, 87-1-305
Interpretation of laws, 85-1-103
Interstate fishing privileges, 87-2-1001 — 87-2-1004
Islands in, ownership, See **STATE LANDS, Islands and abandoned riverbeds**

LAKES (Continued)

Lagoon construction, See **Shore protection**
Megalandfill siting application, evaluation — considerations, 75-10-920
Migratory birds — resting, feeding, and breeding grounds for, Title 87, chapter 5, part 4, See **FISH AND WILDLIFE, Preserves and refuges**
Mining operations, strip and underground — protection from, 82-4-227
Name change, 85-2-131 — 85-2-134
Navigable waters, 85-1-112, See also **WATER USE**
Obstruction of waters as nuisance, 27-30-101
Off-highway vehicles, operation on, 23-2-801, 23-2-811, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Phosphorus compounds, model rule on sale and distribution, Title 75, chapter 7, part 4
Pollution, Title 75, chapter 5, See **WATER QUALITY**
Protection of shores, See **Shore protection**
Recreational use
    rules for, 87-1-303
    stream access law, nonapplicability, 23-2-301, 23-2-310
Restoration required when, 75-7-205
Shore protection, 75-7-202
    conservation easements, effect, 77-2-319
    environmental impact statements, 75-7-213
    fines, 75-7-216
    funding, 75-7-217
    governing bodies
        consultations, 75-7-211
        cooperation between, 75-7-214
        definition of lake changed when, 75-7-203
        natural resources and conservation, department of — powers as, when, 75-7-209
        permits
            applications and fee, 75-7-210
            issuance, 75-7-212
                regulations for, 75-7-207, 75-7-208
            requirements, 75-7-204
        restoration of lake required by, when, 75-7-205
        variance procedures, 75-7-210, 75-7-213
    hearings, 75-7-206
    judicial enforcement and review, 75-7-215
    penalties for violations, 75-7-216
    permits for work
        application and fee, 75-7-210
        issuance, 75-7-212
            regulations for, 75-7-207 — 75-7-209
        required when, 75-7-204
    policy of state, 75-7-201
    property rights, nature, 75-7-206
    unauthorized work, 75-7-205
    variance procedures, 75-7-210, 75-7-213
Snowmobiles, operation on, 23-2-611, See **SNOWMOBILES**
State ownership, 70-1-202, See also **STATE LANDS, Islands and abandoned riverbeds**
Stocking with fish, 87-3-202
Stream access law, nonapplicability, 23-2-301, 23-2-310
Streamside management zones, forest practices in, 77-5-301 — 77-5-307
Subdivision prohibited when, 77-2-319
Swan Lake, boats — sound levels limited, 23-2-523
Timber sale estimates and appraisals, requirements, 77-5-204
Trapping, areas or districts closed to — when, 87-1-304, 87-1-305

LAKES (Continued)

Venue for actions for recovery of statutory penalties or forfeitures for offenses committed on, 25-2-124
Water conservancy districts, 85-9-102, See **WATER CONSERVANCY DISTRICTS**, generally
Wharves, Title 7, chapter 14, part 28; Title 85, chapter 16, See **Shore protection**; **FERRIES AND WHARVES**

LAND COMMISSIONERS, BOARD OF, Title 77, chapter 1, part 2; Const., X, 4
  See also **FORESTS AND FORESTRY**; **STATE LANDS**
Actions, 77-1-111
  defense by, 77-1-116, 77-1-207
  prosecutions, 77-1-114
Administration of lands, 77-1-103
Agricultural leases, Title 77, chapter 6
Department head, 2-15-3301
Escheated estates, deed and sale of property, 72-14-206
Expenditures authorized, 77-1-215
Federal land grants, acceptance, 77-1-211
Fees, setting, 77-1-106, 77-1-302
Gifts, donations, or grants — acceptance, 77-1-213
Governor's mansion, management, 77-1-221
Grazing leases, general authority, 77-6-102, 77-6-403
Meetings and officers, 77-1-201
Membership, 2-15-201, 2-15-401, 2-15-501
Multiple-use management, 77-1-203
Natural areas, management, Title 76, chapter 12, part 1
Obligations, payment, 77-1-217
Powers and duties, 77-1-202
Property, management generally
  appraisal, rules prescribed by, 77-1-206
  cabin site licenses and leases, 77-1-208
  deeds and conveyances, correction of errors, 77-1-205
  easements, Title 77, chapter 2, part 1
  federal facilities and installations, acceptance, 77-1-212
  leasing of land, rules prescribed by, 77-1-209
  power-tobin mansion, 77-1-221
  sale, lease, or exchange of land, 77-1-204, 77-2-301
  surveys, 77-1-104
  title, determination, 77-1-105
Recreational use of state lands, control, Title 77, chapter 1, part 8
Regents of Higher Education, Board of — land sales or exchanges, concurrence, 20-25-307
Revenues and profits, disposition, 77-1-117, 77-1-216
Surface leases
  general board authority, 77-6-102
  transfers, 77-6-403
Violations and penalties, 77-1-112, 77-1-115, 77-1-116, 77-1-207

LANDFILLS, Title 75, chapter 10
  See **MEGALANDFILL SITING**; **SOLID WASTE MANAGEMENT**

LANDLORD AND TENANT
Abandonment by tenant
  entry by landlord, 70-24-312
  personal property of tenant, presumption and disposition, 70-24-430
  recovery of possession, 70-24-428
  rental upon, 70-24-426
Absence of tenant
  entry by landlord, 70-24-312

LANDLORD AND TENANT (Continued)
Absence of tenant (Continued)

  notice to landlord, 70-24-322, 70-24-426
Access to premises by landlord, See **Entry by landlord**
Actions, 70-24-103
  assignees as parties, 70-26-105, 70-26-106
  costs and attorney's fees, 70-24-202, 70-24-442
  enforcement of rights or obligations, 70-24-401
  notice, 70-24-108, 70-24-301, 70-26-104
  possession, tenant's action for, 70-24-405
  recovery of possession by landlord, 70-24-302, 70-24-421, 70-24-427 — 70-24-429, 70-24-431
  rent, founded on, 70-19-413, 70-24-421, 70-24-427
  retaliatory conduct by landlord, presumption, 70-24-431
  security deposit, wrongful withholding, 70-25-204
  service of process, 70-24-301
  third person, by — notice, 70-26-104
  unlawful holdover, for, 70-24-429
Adverse possession, effect, 70-19-412
Alcoholic beverage license transferred when, 16-4-404
Alterations, See **Remodeling and alterations**
Assignees, remedies, 70-26-105, 70-26-106
Attornment to stranger void, 70-26-103
Blind persons, rights concerning, See **BLIND OR VISUALLY DISABLED PERSONS**
Building and housing codes, compliance
  energy efficiency measures not to burden, 50-60-801
  landlord, 70-24-303, 70-24-431
  tenant, 70-24-321, 70-24-431
  violations, 50-60-110, 70-24-431
Business or cottage industry on premises, operation by tenant, 70-24-321
Citation of The Montana Residential Landlord and Tenant Act of 1977, 70-24-101
City lot, duration of lease, 70-26-110
Cleanliness of premises, responsibility, See also **Security deposit**
  landlord, 70-24-303
  tenant, 70-24-321, 70-24-425
Commercial property, special provisions
  applicability of laws, 70-24-104
  city or town lot, duration of lease, 70-26-110
  renewal of lease, 70-26-204, 70-26-205
  rent, 70-26-202, 70-26-203
  repairs, failure of lessor, 70-26-203
  termination of lease, notice, 70-26-205
  term of lease, 70-26-201
Construction of laws, 70-24-102
  implicit repeal, against, 70-24-106
Court, 70-24-103
  action for possession or unlawful holdover, procedure applicable, 70-24-429
  appeal to, 70-24-427
  enforcement, refusal discretionary, 70-24-404
  jurisdiction, 3-6-103, 3-10-302
Damages
  absence of tenant, failure to give notice, 70-24-426
  action by third person, failure of tenant to inform landlord, 70-26-104
  entry by landlord
    refusal by tenant, 70-24-424
    unlawful or unreasonable, 70-24-410
  essential services, failure to provide or diminution, 70-24-408, 70-24-411
  eviction, unlawful, 70-24-411

LANDLORD AND TENANT (Continued)
Damages (Continued)

- holdover by tenant, 70-24-429
- maintenance of premises, failure
  - landlord, 70-24-406, 70-24-407
  - tenant, 70-24-422
- personal property abandoned by tenant, loss, 70-24-430
- remedy, as, 70-24-401
- rental agreement
  - landlord's noncompliance, 70-24-407
  - prohibited provisions, purposeful use, 70-24-403
  - tenant's noncompliance, 70-24-422, 70-24-427
- security deposit, wrongful withholding, 70-25-204
- smoke detector failure, nonliability of landlord, 70-24-303

Damage to property, 70-25-101
- evidence, 70-25-204, 70-25-206
- fee or charge for, 70-25-101, See **Security deposit**
- fire or casualty, by, 70-24-409
- personal property abandoned by tenant, 70-24-430
- tenant, by, 70-24-321, 70-24-422, See also **Security deposit**

Deaf persons, rights concerning, See **DEAF PERSONS**, generally
Definitions, 70-24-103, 70-24-303, 70-24-431, 70-24-442, 70-25-101
Discriminatory practices, See **DISCRIMINATION, Housing accommodations**
Disputes, settlement by agreement, 70-24-402, 70-24-404
Dwelling unit, 70-24-103, 70-24-322
- contract of sale, occupancy under — applicability of laws, 70-24-104

Emergency access to premises by landlord, 70-24-312, 70-24-425
Emergency housing, rentals as, 10-3-103, 10-3-313
Emergency situations beyond tenant's control, 70-24-103, 70-24-406
Eminent domain, displacement by, 70-31-102
Enforcement, See also **Remedies**
- disclosure of person responsible, 70-24-301
- good faith, obligation of, 70-24-109
- rental agreement, prohibited or unconscionable provisions unenforceable, 70-24-403, 70-24-404
- rights or obligations and rules and regulations, 70-24-401
- rules of landlord, 70-24-311

Entry by landlord, 70-24-312, 70-24-425
- absence of tenant, 70-24-426
- refusal by tenant, 70-24-424
- unlawful or unreasonable, 70-24-410

Essential services
- interruption, 70-24-103, 70-24-408, 70-24-411, 70-24-428, 70-24-431
- landlord's responsibility, 70-24-303
- retaliation by landlord, 70-24-431
- tenant's responsibility, 70-24-321

Eviction
- fire prevention violations, 50-61-116, 50-61-118
- prostitution, attempted abatement by required, 45-5-602
- recovery of possession, See **Recovery of possession by landlord**
- reentry as contempt, 3-1-504
- unlawful, remedy, 70-24-411

Exclusions from provisions, 70-24-104
Fire
- damage to premises by, tenant's rights, 70-24-409
- hazards, service of order to repair hazardous condition or demolish structure, 50-62-103
- prevention and safety regulations, 50-61-103, 70-24-105
  - fire escapes, erection costs, 50-61-116

LANDLORD AND TENANT (Continued)

- **Fire** (Continued)
  - prevention and safety regulations (Continued)
    - noncompliance, occupancy enjoined, 50-61-118
- **Forcible entry and detainer**, Title 70, chapter 27
- **Good faith**, 70-24-103
  - disputed claim or right, settlement, 70-24-402
  - maintenance or remodeling, agreement for tenant's performance, 70-24-303
  - obligation of, 70-24-109
  - possession
    - holdover by tenant, 70-24-429
    - landlord's failure to deliver, 70-24-405
  - transfer of premises or termination of management, notice to tenant, 70-24-304
- **Harassment of tenant**, entry by landlord as, 70-24-312, 70-24-410
- **Inspection of premises**, 70-24-312, 70-25-201, 70-25-202, 70-25-206
- **Jurors**, landlord-tenant relationship grounds for challenge, 46-16-115
- **Lease**, See **Rental agreement**; See also **LEASES**
- **Liability**
  - exculpation or indemnification prohibited, 70-24-202
  - smoke detector failure, damages caused by, 70-24-303
  - transfer of premises or termination of management, effect, 70-24-304
- **Locks removed, replaced, or added by tenant**, 70-24-312, 70-24-424
- **Maintenance**, 70-24-303
  - cleaning charges for, when, 70-25-201
  - emergency, 70-24-312, 70-24-406, 70-24-425
  - entry by landlord, 70-24-312, 70-24-425
  - landlord, by, 70-24-203, 70-24-303
    - failure, 70-24-406, 70-24-407, 70-24-431, 70-26-203
  - tenant, by, 70-24-303, 70-24-321, 70-24-431
    - failure, 70-24-422, 70-24-425
- **Manager**
  - disclosure to tenant, 70-24-301
  - termination of management, 70-24-304
- **Mobile home parks**, 70-24-103, 70-25-102
  - park rules, 70-24-313, 70-24-436
  - rental agreements, 70-24-103, 70-24-436
  - road maintenance, 70-24-315
  - tenant associations, 70-24-314, 70-24-431
  - unfair rules, rebuttable presumption, 70-24-313
- **Mobile homes on rental lots**, 70-24-305, 70-24-422, 70-25-102
- **Notice**, 70-24-108
  - absence of tenant, 70-24-322, 70-24-426
  - cleaning charges, deduction from security deposit, 70-25-201
  - entry by landlord, 70-24-312
  - essential services, landlord's failure to provide — notice by tenant, 70-24-408
  - lease
    - termination, 70-26-205
    - terms, change, 70-26-109
  - maintenance required
    - notice by landlord, 70-24-422, 70-24-425
    - notice by tenant, 70-24-406, 70-26-203
  - mobile home parks, relating to termination of rental agreement, 70-24-436
  - personal property abandoned by tenant, removal, 70-24-430
  - receipt, persons authorized for, 70-24-301
  - rent
    - increase, 70-24-431
    - notice not required, 70-24-201
  - rules of landlord, 70-24-311

LANDLORD AND TENANT (Continued)
Notice (Continued)

- termination of rental agreement, 70-24-405, 70-24-406, 70-24-409, 70-24-422, 70-24-436, 70-26-205
- termination of tenancy, 70-24-422, 70-24-441
- third person, action by, 70-26-104
- transfer of premises or termination of management, to tenant, 70-24-304
- vacating premises, tenant's notice to landlord, 70-25-201

Owner, 70-24-103
- disclosure to tenant, 70-24-301

Policies, 70-24-102
Possession by tenant
- acceptance, effect, 70-24-204
- action for, 70-24-405
- double letting of rooms, possession to whom, 70-26-101
- eviction, See **Eviction**
- landlord to deliver, 70-24-302, 70-24-405
- recovery by
  - landlord, See **Recovery of possession by landlord**
  - tenant, 70-24-405, 70-24-411
- renewal of lease by, 70-26-204
- transfer to third person, 70-24-305
- unlawful detainer, 70-27-108

Purpose of provisions, 70-24-102
Recovery of possession by landlord
- action for, 70-24-302, 70-24-421, 70-24-427 — 70-24-429, 70-24-431
- assignees as parties, 70-26-105, 70-26-106
- limitation, 70-24-428, 70-24-431
- retaliatory action prohibited, 70-24-431
- third person, action by, 70-26-104

Recovery of possession by tenant, 70-24-405, 70-24-411
Remedies, See also **Enforcement**; **FORCIBLE ENTRY AND DETAINER AND UNLAWFUL DETAINER**
- absence of or abandonment by tenant, 70-24-426
- administration, 70-24-401
- applicability of laws, 70-24-105
- assignees, 70-26-105, 70-26-106
- entry by landlord
  - refusal by tenant, 70-24-424
  - unlawful or unreasonable, 70-24-410
- essential services, failure to provide or diminution, 70-24-408, 70-24-411
- eviction, 70-24-411
- fire or casualty, damage to premises by, 70-24-409
- good faith, obligation in enforcement, 70-24-109
- holdover, 70-24-429
- injunctions
  - entry by landlord, 70-24-410, 70-24-424
  - fire prevention violations, when, 50-61-118
  - locks removed, replaced, or added by tenant — failure to provide key, 70-24-424
  - rental agreement, noncompliance
    - landlord, by, 70-24-406
    - tenant, by, 70-24-422
- maintenance, failure of
  - landlord, 70-24-406, 70-24-407, 70-24-431, 70-26-203
  - tenant, 70-24-422, 70-24-425
- possession, landlord's failure to deliver — tenant's remedy, 70-24-405
- rent
  - acceptance, effect, 70-24-423

LANDLORD AND TENANT (Continued)
Remedies (Continued)
  rent (Continued)
    nonpayment, 70-24-421
  rental agreement
    noncompliance, 70-24-406, 70-24-407, 70-24-422, 70-24-427
    prohibited provisions, 70-24-403
    termination, remedies following, 70-24-427
    unconscionable provisions, 70-24-404
  retaliation by landlord, 70-24-431
  settlement of claim or right, 70-24-402, 70-24-404
  transferee of real property, rights, 70-26-102
  waiver prohibited, 70-24-202
Remodeling and alterations
  entry by landlord, 70-24-312
  recovery of possession by landlord, 70-24-431
  tenant, agreement for performance by, 70-24-303
Rent, 70-24-103, See also **FORCIBLE ENTRY AND DETAINER AND UNLAWFUL DETAINER**
  acceptance, effect, 70-24-204, 70-24-302, 70-24-423
  actions for, 70-19-413, 70-24-421, 70-24-427
  commercial property, when payable, 70-26-202
  essential services, effect of failure to provide or diminution, 70-24-408, 70-24-411
  eviction, effect, 70-24-411
  fire escapes, erection costs — reimbursement, 50-61-116
  fire or casualty, effect of damage to premises by, 70-24-409
  grant of property, effect upon, 70-24-314
  holdover, claim for, 70-24-429
  life, dependent upon — recovery, 70-26-108
  life, lease for — recovery, 70-26-107
  nonpayment, 70-24-421, 70-24-422, 70-24-431, 70-24-436
  payment, 70-24-201, 70-26-202
    presumption, 26-1-602
  personal property abandoned by tenant, sale proceeds — payment from, 70-24-430
  possession of premises, landlord's failure to deliver — effect, 70-24-405
  repairs, payment for, 70-24-406, 70-24-425, 70-26-203
  retaliation by increase, 70-24-431
  right of taking, 70-17-102
  rooms, effect of double letting on other tenants, 70-26-101
  security deposit, deduction from, 70-25-201, 70-25-202, 70-25-204
  taxation, eligibility for residential property tax relief, 15-30-177
  termination of tenancy, 70-24-441, 70-25-202
  transferee of rental property, rights, 70-26-102
  transfer of premises, effect, 70-24-304
  unlawful detainer, 70-27-108
Rental agreement, 70-24-103
  abandonment by tenant, effect, 70-24-426
  absence of tenant, notice to landlord, 70-24-322, 70-24-426
  assignees, remedies against, 70-26-105, 70-26-106
  breach, 70-24-406 — 70-24-408, 70-24-422, 70-24-427, 70-26-105, 70-26-106
  condition of premises, statement of, 70-25-206
  disclosure of person responsible, 70-24-301
  disputes, settlement, 70-24-402
  evidence
    renewal of lease, presumption, 70-26-204, 70-26-205
    rental agreement or settlement of claim or right, enforcement — unconscionability as issue, 70-24-404
    term of lease, presumption, 70-26-201
  holdover with consent, 70-24-429, 70-26-109, 70-26-204

LANDLORD AND TENANT (Continued)
Rental agreement (Continued)

- invalid when, 70-25-103
- life, for — recovery of rent, 70-26-107
- locks removed, replaced, or added by tenant — failure to provide key, 70-24-424
- maintenance, waiver of obligation prohibited, 70-24-203
- mobile home dwelling units, 70-24-103, 70-24-305, 70-24-436
- noncompliance, 70-24-406, 70-24-407, 70-24-422
- prohibited provisions, 70-24-202, 70-24-203, 70-24-403, 70-25-103
- renewal, 70-26-204, 70-26-205
- rules of landlord, notice, 70-24-311
- smoke detectors, verification of good working order, 70-24-303
- termination, See **Termination of rental agreement**
- terms and conditions, 70-24-201, 70-24-204, 70-24-423, 70-24-426, 70-24-429
  - change, notice, 70-26-109
- territorial extent of provisions, 70-24-107
- transfer of premises or termination of management, effect, 70-24-304
- unconscionable provisions, 70-24-404
- unsigned or undelivered, effect, 70-24-204
- writing, 70-19-412, 70-24-103

Repairs, See **Maintenance**
Retaliation by landlord, 70-24-431
Rooms and roomers, 70-24-103, 70-24-201
- partial letting of rooms prohibited, 70-26-101

Rules by landlord, 70-24-311, 70-24-321
Secured transactions
- rents or lease or landlord's lien excluded as, 30-9-104
- sale of tenant's abandoned personal property, applicability of laws, 70-24-430

Security deposit, 70-25-101
- acceptance, effect, 70-24-302
- applicability of laws, 70-25-102
- deductions, 70-25-201, 70-25-203
- essential services, return on interruption when, 70-24-411
- eviction, return when, 70-24-411
- fire or casualty damage, recovery when, 70-24-409
- list of charges to tenant, 70-25-202, 70-25-203, 70-25-206
- maintenance of premises
  - deductions for, 70-25-201
  - failure of landlord, return of deposit, 70-24-406
- new address of departing tenant, failure to provide, 70-25-205
- possession, landlord's failure to deliver — return of deposit, 70-24-405
- presumption, 70-25-101
- statement of condition of premises, 70-25-206
- transfer of premises, effect, 70-24-304
- waivers and contrary provisions invalid, 70-25-103
- wrongful withholding, 70-25-204

Service of process, 70-24-301
Smoke detectors, installation, 70-24-303
Subletting by tenant, 70-24-305, 70-26-103, 70-27-108
Supplementary laws applicable, 70-24-105
Tenants at will, 70-24-201, 70-24-311, 70-24-426, 70-24-441, 70-26-109, 70-26-202, 70-26-206, 70-27-104, 70-27-108
Tenants for years, 70-26-206
Termination of management, 70-24-304
Termination of rental agreement
- abandonment by tenant, 70-24-426
- breach, 70-24-406, 70-24-422, 70-24-423

LANDLORD AND TENANT (Continued)
Termination of rental agreement (Continued)

- commercial property, notice, 70-26-205
- damage to property, grounds, 70-24-422
- entry by landlord, 70-24-312
  - refusal by tenant, 70-24-424
  - unlawful or unreasonable, cause for termination, 70-24-410
- essential services, diminution — cause for, 70-24-411
- eviction, unlawful — cause for, 70-24-411
- fire or casualty damage, upon, 70-24-409
- holdover by tenant, 70-24-429
- locks removed, replaced, or added by tenant — failure to provide key, 70-24-424
- maintenance, failure of
  - landlord, 70-24-406
  - tenant, 70-24-422
- mobile home parks, 70-24-436
- possession, landlord's failure to deliver, 70-24-405
- remedies of landlord following, 70-24-427
- rent, nonpayment — for, 70-24-422
- repairs, payment, 70-24-425
- security deposit, return, 70-24-406, 70-24-409, 70-25-202
- unlawful detainer, 70-27-108

Termination of tenancy, 70-24-422, 70-24-441
- inspection of premises, 70-25-201, 70-25-202
- list to tenant of damages, cleaning charges, and rent due, 70-25-202
- mobile home parks, 70-24-436
- new address of departing tenant, failure to provide, 70-25-205
- personal property abandoned by tenant, disposition, 70-24-430
- security deposit, wrongful withholding — action for, 70-25-204

Territorial extent of provisions, 70-24-107
Title of landlord presumed, 26-1-601
Transferee of real property, rights, 70-26-102
Transfer of premises
- landlord, by, 70-24-304
- tenant, by, 70-24-305

Unions, tenants', 70-24-431
Unlawful detainer, 70-27-108, See **FORCIBLE ENTRY AND DETAINER AND UNLAWFUL DETAINER**
Visually disabled persons, See **BLIND OR VISUALLY DISABLED PERSONS**
Waivers
- rental agreement, rights and remedies — prohibited, 70-24-202, 70-24-203
- security deposit, prohibited, 70-25-103
- settlement of claim or right, unenforceable, 70-24-404
- termination of rental agreement, landlord's right to, 70-24-423

LANDOWNER NOTIFICATION ACT, Title 82, chapter 2, part 3
See **MINES AND MINING, Landowner**

LAND SALES PRACTICES ACT, FOREIGN, Title 76, chapter 4, part 12
See **SUBDIVISIONS, Out-of-state subdivisions, in-state sales**

LANDSCAPE ARCHITECTURE AND ARCHITECTS
Advertising, 37-66-302
Art for state buildings, nonapplicability, 22-2-403
Board of Landscape Architects, 2-15-1872, 37-66-201, 37-66-202
Business licenses, 37-66-303, 49-3-204
Citation of Landscape Architecture Registration and Licensing Act, 37-66-101
Exemptions from provisions, 37-66-105

LANDSCAPE ARCHITECTURE AND ARCHITECTS (Continued)

False practices, 37-66-104
Fines, 37-66-322
Licenses and licensing, Title 37, chapter 66, part 3
  businesses, 37-66-303
  discrimination in issuance prohibited, 49-3-204
  display, 37-66-308
  examinations, 37-66-305
  expiration, 37-66-307
  false or forged evidence in obtaining, 37-66-104
  fees, 37-66-307
  individuals, limited to, 37-66-303
  misuse, 37-66-104
  partnerships, 37-66-303
  qualifications, not required, 37-66-304
  renewal, 37-66-307
  required, 37-66-104, 37-66-301, 37-66-302
  restrictions, 37-66-303
  revocation or suspension, 37-66-307
  withdrawal by licensee, 37-66-307
Partnerships, 37-66-303
Practice of landscape architecture
  license required, 37-66-104, 37-66-301
  title, illegal use, 37-66-302
Purpose of Landscape Architecture Registration and Licensing Act, 37-66-102
Regulation generally, See **PROFESSIONS AND OCCUPATIONS**
Seal, 37-66-308
Title, illegal use, 37-66-302
Unlawful practices, 37-66-104, 37-66-322

LANDSCAPE MANAGEMENT, Title 75, chapter 15
  See **JUNKYARDS; OUTDOOR ADVERTISING**

LAND SURVEYORS
  See **COUNTY SURVEYOR; ENGINEERS AND LAND SURVEYORS; PROPERTY, REAL, Surveying**

LAND USE PLANNING
  See also generally **ECONOMIC DEVELOPMENT; ZONING**
Air pollution control, Title 75, chapter 2, See **AIR QUALITY**
Airports, See **AIRPORTS AND LANDING FIELDS**
Burial site protection, Title 22, chapter 3, part 8, See **HUMAN SKELETAL REMAINS AND BURIAL SITE PROTECTION**
Conservation districts, land use regulations, Title 76, chapter 15, See **CONSERVATION DISTRICTS**
Conservation easements, Title 76, chapter 6, part 2, See **Open-space land**
County land planning funds, 15-35-108, 90-1-108
County-owned lands, 7-8-2501, 90-6-201
Environmental Policy Act, Title 75, chapter 1, parts 1 — 3, See **ENVIRONMENTAL PROTECTION, Policy of state**
Facility Siting Act, Title 75, chapter 20, See **FACILITY SITING**
Flathead Basin, 2-15-213 — 2-15-215; Title 75, chapter 7, part 3
Floodplain and floodway regulations, Title 76, chapter 5, part 11, See **FLOODPLAINS AND FLOODWAYS**
Forest practices in streamside management zones, 77-5-301 — 77-5-307
Forests, development and management, Title 76, chapter 13, See **ECONOMIC DEVELOPMENT; FORESTS AND FORESTRY, Development; Forest practices; Management**
Grazing districts, within, Title 76, chapter 16, See **GRAZING DISTRICTS**

LAND USE PLANNING (Continued)

Human skeletal remains, protection, Title 22, chapter 3, part 8, See **HUMAN SKELETAL REMAINS AND BURIAL SITE PROTECTION**
Interlocal cooperation commission, considerations in preparation of proposals, 7-11-225
Landscape architects, Title 37, chapter 66
Local government, mandatory provisions, 7-1-114
Megalandfill siting, Title 75, chapter 10, part 9, See **MEGALANDFILL SITING**
Natural areas
  account, special revenue, 76-12-123
  administration or enforcement, 76-12-115, 76-12-121 — 76-12-123
  advisory council, 2-15-3203, 76-12-104, 76-12-121, 76-12-122
  citation of natural areas act of 1974, 76-12-101
  condemnation, 76-12-108, 76-12-110
  conflict of laws, 76-12-117
  definitions, 76-12-104
  designation or acquisition, 76-12-107
    condemnation or development, authorization and restrictions, 76-12-108, 76-12-110
    existing uses, continuation, 76-12-111
    generally, 76-12-102, 76-12-104, 76-12-107, 76-12-108
    hearings and notice, 76-12-112
    recommendations regarding, 76-12-121
    report concerning, 76-12-109
    restrictions, additional, 76-12-117
  development, 76-12-110
  eminent domain, 76-12-108, 76-12-110
  establishment, 76-12-102, 76-12-103, 76-12-121
  files as public record, 76-12-116
  fire suppression costs, 76-12-121
  floodways, within, Title 76, chapter 5
  gifts, 76-12-107, 76-12-123
  land
    acquisition, 76-12-107, 76-12-108
    registration, 76-12-107, 76-12-121
    uses, 76-12-111, 76-12-121
  legislative findings, 76-12-102
  management, 76-12-104, 76-12-107, 76-12-121
  multiple uses, availability for, 76-12-121
  policy, 76-12-103
  protection, 76-12-103, 76-12-104, 76-12-107, 76-12-112
  register, 76-12-104, 76-12-121
  registration, 76-12-107, 76-12-121
  reports concerning, 76-12-109
  rules, 76-12-112
  signs, location, 75-15-113
  state lands, on, 76-12-103, 76-12-107, 76-12-121
  system, plan for, 76-12-104, 76-12-121
Open-space land
  citation of open-space land and voluntary conservation easement act, 76-6-101
  comprehensive planning, 76-6-104
    authorization for, 76-6-110
    conservation easement, relationship of proposed conveyance, 76-6-206
    counties, by, 7-16-2324
  conservation easements, 70-17-101, 70-17-102, 76-6-201
    acquisition, 7-7-2101, 76-6-204
    assignability, 76-6-205
    conversion or diversion of land created by, 76-6-107

LAND USE PLANNING (Continued)
Open-space land (Continued)
    conservation easements (Continued)
        duration, 76-6-202, 77-2-319
        enforcement, 76-6-210, 76-6-211
        grantee's liability to recreationists, 70-16-302
        natural areas, for, 76-12-107
        permissible types, 76-6-203, 77-2-319
        recording and description, 76-6-207
        renewal, 76-6-202, 76-6-208
        review, 76-6-206
        run with the land, to, 76-6-209, 77-2-319
        taxation of property subject to, 76-6-208
        upland game bird enhancement projects, 87-1-248
    construction of provisions, 76-6-105
    conversion or diversion, 76-6-107
    conveyance or lease, 76-6-108, 76-6-205, 76-6-206
    dedicated land, 76-3-621
    development, Title 76, chapter 2, See **ZONING**
    findings, 76-6-102
    floodways, permissible uses, Title 76, chapter 5, part 11
    funds, 76-6-109, 76-6-110
    gift provisions, 76-6-105, 76-6-106
    planning commission
        authorization and funding, 76-6-110
        conservation easements, review, 76-6-206
        public body, powers exercised through, 76-6-109
    policy regarding, 76-6-102
    property
        acquisition and designation, 76-6-106
        conveyance or lease, 76-6-108
        in-kind payment of inheritance and estate taxes for conservation, 72-16-445
        public bodies, powers, 76-6-109
        substitution when, 76-6-107
        taxation of property subject to conservation easements, 76-6-208
    public body, 76-6-104
        conservation easements, acquisition by, 76-6-201
        powers generally, 76-6-109
        property, acquisition and designation, 76-6-106
    purpose of provisions, 76-6-103
    special improvement districts, creation for, 7-12-4102
    subdivisions, planning for, Title 76, chapter 4, See **SUBDIVISIONS**
Parking commission facilities, compliance with laws, 7-14-4631
Planning boards, Title 76, chapter 1, See **PLANNING BOARDS**
Rangelands and range management plans, 76-14-105, See **RANGELAND RESOURCES**
Renewable resource development, Title 85, chapter 1, part 6
Shooting ranges, 76-9-103 — 76-9-105
Soil conservation and erosion control, Title 76, chapter 15, See **CONSERVATION DISTRICTS**
Soil survey and mapping program
    citation of soil survey act, 76-11-201
    purpose of provisions, 76-11-202
    tax uses, 15-7-103
State lands, 77-1-401 — 77-1-404, 77-1-605; Const., X, 11, See **STATE LANDS**
Streamside management zones, forest practices in, 77-5-301 — 77-5-307
Subdivisions, Title 76, chapter 4, See **SUBDIVISIONS**
Timber development and management, Title 76, chapter 13, See **FORESTS AND FORESTRY**, **Development**; **Forest practices**; **Management**

LAND USE PLANNING (Continued)

Urban renewal, Title 7, chapter 15, parts 42 and 43, See **URBAN RENEWAL**
Water pollution control, Title 75, chapter 5, See **WATER QUALITY**

LAW
    See also generally **BALLOT ISSUES; COURTS; JUDGES AND JUSTICES; LEGISLATURE**
Action in
    days counted, 1-1-306
    postponement of day, 1-1-307
Amendments, See **Enactment and repeal**
Annotations to Montana Code Annotated, 1-11-103, 1-11-204
Bills, See **Enactment and repeal**
Choice of law, See **CONFLICT OF LAWS**
Code commissioner, See also **PUBLIC OFFICERS OR EMPLOYEES**, generally
    duties, 1-11-204
    Montana code annotated
        notes, 1-11-103
        publication and sale, See **Montana Code Annotated**
    office created, 1-11-201
    publications distribution, exempt from state publications library distribution regulations, 22-1-218
    qualifications, 1-11-202
    reports by, 1-11-204, Refer to Annotations to Montana Code Annotated, Vol. 1, Code Commissioner's Reports
    supervision, 1-11-203
    support from legislative services division, 5-11-112
"Code" or "Codes" defined, 1-11-101, See **Montana Code Annotated; Revised Codes of Montana, 1947**
Commission on Uniform State Laws, 1-12-101, 1-12-102, 1-12-104
Common law
    administrative procedure, applicability, 2-4-612
    applicability, 1-1-108, 1-1-109
    attorneys at law, admission of nonresidents, 37-61-208
    boat owner's liability for negligent operation, 23-2-505
    criminal code inapplicability, 45-1-102
    development corporation stock ownership, inapplicability, 32-4-208
    disasters and emergencies, authority of governor, 10-3-102
    hazardous or deleterious substance, release — remedial action contractor's liability, 75-10-718
    health care information, patient authorization for disclosure not waiver of rights, 50-16-526
    judicial notice, Title 26, chapter 10, M.R.Ev., Rule 202
    labor and industry, department of
        hearings, nonapplicability, 39-71-318
        hearings officers not bound by, 39-3-216
    perpetuities, rule against — statutory exclusions, 72-2-1005
    personnel appeals, board of — not bound by, 39-31-207
    professional limited liability company, relationship to clients and patients — applicability, 35-8-1307
    state tax appeal board not bound by, 15-2-301
    statutes in derogation of, 1-2-103
    trademarks, applicability, 30-13-334, 30-13-336
    trusts, applicability, 72-33-103, 72-34-506
    unemployment insurance disputed claims hearings, applicability, 39-51-2407
    "unwritten law" defined, 1-1-107
    water-related proceedings, applicability, 85-2-121
    workers' compensation judge bound by, 39-71-2903
    wrongful discharge from employment, preemption of remedies, 39-2-913
Conflict of laws, See **CONFLICT OF LAWS**

LAW (Continued)

Constitution, See **CONSTITUTION OF MONTANA**
  challenges, See **CONSTITUTIONAL CHALLENGES**
  expression of law, 1-1-102
  written law of state, 1-1-105
Construction, See **Statutes**
Contracts, impairment, Const., II, 31; XIII, 1
Definitions, 1-1-101, 1-11-101; Title 1, chapter 1, parts 1 and 2, See **WORDS AND PHRASES DEFINED IN CODE**, following general index
Effective date, 1-2-201, 1-2-202, 13-27-105
Emergency laws, enactment and duration, 10-3-503, 10-3-505 — 10-3-507; Const., III, 2
Emergency suspension, 10-3-104
Enacting clause, required form, 5-4-101
Enactment and repeal
  administrative rule, implementation by — when, 2-4-305, 5-4-402
  amendment of statute
    effect, 1-2-108, 1-2-203
    repealed act, amendment void, 1-2-204
    uncodified provisions redundant with codified provisions, effect on, 1-2-208
  authentication, acts of congress relating to, Refer to Annotations to Montana Code Annotated, Vol. 1, Federal materials
  ballot issues, effective date, 13-27-105
  bills and resolutions
    administrative rules, changes or repeal, 2-4-412
    agencies and programs, bill for termination or reestablishment, 2-8-105, 2-8-112, 2-8-122
    amendatory veto, 5-4-304; Const., VI, 10
    amendment, Const., V, 11
    appropriations, 1-2-201, 5-4-303, 5-4-305; Const., V, 11
      reconsideration, 5-4-303
      unlawful expenditure, 17-8-104
    authentication requirements, 5-4-305, 5-4-307
    budget bills, referral and amendment, 17-7-131
    building construction, consent by joint resolution when, 18-2-102
    conference committee requested when, 5-4-304
    custody of resolutions, 2-6-111
    effective date, 1-2-201, 1-2-202, 13-27-105
    enacting clause, form, 5-4-101
    energy policy analysis, 90-4-1004
    enrolled bills, effect, 1-11-103
    final publication, See **Session laws**
    fiscal impact, estimate required, 5-4-210
    fiscal notes, 5-4-201 — 5-4-206, See also **LEGISLATURE, Fiscal notes**
    governor's action on, Const., VI, 10; Title 5, chapter 4, part 3, See **GOVERNOR, Legislature**
    intent, legislative — inclusion when, 5-4-404
    joint resolutions
      administrative rules, changes or repeal, 2-4-412
      appropriations, unlawful expenditure, 17-8-104
      effective date, 1-2-202
      energy supply emergency conditions, declaration to extend or cease, 90-4-310
      postattack recovery and rehabilitation proclamation, issuance — authority for or concurrence, 10-3-505
      state water plan, revision by, 85-1-203
    laws, bills become — when, 5-4-305 — 5-4-307; Const., VI, 10
    licensing boards, bills for — legislative audit committee report required with, 5-4-207
    local or special acts prohibited, Const., V, 12
    passage, Const., V, 11

LAW (Continued)
Enactment and repeal (Continued)
  bills and resolutions (Continued)
    passed bills, assignation of chapter number, 5-11-204
    publication and distribution, 5-11-211 — 5-11-214, 5-11-221, See also **LEGISLATIVE COUNCIL**
    purpose, Const., V, 11
    reconsideration, 5-4-303, 5-4-304; Const., VI, 10
    restriction, 1-2-114
    sponsor's fiscal note, 5-4-204, See also **LEGISLATURE, Fiscal notes**
    statements of intent, 5-4-401 — 5-4-404, 17-7-138
    statute of limitation on challenge, Const., V, 11
    subcommittees, preparation by, 5-5-215
    tampering with, unlawful, 45-7-208
    title, 2-8-122, 5-4-102, 5-4-306; Const., V, 11
    veto, Const., VI, 10; Title 5, chapter 4, part 3, See **GOVERNOR, Legislature**
    vote of
      legislature, required for passage, Const., V, 11
      people, referred to — limitation on title, 5-4-102
  challenges, Const., V, 11
  effective date, 1-2-201, 1-2-202, 13-27-105
  emergency laws, 10-3-503, 10-3-505 — 10-3-507; Const., III, 2
  enacting clause, required form, 5-4-101
  initiative and referendum, See **BALLOT ISSUES, Initiatives; Referendums**
  joint resolutions
    administrative rules, changes or repeal, 2-4-412
    appropriations, unlawful expenditure, 17-8-104
    effective date, 1-2-202
    energy supply emergency conditions, declaration to extend or cease, 90-4-310
    postattack recovery and rehabilitation proclamation, issuance — authority for or concurrence, 10-3-505
    state water plan, revision by, 85-1-203
  legislative intent regarding discretionary authority of state agencies, Title 5, chapter 4, part 4, See **LEGISLATURE, Legislative History Act**
  local or special legislation to be avoided, Const., V, 12
  motor vehicle fees or taxes, providing — effective date, 1-2-201
  "passage" defined, 1-2-201; Const., V, 12
  repeal of statutes, 1-2-110
    amendment, void, 1-2-204
    criminal offense, law creating — effect, 1-2-205
    repealing act, no revival, 1-2-207
    subsequent repeal, effect, 1-2-206
    uncodified provisions redundant with codified provisions, effect on, 1-2-208
  supreme court not to abridge legislative power, 3-2-708
Enforcement, Const., VI, 4
Ex post facto laws
  prohibited, Const., II, 31; XIII, 1
  prosecution under repealed statute not a violation, 1-2-205
Expression of, 1-1-102
Federal Mandates Act, Title 2, chapter 1, part 4
Foreign law, See **FOREIGN LAWS**
Holidays and business days, 1-1-216
  action in
    days counted, 1-1-306
    postponement of day, 1-1-307
Initiative and referendum, See **BALLOT ISSUES, Initiatives; Referendums**
Instruments, interpretation, Title 1, chapter 4, part 1, See **INSTRUMENTS**, generally
Judicial notice, See **EVIDENCE**

LAW (Continued)

Laws of Montana, See **Session laws**
Maxims of jurisprudence
  acquiescence in error, 1-3-207
  acts
    idle, 1-3-223
    of others, 1-3-211
    on one's behalf, 1-3-210
  benefit — burden, 1-3-212
  certainty, 1-3-229
  change in purpose, 1-3-203
  consent to act, effect, 1-3-206
  contemporaneity, preference for, 1-3-226
  control, man's — responsibility beyond, 1-3-217
  dispossession, fraudulent, 1-3-209
  earliest rights preferred, 1-3-216
  equal in right or wrong, 1-3-215
  essentials, grant includes, 1-3-213
  form and substance, 1-3-219
  fraudulent dispossession, 1-3-209
  general versus particular, 1-3-225
  grant includes essentials, 1-3-213
  idle acts, 1-3-223
  impossibilities, 1-3-222
  incident and principal, 1-3-231
  innocent persons, suffering, 1-3-234
  interpretation
    reasonableness, 1-3-233
    voidness, not preferred, 1-3-232
  larger, smaller within, 1-3-227
  nonexistence, apparent, 1-3-221
  own wrong, no advantage, 1-3-208
  particular versus general, 1-3-225
  preference
    for contemporaneity, 1-3-226
    to earliest rights, 1-3-216
  principal and incident, 1-3-231
  purpose
    change in, 1-3-203
    of maxims, 1-3-101
  remedy for every wrong, 1-3-214
  responsibility beyond man's control, 1-3-217
  right or wrong, equal in, 1-3-215
  rights, limitation, 1-3-205
  rule and reason, 1-3-201, 1-3-202
  smaller within larger, 1-3-227
  substance and form, 1-3-219
  superfluity, 1-3-228
  third parties, who suffers, 1-3-234
  trifles, 1-3-224
  vigilant helped by law, 1-3-218
  void act, 1-3-230
  waiver of statutory rights permitted when, 1-3-204
  what ought to have been done, 1-3-220
  wrong
    own, no advantage, 1-3-208

LAW (Continued)
Maxims of jurisprudence (Continued)
    wrong (Continued)
        remedy for, 1-3-214
Meaning of, Title 1, chapter 1, part 1
Montana Code Annotated
    administrative rules, citations within, 2-4-305
    ancillary publications, 1-11-303, 1-11-304
    bids for publication and sale, 1-11-301
    citation, 1-11-102
    city courts, provision to, 3-11-206
    copyright and ownership, 1-11-304
    distribution, free, 1-11-301
    effect, 1-11-103
    enactment, effect, 1-11-103
    justices' courts to have edition of code, 3-10-103
    legislators and legislative committees, availability to, 5-11-209
    libraries, provision to, 1-11-301
    name, 1-11-102
    printing, 1-11-301, 18-7-101, 18-7-107, See also **PUBLIC CONTRACTS, Printing**
    publication
        specifications, 1-11-301
        supplemental material, 1-11-204, 1-11-303
    recodification, name of, 1-11-102
    sales price, 1-11-301
    statutes, local — effect on, 1-2-111
    supplements or replacements
        authority for issuance, 1-11-303
        certification and deposit, 1-11-302
        copyright, 1-11-304
        format and approval, 1-11-302
    updates, 1-11-204, 1-11-302
"Notice, actual and constructive" defined, 1-1-217
Obedience, presumption, 26-1-602
Official laws of Montana, 1-11-103, See **Montana Code Annotated**
Ordinary law, 1-1-103
Organic law, 1-1-103, 1-1-105
Out-of-state laws, See **FOREIGN LAWS**
Practice of, See **ATTORNEYS AT LAW**, generally
Privileges and immunities, irrevocable grant by legislature prohibited, Const., II, 31
Public officers, words giving joint authority to, 1-1-218
Public record, as, Title 2, chapter 6, See **PUBLIC RECORDS**
Reciprocal laws, See **FOREIGN LAWS**
Recodification
    code commissioner, duties, 1-11-204
    name of, 1-11-102
    "recodify" defined, 1-11-101
Referendum, See **BALLOT ISSUES**
Repeal, See **Enactment and repeal**
Residence provisions, See **RESIDENCE**
Retroactive when, 1-2-109
Retrospective operation, Const., II, 31; XIII, 1
Revised Codes of Montana, 1947, 1-11-101
    reenactment, Montana code annotated as, 1-11-103
School of, See **UNIVERSITY OF MONTANA, Law school**
Session laws, 5-11-211
    appropriations, separate index for, 5-11-206
    chapter numbers, assignation, 5-11-204

LAW (Continued)
Session laws (Continued)

- code sections affected list, 5-11-206
- county boundaries, description, 5-11-207
- distribution, 5-11-203, 22-1-218
- expenses, payment, 5-11-208
- format for publication, 5-11-205
- indexes, 5-11-202, 5-11-205, 5-11-206
- Montana code annotated, cross-reference indexes, 1-11-204
- printing, 5-11-202, 18-7-101, 18-7-107, See also **PUBLIC CONTRACTS, Printing**
- publication, format, 5-11-205
- resolutions, inclusion, 5-11-205
- watercourse name changes, inclusion, 2-15-401

State mandates

- local governments, 1-2-112, 1-2-115
- school districts, to, 1-2-113

Statutes

- bills and resolutions, See **Enactment and repeal**
- construction
  - common law, in derogation of, 1-2-103
  - constitutional questions, See **CONSTITUTIONAL CHALLENGES**
  - definitional rules, general, 1-2-105
  - definitions, applicability, 1-2-107
  - delegation of authority, legislative intent concerning, Title 5, chapter 4, part 4, See **LEGISLATURE, Legislative History Act**
  - judge, interpretation by, 1-2-101
  - jurisdiction of court, 25-7-102
  - legislative intent, 1-2-102, 5-4-401 — 5-4-404
  - particular and general provisions, 1-2-102, 1-3-225
  - preference to natural right, 1-2-104
  - questions of law, 26-1-201
  - reference to other titles, chapters, parts, sections, and subsections, 1-2-108
  - terminology, 1-2-106, See **Terminology**; See also **WORDS AND PHRASES DEFINED IN CODE**, following general index
- delegation of authority, legislative intent, 5-4-401 — 5-4-404
- enactment and repeal, See **Enactment and repeal**
- expression of law, 1-1-102
- interpretation, 1-3-225, 1-3-232, 1-3-233
  - legislative intent concerning delegation of authority, 5-4-401 — 5-4-404
- judicial notice, See **EVIDENCE, Judicial notice**
- kinds, 1-1-106
- liberalness, 1-2-103
- local government duties, imposition, 1-2-112, 1-2-115
- local, preservation, 1-2-111
- plain language in contracts provisions, effect, 30-14-1104
- private statutes, 1-1-106
  - preservation, 1-2-111
- "public statutes" defined, 1-1-106
- recitals within as evidence, 26-1-604
- retroactive when, 1-2-109
- school district duties, imposition, 1-2-113
- special, preservation, 1-2-111
- trust code, references, 72-33-107
- uncodified because redundant — effect of subsequent amendment, repeal, or deletion of codified provision, 1-2-208
- written law, as, 1-1-105

LAW (Continued)

Suspension
    emergency, 10-3-104
    referendum, by, Const., III, 5
Terminology, See also **WORDS AND PHRASES DEFINED IN CODE**, following general index
    general, 1-1-201, 1-1-207
    instruments and other writings, relating to, 1-1-203
    judiciary, relating to, 1-1-202
    obligations and transactions, relating to, 1-1-206
    procedure, relating to, 1-1-202
    property and decedents' estates, relating to, 1-1-205
    state of mind, denoting, 1-1-204
Uniform State Laws, Commission on, 1-12-101, 1-12-102, 1-12-104
Unwritten law, 1-1-103, 1-1-107
Written law, 1-1-103, 1-1-104, 2-6-101
    contained in constitution and statutes, 1-1-105
Wrongful discharge, "public policy" defined, 39-2-903

LAW ENFORCEMENT
Academy
    citation of Montana law enforcement academy act, 44-10-101
    civil disorder, prohibited activities and exceptions, 45-8-107 — 45-8-109
    crime control, board of — standards established by, 44-4-301
    crime victim assistance, training, 46-24-102
    establishment, 44-10-102, 44-10-103
    justice, department of — governance, powers, and duties, 44-10-201, 44-10-202
    officers and other individuals who attend, 44-10-202, 44-10-301 — 44-10-303
        deputy sheriffs, 7-32-2106
        probation and parole officers, 46-23-1003
        railroad corporation special peace officers, 44-4-902
    peace officers' basic equivalency tests and training courses, administration, 7-32-303
    purpose of provisions, 44-10-102
    sessions, determination, 44-10-203
Adult protective service teams, membership, 52-3-805
Aeronautics regulations, enforcement, 67-2-501
Amusement games, inspection, 23-6-105
Anatomical gift donors, search for document of gift or evidence of refusal, 72-17-213
Appellate Defender Commission member, service as law enforcement official prohibited, 2-15-1020
Arson-caused fires, investigations, 46-18-261, 50-3-102
Assistance, mutual
    agreements for
        actions resulting from, 44-11-306
        approval, 44-11-309
        authorization, 44-11-304
        citation of interstate law enforcement mutual aid act, 44-11-301
        content, 44-11-304, 44-11-305
        definitions, 44-11-303
        duties of law enforcement agency imposed by law not abrogated by agreement, 44-11-307
        filing, 44-11-310
        funding, 44-11-305, 44-11-311
        interlocal agreement provisions, effect, 44-11-312
        powers of law enforcement agency, limitation, 44-11-308
        purpose of provisions, 44-11-302
    assisting officer
        employment, rights of, 44-11-201, 44-11-202
        liability, powers, and duties, 44-11-101, 44-11-102, 44-11-304, 44-11-305

LAW ENFORCEMENT (Continued)
Assistance, mutual (Continued)

- request for, 44-11-101

Assistance, tactical incident
- citation of tactical incident assistance act, 10-3-701
- definitions, 10-3-702
- national guard assistance, 10-3-704, 10-3-705
- request for, 10-3-703, 10-3-704

Auxiliary officers
- arrest authority, limitation, 7-32-233
- authorization, 7-32-231
- definitions, 7-32-201
- exceptions to specific provisions, 7-32-234
- municipal commission-manager government, applicability, 7-3-4465
- pension or retirement systems, participation prohibited, 7-32-202
- role, 7-32-232
- weapons, carrying — prohibited, 7-32-232
- workers' compensation coverage, 7-32-203

Battered spouses programs, 52-6-104
Carnival games, inspection, 23-6-105
Child abuse and neglect
- child protective teams, officers as members of, 41-3-108
- death of child, reports, 41-3-206
- disclosure of records to, when, 41-3-205
- emergency placement of child, 41-3-301
- investigations, 41-3-202, 41-3-401
- protection of child, service of order and petition for, 41-3-403
- reporting of cases, 41-3-201 — 41-3-207
- x-rays required to be taken when, 41-3-204

Child custody, access to law enforcement records by noncustodial parent, 40-4-225
Child support enforcement, cooperation, 40-5-165, 40-5-206
City and town law enforcement records, availability, 7-1-4144
City courts, caseload allocation — notification, Title 25, chapter 24, M.U.R.J.C.C., Rule 2
City marshal, See **CITY MARSHAL**
City or town council, powers, 7-32-4301 — 7-32-4304, 7-32-4311
Civil disorder, prohibited activities and exceptions, 45-8-107 — 45-8-109
Commission form of government, 7-3-433
Community Corrections Boards, appointment to, 53-30-312
Constables, See **CONSTABLES**
Corpses, suicide note or property with or upon person of deceased, 7-4-2917
County attorney training coordinator, 44-4-101 — 44-4-103, 44-4-111, 44-4-112
County commissioners, board of — powers, 7-32-2301, 7-32-2302
County park warden, powers limited, 7-16-2322
County sheriff, See **COUNTY SHERIFF**
Crime Control, Board of, See **CRIME CONTROL**
Crimes
- failure to report a felony to, 45-7-305
- false alarms to, 45-7-204
- false reports to, 45-7-205
- impersonating officer, 45-7-209

Crimestoppers programs
- fish and wildlife, 87-5-605
- livestock, 2-15-3104, 81-6-313

Crime victims and witnesses — treatment, protection, and services, See **CRIME VICTIMS AND WITNESSES**
Criminal identification, state system of, See also **CRIMINAL JUSTICE INFORMATION**
- cooperation with other agencies, 44-2-206

LAW ENFORCEMENT (Continued)
Criminal identification, state system of (Continued)

  establishment, 44-2-201
  information, failure of officer to provide, 44-2-205
  local bureaus of investigation, 44-2-202
Criminal investigation, Title 44, chapter 2, part 1; chapters 3 and 5
Criminal investigations, special — funding, 44-13-103
Criminal justice information, Title 44, chapter 5
Death of person in custody of, 46-4-122
Detention centers, use, 7-32-2242
Developmental disabilities, persons with — report and investigation of abuse, neglect, or exploitation, 52-3-804, 52-3-811
DNA testing and procedures, 44-6-101 — 44-6-103, 44-6-106 — 44-6-108, 44-6-110
Dogs running at large, seizure and impoundment, 7-23-102
Domestic violence programs, 52-6-104
Drug Abuse Resistance Education (D.A.R.E.) Program, 15-30-158; Title 44, chapter 2, part 7
Drugs
  dangerous drugs, education and training assistance, 50-32-105
  imitation dangerous drugs, exemption from criminal provisions, 45-9-116
  seizures related to controlled substances, Title 44, chapter 12
Elderly persons — report and investigation of abuse, neglect, or exploitation required, 52-3-804, 52-3-811
Evidence
  criminal cases, appropriation for use, 46-5-306 — 46-5-309
  photographing, 26-1-608
False reports to authorities, 45-7-205
Felony, compounding a — offense of, 45-7-305
Firearms safety or training courses, 45-8-321
Fish and game wardens, See **FISH AND WILDLIFE, Enforcement**
Forensic science, Title 44, chapter 3
Full-time officers
  auxiliary officers subordinate to, 7-32-232
  reduction in number prohibited when, 7-32-212
  reserve officers, 7-32-216, 7-32-219, 7-32-220
Gunshot wounds to be reported to officer, 37-2-302
Hazardous chemical violations reported to, 50-78-301
Hazardous material incidents, recovery of costs, 75-10-716, 75-10-717
Health care information, disclosure to — when, 50-16-530, 50-16-535
Highway patrol officers, See **HIGHWAY PATROL OFFICERS**
Home arrest, offenders under — list to agencies, 46-18-1006
Hostages
  communications to and from person holding, 69-6-104
  tactical incident assistance, 10-3-701 — 10-3-705
Infectious disease, exposure to, 50-16-701 — 50-16-705
Insurance fraud
  cooperation by commissioner of insurance, 33-1-1204
  notice or complaints, 33-1-1203
Interstate law enforcement mutual aid, See **Assistance, mutual**
Investigative reports, hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
Justices' courts, caseload allocation — notification, Title 25, chapter 24, M.U.R.J.C.C., Rule 2
Laboratory of criminalistics, 44-3-301 — 44-3-303
Land mobile public safety radio frequencies, 2-17-311 — 2-17-313
Law Enforcement Network System (LENS), 61-3-106
License plates and certificates of registration, confidential, 44-4-201 — 44-4-206
Livestock inspectors and detectives, 81-1-201
Lottery, state
  commission, qualification for office, 23-7-201
  security division and assistant director for security, 23-7-212

LAW ENFORCEMENT (Continued)

Medical examiner, state — assistance by, 44-3-211
Memorial, Law Enforcement Officers', 22-3-701
Mental health professionals, information regarding threat of violence by patient, 27-1-1102
Mentally ill persons, escape or release from confinement — notification, 44-2-601
Minors, See also **Child** entries; **Youth court**
  aftercare violations, detention for, 52-5-128
  curfew provisions, 7-32-2302
Missing persons, 72-3-306; Title 44, chapter 2, parts 4 and 5
Motor vehicle purchase stickers obtained from, 61-3-317
National Crime Information Center (NCIC), 44-2-503, 44-2-505, 61-3-106
9-1-1 emergency telephone system, Title 10, chapter 4, parts 1 — 3
Organ donors, search for document of gift or evidence of refusal, 72-17-213
Partner or family member assault protection orders, procedures, 40-15-303
Peace officers, specific provisions, See **PEACE OFFICERS**
Police, See **POLICE**
Police dog, harming, 45-8-209
Posses, 7-32-234, 7-32-304, 7-32-2112
Prisoners, escape or release from confinement — notification, 44-2-601
Private investigators or security guards, information from, 37-60-402
Probation officers, law enforcement officer's appointment or duties as — prohibited, 41-5-701
Public safety communications officers, 7-31-201 — 7-31-203, 44-4-301, 44-4-302
Public Safety, Department of, Title 7, chapter 32, part 1, See **COUNTIES**
Reserve officers
  activation, status upon, 7-32-218
  activities, limitation, 7-32-216
  appointment, 7-32-211 — 7-32-213, 7-32-220
  authorization, 7-32-211
  basic training, 7-32-214
  coordinator, 7-32-219
  definitions, 7-32-201
  full-time officers, reduction in number prohibited, 7-32-212
  full-time position, appointment to, 7-32-220
  manual for training and procedures, 7-32-215
  municipal commission-manager government, applicability, 7-3-4465
  pension or retirement systems, participation prohibited, 7-32-202
  qualifications, 7-32-213
  security guards, employment as, 37-60-406
  termination, written notice, 7-32-221
  weapons, carrying — restrictions, 7-32-217
  workers' compensation coverage, 7-32-203
Restraining orders, self-help temporary — information of existence and terms, 40-4-125
Roadblocks, 46-1-202, 46-5-502, 46-5-510
Schools, students bringing firearms to — referral, 20-5-202
Search and rescue, See **SEARCH AND RESCUE**
Sexual or violent offenders
  DNA testing and procedures, 44-6-101 — 44-6-103, 44-6-106 — 44-6-108, 44-6-110
  registration, 46-18-254, 46-18-255, 46-23-501 — 46-23-508
Special law enforcement assistance account, 44-13-101 — 44-13-103
Stab wounds to be reported to officer, 37-2-302
Standards prescribed by Board of Crime Control, 44-4-301
State-tribal cooperative agreements, Title 18, chapter 11, part 1
Subpoenas, service, 46-15-107, 46-23-205
Tactical incident assistance, See **Assistance, tactical incident**
Teletypewriter communications systems
  establishment, 44-2-301

LAW ENFORCEMENT (Continued)
Teletypewriter communications systems (Continued)

- facilities and equipment, acquisition, 44-2-302
- funding, 44-2-303, 44-2-304, 44-2-311 — 44-2-316
- participants, 44-2-301, 44-2-311
- personnel, 44-2-302, 44-2-316
- records and reports, 44-2-304, 44-2-314
- removal from system, 44-2-315

Tow truck rotation system, 61-8-904, 61-8-905, 61-8-907, 61-8-908
Trees and boughs, coniferous — bill of sale or authorization exhibited on request by, 76-13-601
University system
- security department members as, when, 20-25-321
- students' rights, 20-25-511, 20-25-513, 20-25-514
- tuition waiver for officers' survivors, 20-25-421

Weapons, concealed — permit reciprocity advisory council, membership and duties, 45-8-329
Youth court, See also **Minors**
- custody, taken into or released from — when, 41-5-307, 41-5-314
- location of parent, guardian, or legal custodian, 41-5-303

LAW LIBRARY
Acquisitions, 22-1-501, 22-1-503, 22-1-504
Administration, 22-1-503
Administrative rules and register, copy distributed to and maintenance, 2-4-313
Board of trustees, 22-1-501 — 22-1-503
Borrower's liability, 22-1-506
Chief justice of supreme court, member of board of trustees, 22-1-502
Creation, 22-1-501
Expenses, 22-1-503
Interstate Library Compact, 22-1-601, 22-1-602
Legislative proceedings, fee exemption, 5-11-214
Liability of borrower, 22-1-506
Librarian
- appointment, 22-1-503
- duties, 22-1-503, 22-1-504
- use rules, 22-1-505

Location, 22-1-502
Montana Code Annotated, distribution to, 1-11-301
Open to public, 22-1-503
Publications distribution
- exempt from state publications library distribution center regulations, 22-1-218
- session laws, to exchange libraries, 5-11-203
- supreme court decisions, to exchange libraries, 3-2-604

Records confidentiality, 22-1-1101 — 22-1-1103, 22-1-1111
Rules for, 22-1-503, 22-1-505
Session laws, copies to, 5-11-203
State Law Library fund, 22-1-503
Supreme court
- decisions, provision to, 3-2-604
- justices, members of board of trustees, 22-1-502
- use, 22-1-505

Use, 22-1-505

LEASES
See also **LANDLORD AND TENANT, Rental agreement**; **PROPERTY, PERSONAL, Rentals**; **PROPERTY, REAL, Estates** entries; **Rents and profits**; **UNIFORM COMMERCIAL CODE, GENERAL PROVISIONS**
Accelerate at will, option, 30-2A-109

LEASES (Continued)

Acceptance
- casualty to identified goods, 30-2A-221
- contract, formation — offer and acceptance, 30-2A-206
- course of performance, 30-2A-207
- default, 30-2A-516, 30-2A-519
- delegation of duties, by transferee, 30-2A-303
- goods, 30-2A-515, 30-2A-516
- improper delivery, lessee's rights, 30-2A-509
- nonacceptance, lessor's damages, 30-2A-528, 30-2A-529
- nonconforming delivery, 30-2A-401, 30-2A-510, 30-2A-519
- nonconforming payment, effect on future performance, 30-2A-401
- nonconforming tender, damages, 30-2A-519
- nonconformity, knowledge of — effect, 30-2A-516
- nondelivery, damages, 30-2A-519
- notice, 30-2A-206
- promises of finance lessee, irrevocability, 30-2A-407
- rejected goods, nonapplicability, 30-2A-511, 30-2A-512
- rejection of goods, 30-2A-516, 30-2A-519
- rent, lessor's action for, 30-2A-529
- repudiation, damages, 30-2A-519
- revocation of acceptance of goods, 30-2A-220, 30-2A-508, 30-2A-516, 30-2A-517, 30-2A-519, 30-2A-520, 30-2A-523, 30-2A-527
- risk of loss, default — effect on, 30-2A-220
- substituted performance, 30-2A-404
- substitution of goods, excused performance, 30-2A-406
- warranty, breach of — damages, 30-2A-519

Accessions, 30-2A-103, 30-2A-310

Acknowledgment, 30-2A-219, 30-2A-526

Actions, 30-1-201
- assignees, remedies against, 70-26-105
- contracts, enforceability, 30-2A-201
- default, 30-2A-506, 30-2A-516
- delivery, installment lease contracts — rejection and default, 30-2A-510
- indemnity, 30-2A-506
- infringement, 30-2A-516
- injury to goods, standing to sue third parties for, 30-2A-531
- merchant lessee's duties as to rightfully rejected goods, nonapplicability, 30-2A-511
- notice to person answerable over, 30-2A-516
- possession of goods, lessor's right to, 30-2A-525
- reentry, action for possession under right of, 70-16-402, 70-27-107
- rent, lessor's action for, 30-2A-529
- statute of frauds, 30-2A-201
- statute of limitations, 30-2A-506
- unconscionability actions, attorney's fees, 30-2A-108
- warranty, breach of, 30-2A-506, 30-2A-516

Administrative proceedings, default procedure, 30-2A-501

Advances, 30-2A-103, 30-2A-307, 30-2A-310, 30-9-105

Adverse possession, effect upon, 70-19-412, 70-19-413

Advertising, outdoor — for property, 75-15-111

Affirmation of fact, 30-2A-210, 30-2A-212

Agency, 30-2A-201, 30-2A-511

Agreement, 30-1-201, 30-2A-103, See also **Contracts**
- acceptance of goods, revocation, 30-2A-517
- breach, remedies against assignees, 70-26-105, 70-26-106
- cancellation, 30-2A-309

LEASES (Continued)
Agreement (Continued)

- construction, 30-2A-207
- consumer lease, applicable law and judicial forum — limitation on parties' power to choose, 30-2A-106
- course of dealing, 30-2A-202
- course of performance, 30-2A-202
- cover, lessee's, 30-2A-518, 30-2A-519
- damages, liquidation, 30-2A-504, 30-2A-518, 30-2A-527, 30-2A-528
- default, 30-2A-309, 30-2A-501, 30-2A-503
- description of goods, 30-2A-212
- disposal of goods by lessor, 30-2A-527
- evidence, parol or extrinsic, 30-2A-202
- expiration, 30-2A-309
- explained, 30-2A-202
- express terms, 30-2A-207
- false identification when obtaining, 45-6-309
- final written expression, 30-2A-202
- fixtures, lessor's and lessee's rights when goods become, 30-2A-309
- formation in general, 30-2A-204
- identification of goods, 30-2A-217
- insurance, for payment or beneficiary, 30-2A-218
- "lease agreement" defined, 30-2A-103
- meaning, determination, 30-2A-207
- modification, 30-2A-208, 30-2A-406
- moment of making, 30-2A-204
- nonconformity, remedy provided by, 30-2A-516
- notice after default, 30-2A-502
- oral, 30-2A-202
- possession of goods following judgment for damages, 30-2A-529
- priority, subordination by, 30-2A-311
- purchase money lease, 30-2A-309
- rent, accrued and unpaid — lessor's damages, 30-2A-528
- rescission of contract, 30-2A-208
- return of property, requirements, 45-6-309
- security interest, creation or enforcement provisions, 30-2A-303, 30-2A-309
- supplemented, 30-2A-202
- termination, 30-2A-309
- term of lease, proof of market rent, 30-2A-507
- transfer of rights, 30-2A-303
- usage of trade, 30-2A-202
- varying law, 30-1-102, 30-1-105

Agricultural, Title 77, chapter 6
Agricultural associations, authority of directors, 35-16-207, 35-16-315
Agricultural land, foreclosed — right of immediately preceding owner, 25-13-901 — 25-13-904
Agricultural loan authority program, premiums for guarantee of loan payments, 80-12-215
Agricultural marketing associations, membership, 35-17-301
Agriculture, Department of — authority, 80-2-104
Aircraft, 67-1-101, 67-2-101
Airports and landing fields, See **AIRPORTS AND LANDING FIELDS**
Alcoholic beverages

- airport all-beverages license, 16-4-208
- beer brewers, importers, and wholesalers — fixtures or equipment to retailers prohibited when, 16-3-241
- beer brewers, storage depots, 16-4-102
- beer retailers, 16-3-241, 16-3-244
- buildings, land, plants, and equipment, 16-1-302
- golf course beer and wine licenses, 16-4-109
- licensed premises, lease expiration — effect, 16-4-404

LEASES (Continued)
Alcoholic beverages (Continued)

  resort facilities, license requirements, 16-4-202
  yellowstone airport, seasonal beer and wine license, 16-4-304
Allocation of production and deliveries, 30-2A-405, 30-2A-406
Animals, unborn young as goods, 30-2A-103, 30-2A-217
Anticipatory repudiation, 30-2A-402, 30-2A-403, 30-2A-406
Apiaries, registrations, 80-6-112 — 80-6-114
Arbitration, default procedure, 30-2A-501
Assignment, 7-4-2619, 30-2A-407, 70-26-105, 70-26-106
Attachment, 30-2A-303, 30-2A-307
Attorney's fees, unconscionability actions, 30-2A-108
Attornment to stranger, 70-26-103
Avoidance of contract, 30-2A-221
Bailee, 30-2A-219, 30-2A-523, 30-2A-526
Beneficiary, 30-2A-209, 30-2A-216, 30-2A-218
Between merchants, 30-2A-103, 30-2A-208, 30-2A-401, 30-2A-514
Bill of lading, notice to stop delivery — effect, 30-2A-526
Boat dealers, 23-2-502
Breach of warranty, See **Warranties**
Businesses, leased — hours of work, 39-4-105
Buyer, 30-2A-103, 30-2A-308
Buyer in ordinary course of business, 30-1-201, 30-2A-103, 30-2A-305, 30-2A-310
Cable television systems, 35-18-102
Cancellation of agreement, 30-2A-309
Cancellation of contract, 30-2A-103
  accessions, lessor's and lessee's rights when goods become, 30-2A-310
  effect, 30-2A-505
  fixtures, lessor's and lessee's rights when goods become, 30-2A-309
  lessee's remedies, 30-2A-508
  lessor's remedies, 30-2A-523
  "lessor's residual interest" defined, 30-2A-103
  repudiation, retraction, 30-2A-403
  rights and remedies, cancellation of contract, 30-2A-303, 30-2A-505
Cancellation of irrevocable promises, 30-2A-407
Cancellation of nonconforming delivery, installment lease contracts — notice, 30-2A-510
Carrier, stoppage of delivery in transit or otherwise, 30-2A-526
Casualty to identified goods, 30-2A-221
Cemetery districts, 7-35-2109
Certificate of title, 30-2A-104, 30-2A-105, 30-2A-304, 30-2A-305
Choice of law, 30-1-105
Citation of Uniform Commercial Code, 30-1-103, 30-2A-101
City and town, See **CITIES AND TOWNS**
City-county consolidated governments, 7-3-1203
City or town lot, term of lease, 70-26-110
Claim and delivery, lessee's right to, 30-2A-521, See also **Recovery**
Claims
  damages, contract cancellation or rescission — effect, 30-2A-505
  default, 30-1-107, 30-2A-107, 30-2A-501, 30-2A-516
  finance lease, lessee as beneficiary of supply contract, 30-2A-209
  indemnity, 30-2A-506
  infringement, 30-2A-211
  liens, priority arising by, 30-2A-307
  preexisting, special rights of creditors, 30-2A-308
  rescission of contract, rights and remedies, 30-2A-505
  waiver or renunciation after default, 30-1-107, 30-2A-107
  warranties, 30-2A-211, 30-2A-214

LEASES (Continued)

Coal, Title 77, chapter 3, part 3
Collateral at will, 30-2A-109
Commercial development, Title 77, chapter 6
Commercial standards, grounds for insecurity, 30-2A-401
Commercial unit, 30-2A-103, 30-2A-509, 30-2A-515, 30-2A-517
Commissions, 30-2A-511, 30-2A-520, 30-2A-530
Community college districts and trustees, 20-15-107, 20-15-301
Condominiums, 70-23-102, 70-23-201, 70-23-205, 70-23-301, 70-23-401, 70-23-601, 70-23-602, 70-23-609
Conflict of laws, 30-1-105, 30-2A-104, 30-2A-105
Consent
  accessions, lessor's and lessee's rights when goods become, 30-2A-310
  attornment to stranger, 70-26-103
  fixtures, lessor's and lessee's rights when goods become, 30-2A-309
  injury to goods, standing to sue third parties for, 30-2A-531
  promises, irrevocable, 30-2A-407
Conservation districts, property acquisition by, 76-15-403, 76-15-404
Consideration
  agreement modifying contract, 30-2A-208
  "lease" defined, 30-2A-103
  lessee, payment — failure to reserve rights, effect, 30-2A-514
  offer, revocation, 30-2A-205
  "security interest" defined, 30-1-201
  waiver of claim or right without, 30-1-107, 30-2A-107
Construction, 30-1-102, 30-1-104, 30-2A-103, 30-2A-207, 30-2A-215
Construction mortgage, 30-2A-103, 30-2A-309
Consumer goods, consequential damages, 30-2A-503
Consumer lease, 30-2A-103
  accelerate at will, option to, 30-2A-109
  acceptance of goods, 30-2A-516, 30-2A-517
  applicable law and judicial forum, limitation on parties' power to choose, 30-2A-106
  casualty to identified goods, 30-2A-221
  damages, liquidation, 30-2A-504
  excused performance, 30-2A-406
  fixtures, lessor's and lessee's rights when goods become, 30-2A-309
  promises, finance lessee — irrevocability, 30-2A-407
  transfer of rights, 30-2A-303
  unconscionable clause, enforcement, 30-2A-108
Consumer protection, 30-2A-104, 30-14-133
Containers, implied warranty of merchantability, 30-2A-212
Contracts, 30-1-201, 30-2A-103, See also **Agreement**
  acceptance in formation, 30-2A-206
  acceptance of goods, See **Acceptance**
  accessions, lessor's and lessee's rights when goods become, 30-2A-310
  alienability of party's interest, 30-2A-303
  anticipatory repudiation, 30-2A-402, 30-2A-403, 30-2A-406
  avoidance, 30-2A-221
  cancellation, See **Cancellation of contract**
  conforming goods or performance, 30-2A-103
  consumer lease payments, limitation, 30-2A-103
  creditors, special rights, 30-2A-308
  default, Title 30, chapter 2A, part 5, See **Default**
  delivery, See **Delivery**
  enforceability, 30-2A-201, 30-2A-301
  evidence, See **Evidence**
  expiration, 30-2A-103, 30-2A-310

LEASES (Continued)
Contracts (Continued)

  finance leases, 30-2A-103, 30-2A-407
  formation in general, 30-2A-204
  identification of goods, See **Identification**
  impairment of value, 30-2A-402, 30-2A-406, 30-2A-508, 30-2A-523
  indefiniteness, failure for, 30-2A-204
  injury to goods, standing to sue third parties for, 30-2A-531
  insolvency of lessor, lessee's right to goods, 30-2A-522
  installment lease contract, See **Installment lease contract**
  lapse, 30-2A-406
  "lease contract" defined, 30-2A-103
  "leasehold interest" defined, 30-2A-103, See **Leasehold interest**
  liens, priority, 30-2A-306, 30-2A-307
  modification, 30-2A-208, 30-2A-406
  offer and acceptance, 30-2A-206
  offer to enter, seals inoperative, 30-2A-203
  open terms, 30-2A-204
  performance, Title 30, chapter 2A, part 4
  plain language in, Title 30, chapter 14, part 11
  promises, irrevocability — effect, 30-2A-407
  rent, See **Rents**
  repudiation, See **Repudiation**
  restitution, lessee's right to, 30-2A-504
  rights and remedies, 30-2A-523, See also **Rights and remedies**
  risk of loss, 30-2A-219, See also **Risk of loss**
  sale of goods by lessee, 30-2A-305
  seals inoperative, 30-2A-203
  statute of frauds, 30-2A-201
  sublease of goods by lessee, 30-2A-305
  subsequent lease of goods by lessor, 30-2A-304
  supply contract, 30-2A-103, 30-2A-209
  termination, 30-2A-103, 30-2A-310, 30-2A-406, 30-2A-505
  third parties, standing to sue, 30-2A-531
  transfer of interest, 30-2A-303
  unconscionable clause, enforcement, 30-2A-108
  void when, 30-2A-308
  waiver affecting executory portion, 30-2A-208
  warranties, See **Warranties**
  writing required, 30-2A-201
Conversion, 30-2A-511, 30-2A-512, 30-2A-531
Corporate power, 35-1-115, 35-1-822, 35-1-823, 35-5-103
Counties, See **COUNTIES**
County Commissioners, Board of, See **COUNTY COMMISSIONERS, BOARD OF**
County park districts, 7-16-2401, 7-16-2423
County rodent control districts, 7-22-2209, 7-22-2216, 7-22-2223
County water and/or sewer districts, powers, 7-13-2217, 7-13-2218
Course of dealing, 30-1-205, 30-2A-103, 30-2A-202, 30-2A-207, 30-2A-212, 30-2A-214
Course of performance, 30-2A-202, 30-2A-207, 30-2A-214
Course of trade, special rights of creditors, 30-2A-308
Cover, substitute goods, 30-2A-518 — 30-2A-521
Creditors, 30-1-201, 30-2A-301, 30-2A-307, 30-2A-308, 30-2A-310
Credit unions, authority, 32-3-401
Damages
  consequential, 30-2A-503, 30-2A-518 — 30-2A-520
  consumer protection actions, 30-14-133
  contract cancellation or rescission, claim for antecedent default — effect, 30-2A-505

LEASES (Continued)
Damages (Continued)

- cover, substituted goods, 30-2A-518, 30-2A-519
- default, 30-2A-505, 30-2A-519, 30-2A-528
- finance leases, 30-2A-103
- incidental, 30-2A-518 — 30-2A-520, 30-2A-523, 30-2A-527 — 30-2A-530
- lessee, 30-2A-508, 30-2A-519, 30-2A-520
- lessor, 30-2A-523, 30-2A-526 — 30-2A-529
- liquidation, 30-2A-503, 30-2A-504, 30-2A-518, 30-2A-519, 30-2A-527, 30-2A-528
- market rent, proof of, 30-2A-507
- merchant lessee's duties, rejected goods — nonapplicability, 30-2A-511
- nonacceptance, 30-2A-528, 30-2A-529
- nonconforming tender or delivery, 30-2A-519
- nondelivery, 30-2A-519
- payment, failure to pay — for, 30-2A-528
- recovery, right to, 30-2A-504
- rejection of goods, 30-2A-519
- rent, 30-2A-508, 30-2A-528
- repudiation, 30-2A-519, 30-2A-528
- revocation of acceptance of goods, 30-2A-519
- rights and remedies, modification and impairment, 30-2A-503
- right to, 30-2A-504
- specific performance, lessee's right to, 30-2A-521
- transfer of rights, 30-2A-303
- unfair trade practice actions, 30-14-133
- warranty, breach of, 30-2A-508, 30-2A-519

Default, 30-2A-501
- acceptance of goods, 30-2A-516, 30-2A-517
- accessions, lessor's and lessee's rights when goods become, 30-2A-310
- action for, statute of limitations, 30-2A-506
- agreement, of, 30-2A-309
- antecedent, claim in damages, 30-2A-505
- anticipatory repudiation, 30-2A-402
- cancellation of contract, 30-2A-103, 30-2A-505, 30-2A-508, 30-2A-523
- cover, substitute goods, 30-2A-518 — 30-2A-520
- damages, 30-2A-303, 30-2A-504, 30-2A-519, 30-2A-520, 30-2A-523, 30-2A-528, 30-2A-530, See also **Damages**
- defects, failure to state in rejecting goods, 30-2A-514
- delegation of performance, effect, 30-2A-303
- delivery, 30-2A-405, 30-2A-504, 30-2A-509, 30-2A-510, 30-2A-519, 30-2A-523
- determination, 30-2A-501
- disposal of goods, 30-2A-523, 30-2A-524, 30-2A-527 — 30-2A-529
- excused performance, 30-2A-405
- fixtures, lessor's and lessee's rights when goods become, 30-2A-309
- fraud, 30-2A-505
- identification of goods, 30-2A-218, 30-2A-523, 30-2A-524
- lessee's remedies, 30-2A-508
- lessor's remedies, 30-2A-523
- material misrepresentation, 30-2A-505
- nonconforming tender or delivery, 30-2A-519
- notice, 30-2A-502, 30-2A-516
- possession of goods, lessor's right to, 30-2A-525
- rent, accrued and unpaid, 30-2A-528, 30-2A-529
- rescission of contract, 30-2A-505
- residual interest, lessor's right to, 30-2A-532
- rights and remedies, 30-2A-501, 30-2A-503, 30-2A-505
- risk of loss, effect on, 30-2A-219, 30-2A-220

LEASES (Continued)
Default (Continued)

- termination of contract, 30-2A-505
- transfer as, 30-2A-303
- variance of provisions, 30-1-105
- waiver of default, 30-2A-303
- waiver or renunciation of claim or right, 30-1-107, 30-2A-107

Defects, 30-2A-510, 30-2A-514
Defenses, 30-2A-103, 30-2A-201, 30-2A-209
Definitions, 30-1-102, 30-1-201, 30-1-205, 30-2A-103, 30-2A-109, 30-2A-309

- account, 30-2A-103, 30-9-106
- accessions, 30-2A-103, 30-2A-310
- chattel paper, 30-2A-103, 30-9-105
- code, 30-1-101
- creation of a security interest, 30-2A-303
- entrusting, 30-2-403, 30-2A-103
- general intangibles, 30-2A-103, 30-9-106
- instrument, 30-2A-103, 30-9-105
- pursuant to commitment, 30-2A-103, 30-9-105
- sale or return, 30-2-326, 30-2A-103
- seller, 30-2-103, 30-2A-103

Delay, 30-2A-403, 30-2A-405, 30-2A-406
Delivery

- allocation, 30-2A-405, 30-2A-406
- bailee, by — stopping, 30-2A-523
- check dishonored, 30-2A-304, 30-2A-305
- creditor, security interest — lessee's knowledge of interest, 30-2A-307
- cure by lessor or supplier, 30-2A-510, 30-2A-513, 30-2A-514
- damages, 30-2A-504, 30-2A-519
- default, 30-2A-107, 30-2A-219, 30-2A-220, 30-2A-504
- delay, excuse and notice, 30-2A-405, 30-2A-406
- "entrusting" defined, 30-2-403, 30-2A-103
- excused performance, 30-2A-405, 30-2A-406
- failure to deliver, lessee's remedies, 30-2A-508
- fraud, procurement through, 30-2A-304, 30-2A-305
- future performance, nonconforming delivery — effect of acceptance, 30-2A-401
- impairment, 30-2A-510
- improper, 30-2A-509, 30-2A-513
- insolvency, 30-2A-504, 30-2A-525
- installment lease contract, 30-2A-510
- nonconforming, 30-2A-401, 30-2A-510, 30-2A-513, 30-2A-514, 30-2A-519
- nondelivery, 30-2A-405, 30-2A-406, 30-2A-508, 30-2A-516, 30-2A-519
- refusal, 30-2A-525, 30-2A-527
- rejection, right of, 30-2A-220
- risk of loss, effect of default, 30-2A-219, 30-2A-220
- sale of goods by lessee, 30-2A-305
- stopping, 30-2A-404, 30-2A-504, 30-2A-523, 30-2A-526, 30-2A-530
- sublease of goods by lessee, 30-2A-305
- subsequent lease of goods by lessor, 30-2A-304
- substituted performance, 30-2A-404
- withholding, 30-2A-404, 30-2A-504, 30-2A-523

Description of goods

- statute of frauds, 30-2A-201
- warranties, 30-2A-210, 30-2A-212, 30-2A-515

Destruction of goods, 30-2A-531
Detention centers, 7-32-2120, 7-32-2231, 7-32-2241
Detention facilities for youth, 41-5-810

LEASES (Continued)

Deterioration, casualty to identified goods, 30-2A-221
Detinue, lessee's right to, 30-2A-521
Development corporations, authority, 32-4-201
Dinkey engines, 50-74-104
Documents, 30-2A-103, 30-9-105
  bill of lading, notice to stop delivery — effect, 30-2A-526
  buying, 30-2A-103
  defects, 30-2A-510, 30-2A-514
  goods, exclusion, 30-2A-103
  installment lease contracts, defects, 30-2A-510
  leasing, 30-2A-103
Election polling places, unavailability due to loss of, 13-3-211
Emergency mutual aid agreement parties, by, 10-3-1115
Eminent domain, 70-30-104, 70-31-102
Encumbrances, 30-2A-103, 30-2A-309
Enforcement, 30-2A-108, 30-2A-201, 30-2A-501, 30-2A-502
Environmental impact statement required, lease applicants' fees, 75-1-202, 75-1-203
Estates and probate, See **ESTATES AND PROBATE**
Evidence
  consumer goods, consequential damages — prima facie unconscionable when, 30-2A-503
  consumer lease, accelerate at will — burden of establishing good faith, 30-2A-109
  contract enforceability, 30-2A-201
  default, burden to establish, 30-2A-516
  extrinsic, 30-2A-202, 30-2A-214
  final written expression, 30-2A-202
  oral, 30-2A-202
  parol, 30-2A-202, 30-2A-214
  rent, prevailing, 30-2A-507
  return, failure to — offense of, 45-6-309
  statute of frauds, contract enforceability, 30-2A-201
  unconscionable clause, 30-2A-108
  warranties, negation or limitation, 30-2A-214
  writings, seals inoperative, 30-2A-203
Exclusions, 30-2A-214, 30-2A-216, 30-2A-503
Excuse, 30-2A-403, 30-2A-405 — 30-2A-407
Executive branch reorganization, effect, 2-15-135
Expenses
  damages, 30-2A-518 — 30-2A-520, 30-2A-523, 30-2A-527 — 30-2A-530
  inspection of goods, 30-2A-508
  rejection of goods, 30-2A-508, 30-2A-511
  revocation of acceptance of goods, 30-2A-508
  warranty, breach of — litigation, 30-2A-516
Expiration
  accessions, lessor's and lessee's rights when goods become, 30-2A-310
  agreement, 30-2A-309
  contract, 30-2A-103, 30-2A-310
  fixtures, lessor's and lessee's rights when goods become, 30-2A-309
Ferries and wharves, 7-14-2805, 7-14-2806
Filing
  conflict of laws, 30-1-105
  fixture filing, 30-2A-103, 30-2A-309
Finance lease, 30-2A-103
  acceptance of goods, 30-2A-516, 30-2A-517
  casualty to identified goods, 30-2A-221
  delivery, delay or nondelivery — notice, 30-2A-405, 30-2A-406

LEASES (Continued)
Finance lease (Continued)

  excused performance, 30-2A-405, 30-2A-406
  infringement, warranty against, 30-2A-211
  merchantability, implied warranty, 30-2A-212
  promises by lessee, irrevocability, 30-2A-407
  risk of loss, 30-2A-219, 30-2A-220
  "supplier" defined, 30-2A-103, See **Supplier**
  supply contract, lessee as beneficiary, 30-2A-209
Financing statement, filing when goods become fixtures, 30-2A-309
Fire prevention requirements
  correction or compliance by lessee, 50-61-116
  injunction of occupancy upon violation, 50-61-118
Fish and wildlife purposes, See **FISH AND WILDLIFE**
Fitness for particular purpose, implied warranty, 30-2A-213 — 30-2A-215
Fixtures, 30-2A-103, 30-2A-309
Forcible entry and detainer and unlawful detainer, Title 70, chapter 27
Fraternal benefit societies, authority, 33-7-210
Fraud
  creditors, special rights, 30-2A-308
  delivery procured through, 30-2A-304, 30-2A-305
  material representation, rights and remedies, 30-2A-505
  possession of goods, 30-2A-302, 30-2A-308
  rights and remedies, effect on, 30-2A-505
  sale of goods by lessee, delivery, 30-2A-305
  statute of, 30-2A-201
  sublease of goods by lessee, delivery, 30-2A-305
  subsequent lease of goods by lessor, delivery, 30-2A-304
Fraudulent transfer, 30-2A-308, See also **FRAUDULENT TRANSFERS**
Fungible goods, implied warranty of merchantability, 30-2A-212
Future advances, security interest, 30-2A-307
Future performance, 30-2A-401 — 30-2A-403, 30-2A-510, See also **Performance**
Gambling
  activities, buildings for — prohibitions, 23-5-152
  devices, contracts concerning — conflict of interest, 23-5-114
  equipment, route operators, 23-5-112, 23-5-130
  licenses or permits, prohibited, 23-5-110, 23-5-159
  operators, acquisition of devices, or enterprises, 23-5-112
Geothermal development, Title 77, chapter 4, part 1
Good faith, 30-1-201, 30-2A-103
  accelerate at will, option to, 30-2A-109
  buyer, 30-2A-308
  buyer in ordinary course of business, 30-2A-103
  cover, substituted goods, 30-2A-518
  creditors, special rights, 30-2A-308
  delivery, delay or nondelivery — excuse, 30-2A-405
  disposal of goods, 30-2A-508, 30-2A-527
  lessee in ordinary course of business, 30-2A-103
  merchant lessee's duties, rejected goods, 30-2A-511
  obligation, 30-1-203
  possession, retention by lessor, 30-2A-308
  purchaser, 30-2A-511
  sale or sublease of goods by lessee, 30-2A-305
  subsequent lease of goods by lessor, 30-2A-304
Goods, 30-2A-103
  acceptance, See **Acceptance**
  accessions, when goods become, 30-2A-310

LEASES (Continued)
Goods (Continued)

- casualty to identified goods, 30-2A-221
- certificate of title, covered by — territorial application of chapter, 30-2A-105
- conforming, 30-2A-103
- consumer, consequential damages, 30-2A-503
- conversion, 30-2A-531
- cover, 30-2A-518 — 30-2A-521
- defects, waiver of lessee's objections, 30-2A-514
- delivery, See **Delivery**
- description
  - statute of frauds, 30-2A-201
  - warranties, 30-2A-210, 30-2A-212, 30-2A-215
- destruction, 30-2A-531
- deterioration, 30-2A-221
- fixtures, when goods become, 30-2A-309
- fungible, 30-1-201, 30-2A-212
- identification occurs when, 30-2A-217, See **Identification**
- inspection, 30-2A-221, 30-2A-508, 30-2A-514, 30-2A-515, 30-2A-520
- insurable interest, 30-2A-218
- merchantable, 30-2A-212
- nonconforming, 30-2A-218, 30-2A-515 — 30-2A-517
- possession, See **Possession**
- purchasers, contract enforceability, 30-2A-301
- quantity, 30-2A-103, 30-2A-201, 30-2A-212, 30-2A-221
- recovery, 30-2A-508, 30-2A-518, 30-2A-522, 30-2A-523, 30-2A-527, 30-2A-531
- rejection, See **Rejection**
- rent, See **Rents**
- repossession, 30-2A-528, 30-2A-529
- return, rights and remedies — effect on, 30-2A-505
- sale by lessee, 30-2A-305
- salvage of unfinished, 30-2A-402, 30-2A-524
- specially manufactured or obtained, 30-2A-201
- sublease by lessee, 30-2A-305
- substitution, 30-2A-218, 30-2A-518, 30-2A-519
- title, 30-2A-302
- unfinished, salvage, 30-2A-402, 30-2A-524
- warranties, See **Warranties**

Governmental regulation, 30-2A-404, 30-2A-405
Grazing, Title 77, chapter 6
Grazing districts, Title 76, chapter 16
Handicapped persons, telecommunications equipment, 53-19-307
Hazardous or deleterious substances, facility ownership or operation, 75-10-701
Hazardous waste management facilities, state — property for, 75-10-412
Health care facilities, 50-5-203, 50-5-411
Health Facility Authorities, authority, 90-7-202, 90-7-204, 90-7-214, 90-7-302, 90-7-304, 90-7-307
Health maintenance organizations, health care facilities, 33-31-221
Heritage properties and paleontological remains, effect of land leases, 22-3-433, 22-3-434
Highways, 60-2-208, 60-4-106, 60-5-110
Hospital districts, 7-34-2122
Housing

- accommodations, discriminatory practices, 49-2-305
- authorities
  - county, 7-15-2122
  - municipal, See **HOUSING AUTHORITIES, MUNICIPAL**
- board of, authority, 90-6-104

LEASES (Continued)

Identification
  agreement, false identification when obtaining, 45-6-309
  casualty to identified goods, 30-2A-221
  creditors, special rights, 30-2A-308
  description of goods, statute of frauds, 30-2A-201
  finance lease, person supplying goods to lessor, 30-2A-103
  "goods" defined, 30-2A-103
  goods, when identification occurs, 30-2A-217
  injury to goods, standing to sue third parties for, 30-2A-531
  insolvency, lessor — lessee's right to goods, 30-2A-522
  insurable interest of lessee when goods identified, 30-2A-218
  lessee, 30-2A-508, 30-2A-521
  lessor's right to identify goods, 30-2A-402, 30-2A-523, 30-2A-524
  rent, lessor's action for, 30-2A-529
  risk of loss, effect of default on, 30-2A-220
  sale of goods by lessee, lessor deceived as to identity of lessee, 30-2A-305
  sublease of goods by lessee, lessor deceived as to identity, 30-2A-305
  subsequent lease of goods by lessor, transferor deceived as to identity of lessor, 30-2A-304
Impairment
  accelerate at will, option, 30-2A-109
  contract, value, 30-2A-402, 30-2A-406, 30-2A-508, 30-2A-523
  creditors, rights of, 30-2A-308
  delivery, value, 30-2A-510
  installment lease contract, value, 30-2A-510, 30-2A-523
  insurable interest, 30-2A-218
  lot or commercial unit, value, 30-2A-103, 30-2A-517
  performance, 30-2A-401
  rights and remedies, 30-2A-503, 30-2A-516
  transfers, 30-2A-303
Indemnity, 30-2A-504, 30-2A-506, 30-2A-511
Index, 7-4-2619
Industrial development projects, 90-5-102, 90-5-105, 90-5-106, 90-5-108 — 90-5-110
Infringement, 30-2A-211, 30-2A-214, 30-2A-516
Injunction, 30-2A-303
Injury
  accessions, lessor's and lessee's rights when goods become, 30-2A-310
  casualty to identified goods, 30-2A-221
  damages, 30-2A-503, 30-2A-520
  deterioration of goods, 30-2A-221
  fixtures, lessor's and lessee's rights when goods become, 30-2A-309
  risk of loss, 30-2A-218 — 30-2A-221, 30-2A-529, 30-2A-531
  third parties, standing to sue for injuries to goods, 30-2A-531
  warranties, breach — third-party beneficiaries, 30-2A-216
Insolvency
  damages, liquidation, 30-2A-504
  delivery, withholding or stopping, 30-2A-504
  identification of goods, insurable interest, 30-2A-218
  "insolvent" defined, 30-1-201
  lessee, 30-2A-525, 30-2A-526
  lessor, lessee's right to goods, 30-2A-522
Inspection
  acceptance of goods, 30-2A-515
  casualty to identified goods, 30-2A-221
  default by lessor, expenses incurred by lessee, 30-2A-508, 30-2A-520
  rejection of goods, failure to state defect — effect, 30-2A-514

LEASES (Continued)
Inspection (Continued)

  waiver of lessee's objections, 30-2A-514
  warranties, exclusion or modification when, 30-2A-214
Installment lease contract, 30-2A-103
  impairment of value, 30-2A-510, 30-2A-523
  lessee, 30-2A-508, 30-2A-509
  lessor's remedies, 30-2A-523
  performance, delay or an allocation — notice, 30-2A-406
  rejection of delivery and default, 30-2A-510
Institutions, land for, 53-1-203, 53-1-603
Instructions, rejected goods, 30-2A-511, 30-2A-512
Insurable interest, 30-2A-218, 30-2A-531
Insurance
  agreement for payment or beneficiary, 30-2A-218
  coverage, 33-1-225, 33-1-227, 33-1-228
  risk of loss, effect of default on, 30-2A-220
  title associates or producers, prohibited practices, 33-25-403
Insurers
  investments, 33-2-830, 33-2-832
  liquidators, authority, 33-2-1345
Interference, warranty against, 30-2A-211, 30-2A-214
Interlocal cooperation agreements, 7-11-108
Interpretation, 30-1-102, 30-2A-103
Irrevocability, 30-2A-205, 30-2A-407
Irrigation districts, authority, 85-7-1411, 85-7-1612, 85-7-1904, 85-7-1905, 85-7-1910, 85-7-1912, 85-7-2162
Judgments and decrees, default, 30-2A-501, 30-2A-529
Judicial forum, consumer lease — limitation on power of parties to choose, 30-2A-106
Labels and labeling, implied warranty of merchantability, 30-2A-212
Labor and Industry, Department of, 39-51-308, 39-71-202
Law enforcement mutual assistance agreements, 44-11-311
Law enforcement teletypewriter communications facilities and equipment, 44-2-302
Lease agreement, 30-2A-103, See **Agreement**
Lease contract, 30-2A-103, See **Contracts**
Leasehold interest, 30-2A-103
  attornment to stranger, 70-26-103
  buyer in ordinary course of business, 30-2A-103
  eminent domain, subject to, 70-30-104
  finance lease, lessee as beneficiary of supply contract, 30-2A-209
  interference, lessee's obligation against, 30-2A-211
  lessee in ordinary course of business, 30-2A-103
  sale or sublease of goods by lessee, 30-2A-305
  security interest, free of, 30-2A-307
  subsequent lease of goods by lessor, 30-2A-304
Lessee in ordinary course of business, 30-2A-103, 30-2A-304, 30-2A-307, 30-2A-310
Levy
  liens, priority arising by, 30-2A-307
  transfer of rights by, 30-2A-303
Libraries, 7-16-2321, 22-1-309
Liens, 30-2A-103
  construction liens, extent, 71-3-525
  fixtures, lessor's and lessee's rights when goods become — conflicting interest, 30-2A-309
  hail insurance liens, 71-3-711
  oil and gas wells and pipelines, labor and materials liens, 71-3-1002, 71-3-1004, 71-3-1008, 71-3-1009
  priority arising by, 30-2A-306, 30-2A-307
  seed or grain, crop liens for, 71-3-701

LEASES (Continued)

Life, lease for — recovery of rent, 70-26-107
Limitation
    damages, 30-2A-503
    finance lease, remedies, 30-2A-103
    rights and remedies, 30-2A-501, 30-2A-503, 30-2A-504
    statute of limitations, 30-2A-506
    transfers, 30-2A-303
    unconscionable clause, 30-2A-108
    warranties, 30-2A-214, 30-2A-216
Limited liability companies, 35-8-107
Limited partners, liability to third parties when, 35-12-703
Lot, 30-2A-103, 30-2A-517
Market rent, See **Rents**
Merchant, 30-2A-103
    between merchants, 30-2A-103, 30-2A-208, 30-2A-401, 30-2A-514
    firm offers, 30-2A-205
    infringement, warranty against, 30-2A-211
    risk of loss, 30-2A-219
    sale or sublease of goods by lessee, 30-2A-305
    subsequent lease of goods by lessor, 30-2A-304
    warranties, See **Warranties**
Merchantability, implied warranty of, 30-2A-212, 30-2A-214
Merchant lessee, 30-2A-103, 30-2A-511
Military affairs, armories or facilities for, 10-1-108, 10-1-109
Mining, See **MINES AND MINING; STATE LANDS**
Models or samples, warranties, 30-2A-210, 30-2A-214, 30-2A-215
Modification
    agreement, of, 30-2A-406
    contract, agreement modifying, 30-2A-208
    course of performance, 30-2A-207
    excused performance, contract, 30-2A-406
    promises, irrevocable, 30-2A-407
    rights and remedies, 30-2A-503
    supply contract, lessee under finance lease as beneficiary of, 30-2A-209
    warranties, 30-2A-214, 30-2A-216
Money, 30-2A-103, 30-2A-308, 30-2A-513
Montana Agricultural Center and Museum of the Northern Great Plains, facility for, 23-1-109
Mortgages, 30-2A-103, 30-9-105
    construction mortgage, 30-2A-103, 30-2A-309
    "purchase" defined, 30-2A-103
Motor carriers, See **MOTOR CARRIERS**
Motorist information signs, space, 60-5-505
Motor vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Natural areas, continuation of existing uses, 76-12-111
Natural gas, underground storage, Title 77, chapter 3, part 5
Nonconforming delivery, 30-2A-401, 30-2A-510, 30-2A-513, 30-2A-519
Nonconforming goods, 30-2A-218, 30-2A-515 — 30-2A-517
Nonconforming payment, 30-2A-401
Nonconforming tender, 30-2A-513, 30-2A-519
Nondelivery, 30-2A-405, 30-2A-508, 30-2A-519
Nonmetallic mineral, Title 77, chapter 3, part 2
Nonprofit corporations, authority, 35-2-118, 35-2-616, 35-2-617
Notices, 30-1-201
    acceptance, 30-2A-206
    allocation of performance, 30-2A-405, 30-2A-406

LEASES (Continued)
Notices (Continued)

- anticipatory repudiation, 30-2A-402, 30-2A-406
- claim to person answerable over, 30-2A-516
- cure by lessor or supplier of improper tender or delivery, 30-2A-513
- default, 30-2A-502, 30-2A-516, 30-2A-519
- delivery
  - cure by lessor or supplier of improper, 30-2A-513
  - delay or nondelivery, 30-2A-405, 30-2A-406
  - installment lease contract, cancellation, 30-2A-510
  - in transit or otherwise, lessor's stoppage, 30-2A-526
- enforcement, of, 30-2A-502
- excused performance, 30-2A-405, 30-2A-406
- identification of goods, final, 30-2A-218
- infringement, litigation for, 30-2A-513
- installment lease contract, delivery — cancellation, 30-2A-510
- litigation to person answerable over, 30-2A-516
- offer and acceptance in formation of contract, 30-2A-206
- reentry, right of, 70-16-401, 70-27-106
- rejection of goods, 30-2A-509, 30-2A-512
- rent, prevailing, 30-2A-507
- repairs, to lessor, 70-26-203
- repudiation, 30-2A-201, 30-2A-402, 30-2A-406
- return of property, 45-6-309
- revocation of acceptance of goods, 30-2A-517
- supply contract, finance lease — to supplier, 30-2A-209
- tender, nonconforming — substitution of conforming, 30-2A-513
- termination of lease, 70-26-205
- terms of lease, change, 70-26-109
- waiver affecting executory portion of contract, retraction, 30-2A-208

Obligations

- accessions, lessor's and lessee's rights when goods become, 30-2A-310
- conforming goods or performance, 30-2A-103
- construction mortgage, 30-2A-309
- contract, 30-2A-103, 30-2A-209, 30-2A-401, 30-2A-503, 30-2A-505
- infringement, lessee's obligation against, 30-2A-516
- insurance, 30-2A-218
- performance, 30-2A-103, 30-2A-303, 30-2A-404
- rejected goods, 30-2A-512
- subordinated, 30-1-209
- supply contract, 30-2A-209

Offers

- contract, 30-2A-203, 30-2A-206
- goods, firm offer to lease, 30-2A-205
- performance, assurance, 30-2A-401
- rent, prevailing, 30-2A-507
- revocation, 30-2A-205

Options

- accelerate at will, 30-2A-109
- allocation of production and deliveries, 30-2A-405
- casualty to identified goods, upon, 30-2A-221
- consumer lease, to renew or buy, 30-2A-103
- contract, to renew or buy, 30-2A-201
- identifiable goods, insurable interest until option to buy exercised, 30-2A-218
- remedies, 30-2A-503

Oil and gas, See **OIL AND GAS; STATE LANDS**
Open-space lands, 76-6-108

LEASES (Continued)

Oral agreement, 30-2A-202
Outfitters and guides, equipment and facilities, 37-47-302, 37-47-304
Packages and packaging, implied warranty of merchantability, 30-2A-212
Park Commissioners, Boards of, See **PARKS**, **County Board of Park Commissioners; Municipal Board of Park Commissioners**
Parking
  areas or facilities, 7-12-4243, 7-14-4501, 7-14-4511, 7-14-4731, 7-14-4733
  commissions, See **PARKING COMMISSIONS**
Parks, property for, 7-12-4102, 23-1-102
Parol evidence, 30-2A-202, 30-2A-214, See also **Evidence**
Partnerships, 35-10-102
Pawnbrokers, nonapplicability of provisions, 30-2A-103
Payment
  accelerate at will, option to, 30-2A-109
  consumer lease, 30-2A-103
  default, damages, 30-2A-303, 30-2A-504, 30-2A-521, 30-2A-529
  enforcement of contract, statute of frauds, 30-2A-201
  failure to pay, 30-2A-523, 30-2A-526, 30-2A-528
  governmental regulation, failure due to, 30-2A-404
  insurance, 30-2A-218
  lien to secure, 30-2A-103
  nonconforming, acceptance — effect on future performance, 30-2A-401
  rent, 30-2A-221, 30-2A-406, 30-2A-514, 30-2A-516, 30-2A-521, 30-2A-529
  specific performance, 30-2A-521
  substituted performance, 30-2A-404
Performance
  accelerate at will, option to, 30-2A-109
  acceptance as beginning, 30-2A-206
  anticipatory repudiation, 30-2A-402
  assurance, 30-2A-401 — 30-2A-403
  cancellation of contract, effect, 30-2A-505
  "conforming" defined, 30-2A-103
  course of performance, 30-2A-202, 30-2A-207, 30-2A-214
  delegation, 30-2A-303
  delivery, See **Delivery**
  excused performance, 30-2A-405, 30-2A-406
  forcible entry and detainer and unlawful detainer, relief from forfeiture of lease when hardship, 70-27-210
  future performance, 30-2A-401 — 30-2A-403, 30-2A-510
  insecurity, 30-2A-401
  objections, 30-2A-207
  specific performance, lessee's right, 30-2A-508, 30-2A-521
  substituted performance, 30-2A-404, 30-2A-405
  suspension, 30-2A-401, 30-2A-402
  tender, improper — cure by lessor or supplier, 30-2A-513
  termination of contract, effect, 30-2A-505
  terms waived, strict performance, 30-2A-208
  transfer of rights, 30-2A-303
Personal solicitation sale, as, 30-14-502, See **SALES**
Pesticide applicators, farm or public utility, 80-8-102, 80-8-209
Pipeline carriers, 69-13-101
Pleadings, statute of frauds — contract enforceability, 30-2A-201
Port authorities, 7-14-1104, 7-14-1105, 7-14-1111, 7-14-1125, 7-14-1126, 7-14-1133
Possession
  creditors, special rights, 30-2A-308

LEASES (Continued)
Possession (Continued)

- delivery in transit or otherwise, lessor's stoppage, 30-2A-526
- entrusting, 30-2-403, 30-2A-103
- fixtures, lessor's and lessee's rights when goods become, 30-2A-309
- goods, 30-2A-302
- judgment for damages, lessee's possession following, 30-2A-529
- lessee, 30-2A-103, 30-2A-309, 30-2A-508, 30-2A-528
- lessor's right to, 30-2A-103, 30-2A-523 — 30-2A-525, 30-2A-527
- liens, priority arising by operation of law, 30-2A-306
- merchant lessee, rejected goods, 30-2A-511
- reentry, action for possession under right of, 70-16-402, 70-27-107
- rejection of goods, 30-2A-511, 30-2A-512
- renewal by continued possession, 70-26-204, 70-26-205
- repossession, 30-2A-528, 30-2A-529
- retention, special rights of creditors, 30-2A-308
- risk of loss, 30-2A-219
- sublease, 30-2A-103
- transfer of right, 30-2A-103, 30-2A-303
- withholding delivery by lessor, 30-2A-523

Power of attorney, statutory — authority, 72-31-223 — 72-31-225, 72-31-233
Power site, Title 77, chapter 4, part 2
Premarital agreements, rights of parties, 40-2-605
Principal and income, determination, 72-34-404, 72-34-410, 72-34-412
Priority

- fixtures, lessor's and lessee's rights when goods become, 30-2A-309
- liens, arising by, 30-2A-306, 30-2A-307
- subordination by agreement, 30-2A-311

Production, allocation, 30-2A-405, 30-2A-406
Promises, 30-2A-210, 30-2A-212, 30-2A-303, 30-2A-407, 30-2A-503
Property, real

- assignees, remedies and rights, 70-26-105, 70-26-106
- default procedure, 30-2A-501
- fixtures, lessor's and lessee's rights when goods become, 30-2A-309
- recording, effect, 7-4-2613, 7-4-2619, 7-4-2631, 70-21-304
- reentry, accrual of right, 70-16-401, 70-16-402, 70-27-106, 70-27-107
- transferee's rights, 70-26-102

Prostitution, promoting — offense of, 45-5-602
Public markets, 7-21-3302
Purchase, 30-1-201, 30-2A-103, 30-2A-304, 30-2A-518, 30-2A-519
Purchase money lease, 30-2A-103, 30-2A-309
Purchaser, 30-2A-301, 30-2A-511
Quantity of goods, 30-2A-103, 30-2A-201, 30-2A-212, 30-2A-221
Rail authorities, operation and use of facilities, 7-14-1635
Railroads, 60-11-1202, 69-14-513, 69-14-514, 69-14-931, 69-14-932, 69-14-1101
Real estate brokers and salespersons, Title 37, chapter 51
Reasonable time, 30-1-204
Receipt, 30-2A-103, 30-2A-219, 30-2A-508, 30-2A-520, 30-2A-526
Recording, effect, 7-4-2613, 7-4-2619, 7-4-2631, 70-21-304
Recovery

- damages, 30-2A-503, 30-2A-504, 30-2A-508, 30-2A-518, 30-2A-523, 30-2A-527 — 30-2A-529
- goods, 30-2A-508, 30-2A-518, 30-2A-522, 30-2A-523, 30-2A-527, 30-2A-531
- rent and security, 30-2A-508, 30-2A-514, 70-26-102, 70-26-107
- residual interest, lessor's right to, 30-2A-532
- unconscionability actions, attorney's fees, 30-2A-108

Reentry, accrual of right, 70-16-401, 70-16-402, 70-27-106, 70-27-107
Regents of Higher Education, Board of — authority, 20-25-441

LEASES (Continued)

Reimbursement, 30-2A-309, 30-2A-310, 30-2A-511, 30-2A-512
Rejection
  acceptance of goods, lessee, 30-2A-515 — 30-2A-517, 30-2A-519
  damages, lessee, 30-2A-519, 30-2A-520
  defects, waiver of lessee's objections, 30-2A-514
  delivery, 30-2A-220, 30-2A-510, 30-2A-513, 30-2A-514
  disposal of goods, lessor's rights, 30-2A-527
  instructions, rejected goods, 30-2A-511, 30-2A-512
  merchant lessee's duties, rightfully rejected goods, 30-2A-511
  notice, 30-2A-511, 30-2A-512
  remedies, 30-2A-508, 30-2A-523
  rightful rejection by lessee, 30-2A-508, 30-2A-509, 30-2A-512, 30-2A-516, 30-2A-527
  rights and remedies, effect on, 30-2A-505
  risk of loss, effect of default on, 30-2A-220
  tender, nonconforming — cure by lessor or supplier, 30-2A-513, 30-2A-514
  waiver of objections, lessee, 30-2A-514
Religious corporations sole, authority, 35-3-205
Remedies, See **Rights and remedies**
Renewal, 70-26-204, 70-26-205
Rents
  acceptance of goods, 30-2A-516, 30-2A-519
  action for, by lessor, 30-2A-529
  casualty to identified goods, 30-2A-221
  cover, substituted goods, 30-2A-518
  damages, 30-2A-504, 30-2A-508
  default, lessee's or lessor's remedies, 30-2A-508, 30-2A-523, 30-2A-528, 30-2A-529
  delivery in transit or otherwise, stoppage by lessor, 30-2A-526
  disposal of goods, lessor's right to, 30-2A-527
  forcible entry and detainer and unlawful detainer, relief from forfeiture of lease when hardship, 70-27-210
  insolvency, lessor's — lessee's rights to goods, 30-2A-522
  life, lease for, 70-26-107
  market rent, 30-2A-507, 30-2A-519, 30-2A-528
  payment, lessee's failure to reserve rights — effect, 30-2A-514
  remedies, 30-2A-508, 30-2A-523, 70-26-102
  specific performance, lessee's right to, 30-2A-521
  substitution of goods, excused performance, 30-2A-406
Repairs, failure of lessor, 70-26-203
Replacement of fixtures, 30-2A-309
Replevin, lessee's right to, 30-2A-508, 30-2A-521, See also **Recovery**
Repossession of goods, 30-2A-528, 30-2A-529
Repudiation
  anticipatory, 30-2A-402, 30-2A-403, 30-2A-406
  damages, 30-2A-519, 30-2A-528
  lessee, 30-2A-508, 30-2A-519
  lessor, 30-2A-523, 30-2A-526
  notice, goods specially manufactured or obtained for lessee — contract enforceability when, 30-2A-201
  performance, assurance not provided after receipt of demand, 30-2A-401
  promises, irrevocable, 30-2A-407
  retraction, anticipatory repudiation, 30-2A-402, 30-2A-403
  risk of loss, effect of default on, 30-2A-220
Rescission
  agreement, 30-2A-208
  contract, 30-2A-221, 30-2A-505
  supply contract, lessee under finance lease as beneficiary, 30-2A-209

LEASES (Continued)

Residual interest, lessor's, 30-2A-103, 30-2A-303, 30-2A-309, 30-2A-504, 30-2A-532
Retail installment contract, as, 31-1-202
Retraction, 30-2A-208, 30-2A-402, 30-2A-403
Returns
  damages, incidental — lessor, 30-2A-530
  failure to return, offense of, 45-6-309
  rights and remedies, effect on, 30-2A-505
  sale or return, 30-2-326, 30-2A-103
Revocation
  acceptance of goods, 30-2A-220, 30-2A-508, 30-2A-516, 30-2A-517, 30-2A-519, 30-2A-520, 30-2A-527
  firm offers, irrevocability, 30-2A-205
  lessee, 30-2A-407, 30-2A-508
  lessor's remedies, 30-2A-523
  promises by finance lessee, irrevocability, 30-2A-407
  risk of loss, effect of default on, 30-2A-220
Rights and remedies, 30-1-201
  acceptance of goods, effect, 30-2A-516
  accessions, when goods become — lessor and lessee, 30-2A-310
  actions for default, breach of warranty, or indemnity, 30-2A-506
  alienability, 30-2A-303
  anticipatory repudiation, 30-2A-402
  assignees, 70-26-105, 70-26-106
  barred when, 30-2A-516
  cancellation of contract, 30-2A-505, 30-2A-508, 30-2A-523
  cancellation of lease, 30-2A-508
  casualty to identified goods, 30-2A-221
  contracts, indefiniteness, 30-2A-204
  creditors, special rights, 30-2A-308
  cumulative, 30-2A-501
  damages, recovery, 30-2A-504, See **Damages**
  default, 30-2A-501
  disposal of goods by lessor, 30-2A-527
  exclusive, 30-2A-503, 30-2A-504
  finance leases, 30-2A-103
  fixtures, when goods become — lessor and lessee, 30-2A-309
  fraud, 30-2A-505
  future performance, demand for assurance, 30-2A-401
  identification of goods by lessor, 30-2A-402, 30-2A-524
  impairment, 30-2A-503, 30-2A-516
  insolvency, right to goods or to possession of goods, 30-2A-522, 30-2A-525
  lessee, 30-2A-508, 30-2A-509, 30-2A-514, 30-2A-522
  lessor, 30-2A-503, 30-2A-526
  liberal administration, 30-1-106
  life, lease for — rent, 70-26-107
  limited, 30-2A-503, 30-2A-504
  material misrepresentation, 30-2A-505
  modification, 30-2A-503
  possession of goods, lessor, 30-2A-525, 30-2A-526
  reentry, 70-16-401, 70-16-402, 70-27-106, 70-27-107
  rejection, 30-2A-220
  rejection or return of goods, 30-2A-505
  repairs, failure of lessor, 70-26-203
  replevin, lessee's right to, 30-2A-521
  repudiating party, reinstatement by retraction, 30-2A-403

LEASES (Continued)
Rights and remedies (Continued)

- rescission, effect, 30-2A-505
- residual interest, lessor's right to, 30-2A-532
- restitution, lessee's right — liquidation of damages, 30-2A-504
- revocation of acceptance of goods, 30-2A-517
- specific performance, lessee's right to, 30-2A-521
- substitution of goods, excused performance, 30-2A-406
- termination of contract, effect, 30-2A-505
- transfer of rights, 30-2A-303, 70-26-102
- waiver after default, 30-1-107, 30-2A-107
- warranty exclusion, modification, or limitation, 30-2A-216
- withholding of goods, lessor, 30-2A-526

Risk of loss, 30-2A-218 — 30-2A-221, 30-2A-529, 30-2A-531
Rural special improvement district property, 7-12-2110
Sales, 30-2-106, 30-2A-103

- buyer in ordinary course of business, 30-2A-103
- contract, enforceability, 30-2A-201
- creditors, special rights, 30-2A-308
- disposal of goods by lessor, 30-2A-524, 30-2A-527
- excused performance, 30-2A-405
- goods, by lessee, 30-2A-305
- lessor's damages, 30-2A-528
- merchant lessee's duties, rejected goods, 30-2A-511
- purchase, 30-2A-103
- subsequent lease of goods by lessor, 30-2A-304
- transfer of rights by, 30-2A-303

Salvage of unfinished goods, 30-2A-402, 30-2A-524
Samples or models, warranties, 30-2A-210, 30-2A-214, 30-2A-215
School districts, by, See **SCHOOLS, Property; Sites and facilities**
Scope of provisions, 30-2A-102
Scrap value, unfinished goods, 30-2A-524
Seals inoperative, 30-2A-203
Seasonably, 30-1-204
Secured transactions, applicability, 30-9-102, 30-9-113, 30-9-504
Securities, 30-10-103, 30-10-104, 30-10-203
Security

- accessions, lessor's and lessee's rights when goods become, 30-2A-310
- buying, nonapplicability, 30-2A-103
- creditors, special rights, 30-2A-308
- delivery in transit or otherwise, lessor's stoppage, 30-2A-526
- fixtures, lessor's and lessee's rights when goods become, 30-2A-309
- insolvency of lessor, lessee's rights to goods, 30-2A-522
- leasing, nonapplicability, 30-2A-103
- lessee's remedies, 30-2A-508

Security interest, 30-1-201, See also **SECURED TRANSACTIONS**

- accessions, lessor's and lessee's rights when goods become, 30-2A-310
- applicability of laws, 30-9-102, 30-9-113
- buyer in ordinary course of business, 30-2A-103
- creditors, 30-2A-307
- default by lessor, lessee's remedies, 30-2A-508
- disposal of goods, lessor's right to, 30-2A-527
- fixtures, lessor's and lessee's rights when goods become, 30-2A-309
- injuries to goods, standing to sue third parties for, 30-2A-531
- lease, 30-2A-103
- leasehold interest free of, 30-2A-307
- lessee in ordinary course of business, 30-2A-103

LEASES (Continued)
Security interest (Continued)

- liens, 30-2A-103, 30-2A-307
- purchase, 30-2A-103
- rejected goods, 30-2A-511, 30-2A-512
- transfer of rights, 30-2A-303

Septage disposal by lessees of property, 37-41-105
Sequestration, lessee's right to, 30-2A-521
Shelter care facilities, 41-5-802, 41-5-810
Shipment, 30-2A-217, 30-2A-219, 30-2A-512, 30-2A-522, 30-2A-526
Short titles, 30-1-101, 30-2A-101
Signatures

- agreement, 30-2A-208
- contract, 30-2A-103, 30-2A-201
- firm offers, 30-2A-205
- waiver or renunciation of claim or right after default, 30-2A-107

Snowmobile races on private land, lessee permission, 23-2-634
Solid waste management

- lessees of land, disposal of wastes, 75-10-214
- systems, 75-10-112

Special improvement district property, 7-12-4111, 7-12-4228
State, See **PUBLIC CONTRACTS, Lease of buildings; Procurement, state; STATE GOVERNMENT, Motor vehicles**, generally; **Property; STATE LANDS**
State-tribal cooperative agreements, 18-11-109
Statute of frauds, 30-2A-201
Statute of limitations, 30-2A-506
Subdivision provisions, Title 76, chapters 3 and 4, See **SUBDIVISIONS, Lease or rental**
Sublease, 30-2A-103, 30-2A-303, 30-2A-305
Sublessee in ordinary course of business, sale or sublease of goods by lessee, 30-2A-305
Subletting by tenant, 70-26-103
Subordinated obligation, 30-1-209
Subordination, 30-2A-309 — 30-2A-311
Subsequent lease, 30-2A-105, 30-2A-304
Substitution

- cover, substitute goods, 30-2A-518 — 30-2A-521
- excused performance, goods, 30-2A-406
- identifiable goods, insurable interest, 30-2A-218
- performance, 30-2A-404, 30-2A-405
- promises, irrevocable, 30-2A-407
- rights and remedies, modification or impairment, 30-2A-503
- tender, nonconforming — conforming, 30-2A-513

Supplier, 30-2A-103

- casualty to identified goods, 30-2A-221
- default after acceptance, 30-2A-516
- delivery, 30-2A-404, 30-2A-405, 30-2A-510, 30-2A-513
- identify goods, lessor's right to, 30-2A-524
- infringement, warranty against, 30-2A-211
- notice of litigation to person answerable over, 30-2A-516
- rejected goods, 30-2A-511, 30-2A-512
- risk of loss, 30-2A-219, 30-2A-220
- substituted performance, 30-2A-404
- tender, improper — cure by lessor or supplier, 30-2A-513
- warranty, breach of — notice of litigation to person answerable over, 30-2A-516

Supply contract, 30-2A-103, 30-2A-209
Taxation

- benefits, diminution of anticipated — liquidation of damages, 30-2A-504
- effect on, See **TAXATION, PROPERTY**

LEASES (Continued)

Telecommunications
  handicapped, equipment for, 53-19-307
  services, alternative services and providers, 69-3-808
Television districts, powers, 7-13-2510
Tender
  acceptance of goods, default — effect, 30-2A-516
  damages, lessor, 30-2A-528
  improper, cure by lessor, 30-2A-513
  insolvency of lessor, lessee's right to goods, 30-2A-522
  market rent, determination, 30-2A-519
  nonconforming, 30-2A-513, 30-2A-519
  rejection, 30-2A-509, 30-2A-513
  rent, lessor's action, 30-2A-529
  risk of loss, 30-2A-219, 30-2A-220
  substitute performance, 30-2A-404
  substitution, 30-2A-513
Termination
  actions for default, breach of warranty, or indemnity, 30-2A-506
  fixtures, when goods become — lessee's right to remove goods, 30-2A-309
Termination of agreement, 30-2A-309
Termination of contract, 30-2A-103, 30-2A-310, 30-2A-406, 30-2A-505
Termination of irrevocable promises, 30-2A-407
Termination of lease, notice, 70-26-205
Term of lease
  casualty to identified goods, 30-2A-221
  city lot, 70-26-110
  commercial, when none specified, 70-26-201
  cover, substitute goods, 30-2A-518
  damages, 30-2A-504, 30-2A-519, 30-2A-528
  disposal of goods, lessor's right, 30-2A-527
  excused performance, 30-2A-406
  "lease" defined, 30-2A-103
  market rent, proof of, 30-2A-507
  property, real — nonperformance, rights of transferee, 70-26-102
  rent, lessor's action for, 30-2A-529
  statute of frauds, contract enforceability, 30-2A-201
  warranties against interference and infringement, 30-2A-211
Terms of lease, change — notice, 70-26-109
Territorial extent of provisions, 30-1-105, 30-2A-105
Theft, 30-2A-304, 30-2A-305
Third parties, 30-2A-103, 30-2A-209, 30-2A-216, 30-2A-302, 30-2A-407, 30-2A-531
Timeshares, 37-53-303, 37-53-305, 37-53-307
Title
  certificate of title, 30-2A-104, 30-2A-105, 30-2A-304, 30-2A-305
  fixtures, lessor's and lessee's rights when goods become, 30-2A-309
  goods, 30-2A-302
  subsequent lease of goods by lessor, voidable title — transfer, 30-2A-304
Transfer
  creditors, fraudulent transfers — special rights, 30-2A-308
  lessor's residual interest in goods, 30-2A-303
  rights, 30-2A-303
  sale of goods by lessee, 30-2A-305
  sublease of goods by lessee, 30-2A-305
  subsequent lease of goods by lessor, 30-2A-304
  voidable, 30-2A-304, 30-2A-305

LEASES (Continued)

Transportation
  default by lessor, expenses incurred by lessee, 30-2A-508, 30-2A-520
  stopping, lessor's incidental damages, 30-2A-530
Trust property, 72-34-321, 72-34-322
Unborn young of animals as goods, 30-2A-103, 30-2A-217
Unconscionable clause, enforcement, 30-2A-108
Unconscionable remedies or damages, 30-2A-503
Unfair trade practices, 30-14-133
University of Montana football stadium, land or land and facilities for, 20-25-441
Urban renewal property, See **URBAN RENEWAL**, **Property**, generally
Usage of trade, 30-1-205, 30-2A-103, 30-2A-207, 30-2A-212, 30-2A-214, 30-2A-507
Utilities, lessee of property — exemption from regulation, 69-3-111
Utilities, rural cooperative — power, 35-18-106, 35-18-317
Variance of provisions by agreement, 30-1-102, 30-1-105
Vending facilities for blind or visually handicapped persons, 18-5-402, 18-5-404, 18-5-411, 18-5-415
Waiver
  claim or right, 30-1-107, 30-2A-107
  contract, executory portion — retraction of waiver affecting, 30-2A-208
  course of performance, 30-2A-207
  default, 30-2A-303
  modification or rescission, attempt at, 30-2A-208
  objections of lessee, 30-2A-514
  rights, waiver of lessee's objections, 30-2A-514
Warranties
  affirmation of fact, 30-2A-210, 30-2A-212
  breach
    action for, statute of limitations, 30-2A-506
    accepted goods, damages, 30-2A-519
    lessee
      damages from lessor's default, 30-2A-520
      remedies, 30-2A-508
    litigation, 30-2A-516
    personal injury, 30-2A-216, 30-2A-520
    waiver of claim or right, 30-1-107, 30-2A-107
  conflict, 30-2A-215
  construction, 30-2A-215
  cumulation, 30-2A-215
  description of goods, 30-2A-210, 30-2A-315
  disclaimers, 30-2A-103, 30-2A-214
  dominance, 30-2A-315
  entitlement, lessee, 30-2A-103
  exclusion, 30-2A-214, 30-2A-216
  express, creation, 30-2A-210, 30-2A-214
  finance leases, 30-2A-103, 30-2A-209
  fitness for particular purpose, 30-2A-213 — 30-2A-215
  implied, 30-2A-212 — 30-2A-215
  infringement, 30-2A-211, 30-2A-214
  intention of parties, 30-2A-215
  interference, 30-2A-211, 30-2A-214
  limitation, 30-2A-214, 30-2A-216
  merchantability, 30-2A-212, 30-2A-214
  model, conformance to, 30-2A-210, 30-2A-214, 30-2A-215
  modification, 30-2A-214, 30-2A-216
  negation, 30-2A-214
  opinion, 30-2A-210

LEASES (Continued)
Warranties (Continued)

    personal injury, 30-2A-216, 30-2A-520
    promise, 30-2A-210, 30-2A-212
    sample, conformance to, 30-2A-210, 30-2A-214, 30-2A-215
    third-party beneficiaries, 30-2A-209, 30-2A-216
Water, See **WATER USE, Hydroelectric power generation; Lease** entries
Water conservancy district directors, authority, 85-9-405, 85-9-632
Water quality district equipment, 7-13-4517
Water quality, point source — owner or operator, 75-5-103
Water wells or monitoring wells, drilling by lessees of land, 37-43-302
Wheelchairs, warranty, Title 30, chapter 14, part 12
Youth detention or shelter care facilities, 41-5-810

LEGISLATIVE AUDIT
Citation of Legislative Audit Act, 5-13-101
Committee, 5-13-201 — 5-13-203; Const., V, 10
    agency or program review, 2-8-105, 2-8-112, 2-8-113
    audits
        copies of reports and notification of special audits, 5-13-304
        housing, board of — requests, 90-6-124
        science and technology development, board of — determination of necessity, 90-3-304
    legislative auditor, appointment and salary, 5-13-302
    fraud, waste, or abuse in state government — reports to, 5-13-311
    lottery, state — security invasion techniques, reports to, 23-7-412
    operational plan approved by, 5-13-403
Definitions, 5-13-102, 5-13-401
Legislative auditor, See also generally **PUBLIC OFFICERS OR EMPLOYEES**
    abuse of funds or property, written notification, 5-13-309
    appointment, 5-13-302
    audits
        chiropractic legal panel and fund, 27-12-207
        community college districts, 20-15-229
        contracts for, 5-13-411
        costs, 5-13-307, 5-13-402, 17-7-141
        criminal investigation agents, authority, 44-2-115
        definitions, 5-13-401
        group benefit plans, 2-18-816
        health facility authority, 90-7-121
        housing, board of, 90-6-124
        internal service fund type fees and charges and fund equity balances, 17-8-101
        judicial standards commission, 3-1-1125
        lottery, state, 23-7-410 — 23-7-412
        medical legal panel or fund, 27-6-206, 27-6-207
        prison industries training program, programs, 53-30-133
        school-related organizations, 2-7-509
        science and technology development, board of, 90-3-304
        special audits, 5-13-304
        standards and objectives, 5-13-308
        state agencies, time, 5-13-304
        state special revenue fund account, 5-13-403
        workers' compensation state fund, 39-71-2361, 39-71-2362
    bank and trust company reports to department of commerce, availability, 32-1-234
    claims by state agencies for disbursements, postaudit, 17-8-202
    classification and pay plan, 2-18-201, 5-13-302
    committee, advice and consultations, 5-13-203
    computer system planning council, legislative branch — member, 5-11-402

LEGISLATIVE AUDIT (Continued)
Legislative auditor (Continued)

- contracts for services, approval, 5-13-411
- corporation income tax data provided to, 15-31-511
- data and information technology resources — internal policies, procedures, and evaluations available to, 2-15-114
- division, establishment, 5-13-301
- duties and powers, 5-13-304
- energy supply information, access to, 90-4-305
- examination of books and records, authority, 5-13-309
- financial reports of state agencies distributed to, 17-2-110
- fish and game license agents, inspection of accounts, 87-2-903
- fraud, waste, or abuse in state government — toll-free number to report, 5-11-312
- gasohol, state vehicles — purchase records reviewed by, 2-17-414
- handicapped persons' employment preference, Title 39, chapter 30
- information furnished to, 5-13-309
- insurance fraud reward fund, review, 33-1-1206
- investments, board of, 17-5-1529, 17-5-1649, 17-6-321
- legal counsel, 5-13-305
- legislature, assistance, 5-13-306
- licensing, professional and occupational — investigation and review, access to records, 37-1-135
- lottery, state
    - audits, 23-7-410 — 23-7-412
    - commission, reports by, 23-7-202
    - drawings for prizes, witness for and examination of equipment, 23-7-311
    - ticket or chance sales agents, inspection of records and accounts, 23-7-301
    - tickets or chances, sale to or purchase by employees prohibited, 23-7-110, 23-7-302
    - violations reported to, 23-7-212
- managed care program, oversight, 53-6-709
- medicaid program, 5-13-321
- paddlefish roe as caviar, donation and sale program — records, availability, 87-4-601
- performance audits, 2-8-111, 2-17-302
- public contracts, nonstate entities — access to records, 18-1-118
- qualifications, 5-13-302
- recommendations by, 5-13-307
- reports, 5-13-307
- revenue dedication, review of provisions, 17-1-505
- revenue oversight committee, assistance, 5-18-107
- salary, 5-13-302
- staff and consultants, 5-13-305
- state records committee, representation on, 2-15-1013
- statutory appropriations, review, 17-1-508
- surety bond amount for state officers and employees, consultations, 2-9-602
- term of office, 5-13-303
- university system optional retirement program, past service liability of members — determination, 19-21-111
- workers' compensation state fund, 39-71-2314, 39-71-2351, 39-71-2362

Privatization of state programs, duties, 2-8-302, 2-8-304
Purpose of Legislative Audit Act, 5-13-101

LEGISLATIVE BRANCH
Appropriations, See also **APPROPRIATIONS**
- general fund spending reductions, 17-7-140
- supplemental, 17-7-305

Audit costs and contracts, Title 5, chapter 13, part 4
Budget provisions, 17-7-102, 17-7-111, 17-7-122, See **BUDGET AND BUDGETING**

LEGISLATIVE BRANCH (Continued)

Computer system planning
  council, 5-11-402 — 5-11-404
  purpose, 5-11-401
  standards, 5-11-403 — 5-11-406
Consolidation of entities, 5-2-503, 5-2-504
Constitutional provisions, Const., V
Gasohol, state vehicles — use requirements, 2-17-414
Group benefits for employees, 2-18-701, 2-18-809
Handicapped persons' employment preference, Title 39, chapter 30
Policy and purpose, declaration, 5-2-501
Printing provisions, 18-7-302, See **PUBLIC CONTRACTS**, **Printing**
State employee classification and compensation plans, 2-18-103, 2-18-201
Statutory provisions, Title 5
Structure, 5-2-502
Workers' compensation, data base system — information collection, 39-71-225

LEGISLATIVE CONSUMER COMMITTEE, 69-1-201
Appointment of members, 5-15-101, 5-15-102
Compensation of members, 69-1-212
Composition, 5-15-101
Consumer counsel, See also **CONSUMER COUNSEL**
  appointment and salary, 5-15-201
  legislation, recommendation for, 69-1-222
  staff, approval, 69-1-221
Energy emergencies, advice to governor, 90-4-306
Meetings, 69-1-211
Officers, 5-15-105
Term of office, 5-15-103
Vacancies, 5-15-104

LEGISLATIVE COUNCIL
Administrative rules and register, copies distributed to, 2-4-313
Administration, Department of — state buildings development, consultation on master plan, 5-11-115
Appointment to, 5-11-101, 5-11-102
Bills, publication and distribution, See **Publications**
Budget proposals, submission through, 5-2-503
Children and Families, Joint Oversight Committee on — assistance, 5-22-102
Code commissioner, See also **LAW**
  office created, 1-11-201
  report by, 1-11-204
  supervision, 1-11-203
Committees, legislative
  duties regarding, 5-11-105 — 5-11-107, 5-11-111
  hearings, 5-11-107
  investigative authority, 5-11-106
  joint subcommittee members, appointment, 5-5-211
  reports and recommendations, 5-11-105, 5-11-111
  staff and services for, 5-5-214, 5-11-112, 5-18-107
  studies assigned to, 5-5-217, 5-11-105
Composition, 5-11-101
Computer System Planning Council, Legislative Branch, 5-11-402, 5-11-404
Consolidation of legislative branch entities, 5-2-503, 5-2-504
Council of State Governments, member of, 5-11-301, 5-11-302
Divisions, 5-11-112
Duties, 5-11-105, 5-11-106

LEGISLATIVE COUNCIL (Continued)

Employment preference, 39-30-103, See **LABOR AND EMPLOYMENT, Preference to handicapped persons**
Establishment, Const., V, 10
Executive director, 5-11-111
  computer system planning council, legislative branch, 5-11-402, 5-11-404
  proceedings, fees and exemptions, 5-11-212, 5-11-213
  reports to legislature, procedures, 5-11-210
Governor, transmittal of veto messages, 5-4-308
Hearings, authority for, 5-11-107, 5-19-107
Historical Society, capitol building artwork — consultation on placement, 5-11-115
Interim studies
  designation, 5-5-216, 5-5-217
  selection and assignment, 5-5-217
Interim subcommittees, See **Committees, legislative**
Interns, legislative
  assignment, 5-6-107
  citation of legislative intern act of 1974, 5-6-101
  establishment of program, 5-6-102
  funding by legislature not required, 5-6-111
  guidelines, 5-6-108
  number of, 5-6-104
  participants, 5-6-102
  qualifications, 5-6-106
  responsibility to legislator, 5-6-109
  schools, participation not mandatory, 5-6-110
  selection, 5-6-104 — 5-6-106
  term of service, 5-6-103
Interstate cooperation, authority and responsibility, 5-11-301, 5-11-302
Journals
  authentication and filing, 5-11-201
  expenses, payment, 5-11-208
Laws of Montana, See **LAW, Session laws**
Legislative Intern Act of 1974, Title 5, chapter 6, See **LEGISLATURE, Interns**
Legislators, mileage reimbursement claims and remuneration for services performed requests, 5-2-301
Legislature, space for — advice, 2-17-101
Meetings, 5-11-104
Members, 5-11-101, 5-11-102
Montana Code Annotated, publication, See **LAW**
Oaths, authority to administer, 5-11-107
Officers and organization, 5-11-104
Pacific Northwest economic region, policy committees — appointments, 5-11-301, 5-11-703
Powers, 5-11-105, 5-11-106
Proceedings
  legislative, See also **Publications**; **LAW, Session laws**
  definitions, 5-11-211
    distribution, 5-11-212
    fees, 5-11-212
      exemptions, 5-11-213, 5-11-214
  1972 constitutional convention, disposition and distribution, 5-11-221
Publications
  bills and resolutions, 1-11-303, 5-11-201 — 5-11-203, 5-11-208, See also **LAW, Session laws**
  distribution exempt from state publications library distribution center regulations, 22-1-218
  session laws, See **LAW, Session laws**
Public Employees' Retirement System provisions, applicability to employees, 19-3-412
Recodification, 1-11-101, 1-11-102, 1-11-204, See also **LAW**

LEGISLATIVE COUNCIL (Continued)

Records, 5-11-104
Reports to legislature, procedures, 5-11-210
Research agencies, employment, 5-11-111
Resolutions, publication and distribution, See **Publications**; **LAW, Session laws**
Revenue dedication, review of provisions, 17-1-505
Rules of procedure, 5-11-104
Session laws, See **LAW**
Staff, 5-11-105, 5-11-111, 5-11-112
Subpoena power, 5-11-107
State employees classification and pay plan, development, 2-18-201
Term of membership, 5-11-102
Uniform State Laws, Commission on — appointments to, 1-12-101, 1-12-102
Vacancies, how filled, 5-11-103
Veto messages, transmittal to, 5-4-308
Witnesses' attendance and depositions, authority for, 5-11-107

LEGISLATIVE FINANCE
Appropriations
  general fund spending reductions, 17-7-140
  overspending, complaints, 17-8-104
  program transfers, information to, 17-7-139
  supplemental, procedures, 17-7-301, 17-7-311
  transfers between agencies, report, 17-8-101
Budget
  amendments, duties, 5-12-102, 5-12-401, 17-7-402 — 17-7-405
  analysis, 5-12-303
  expenditure and disbursement recommendations, 5-12-303
  general fund spending reductions, 17-7-140
  requests, submission to, 17-7-112
  submission to fiscal analyst, 17-7-122
Citation of Legislative Finance Act, 5-12-101
Committee
  appointment of members and composition, 5-12-202
  budget amendment approval, 17-7-402
  compensation and expenses of members, 5-12-203
  creation, 5-12-201
  enterprise and internal service funds, reports concerning, 17-8-101
  higher education funds, interentity loan procedures and negative cash balance report, 17-2-107
  medicaid services
    estimates, submission by department of public health and human services, 53-6-110
    proposed systems, submission to, 53-6-116
  meetings, 5-12-205
  officers, 5-12-203
  powers and duties, 5-12-205
  renewable resource emergency grant or loan projects, allocation of funds for — notification, 85-1-605
  reports and recommendations requested by, 5-12-302
  revenue dedication
    administration, department of — survey information, 17-2-111
    review and evaluation, criteria for, 17-1-505
    transfer of special revenue account balances to general fund, concurrence, 17-1-503
  statutory appropriations, review, 17-1-508
  term of membership, 5-12-203
  vacancies, how filled, 5-12-204
  workers' compensation benefit claim processing, operation plan — review, 39-71-203
Definitions, 5-12-102

LEGISLATIVE FINANCE (Continued)

Investigatory powers, 5-12-205, 5-12-303
Legislative fiscal analyst, See also generally **PUBLIC OFFICERS OR EMPLOYEES**
  community college districts, submission of proposal for funding, 20-15-309
  computer system planning council, legislative branch — member, 5-11-402
  confidential records and information furnished to, disclosure prohibited, 5-12-303
  consultant studies, resume of results, 18-8-111
  corporation income tax data provided to, 15-31-511
  division, establishment, 5-12-301
  duties, 5-12-302
  employment preference, See **LABOR AND EMPLOYMENT**, **Preference to handicapped persons**
  income tax, individual — data furnished to, 5-12-303, 15-30-303
  information furnished to, 5-12-303
  long-range building program recommendations, submission to, 17-7-111
  pay plan schedules and salary upgrades, submission to, 17-7-111, 17-7-112
  reports and recommendations by, 5-12-302
  revenue dedication
    budget analysis, in, 17-1-507
    review of provisions, 17-1-505
  revenue oversight committee, assistance, 5-12-302
  salary and employment, 5-12-205
  staff and consultants, 5-12-304
  waste of state resources, legislative auditor to report, 5-13-311, 5-13-312

LEGISLATIVE HISTORY ACT, Title 5, chapter 4, part 4
  See **LEGISLATURE**

LEGISLATIVE INTERN ACT OF 1974, Title 5, chapter 6
  See **LEGISLATURE, Interns**

LEGISLATIVE SERVICES DIVISION
  See also **LEGISLATIVE COUNCIL**
Administrative Code Committee, staff assistance, 2-4-401
Ballot issues
  certified copy to when approved, 13-27-504
  petition form, 13-27-201
  review, 13-27-202
Environmental Quality Council, staff assistance, 85-2-105
Hearings, authority for, 5-19-107
Indian Affairs, Committee on — investigative authority and staff assistance, 5-19-107
Investigative authority, 5-11-106, 5-19-107
Investments, Board of — report by, 17-5-1650
Legislators, mileage reimbursement claims and remuneration for services performed requests, 5-2-301
Powers, 5-11-106
Reapportionment Commission, staff and services for, 5-1-106
Technical and clerical support, 5-1-106
Watercourse name changes, report to, 2-15-401

LEGISLATURE
Absent members, attendance compelled, Const., V, 10
Acts, See **LAW, Enactment and repeal**
Adjournment, Const., V, 10
  administrative rules, failure to repeal prior to — effect, 2-4-412
  budget director, audit costs — schedule of appropriation amounts to legislative auditor, 5-13-402
  committees, standing or select — interim status and authority, 5-5-202
  fish and wildlife laws, publication, 87-1-405

LEGISLATURE (Continued)
Adjournment (Continued)

  governor, action on bills
    no action, bill becomes law, 5-4-307; Const. VI, 10
    veto, legislature adjourned for day, 5-4-306
  indian affairs, committee on — appointments prior to, 5-19-102
  interim studies, selection and assignment, 5-5-217
  lobbyists, filing of accounts by principals, 5-7-208
  public employees' compensation determination, intent, 2-18-301
  referendum petitions, filing, Const., III, 5
  session laws, printing, 5-11-202
  sine die, 5-5-217
Administrative Code Committee, See also **ADMINISTRATIVE CODE COMMITTEE**
  appointment to, 5-14-101
  recommendations for agency rulemaking authority, 2-4-314
Administrative register, copies distributed to members, 2-4-312
Administrative rules
  failure to object to, effect, 2-4-412
  poll for proposals or review
    evidentiary rules, 2-4-403, 5-18-109
    publication, 2-4-306
Adult basic education programs, funding, 20-7-712
Aging, recommendations on problems of, 52-3-101
Amendment of bills, See **LAW, Enactment and repeal**
Appointment of member to other office, 5-2-104; Const., V, 9
Appointments by governor, 5-5-301 — 5-5-303, 13-16-503; Const., VI, 8, See also **GOVERNOR**
Apportionment, Const., V, 14; Title 5, chapter 1
Appropriations, See **APPROPRIATIONS**
Appropriations Committee, House
  administration, department of — assistance, 17-1-103
  budget amendment approval, 17-7-402
  budget director, assistance, 17-1-131
  cultural and aesthetic projects, 22-2-302, 22-2-304
  interentity loan extension justification and repayment plan submitted to, 17-2-107
  law enforcement teletypewriter communications system reports, submission to, 44-2-314
  legislative finance committee, members appointed to, 5-12-202
  presession work, 5-2-202, 5-2-203
Approval of bills by governor, 5-4-302; Const., VI, 10, See also **GOVERNOR, Legislature**
Armed persons, importation into state, 45-8-106
Arrest, members exempt when, 46-6-102; Const., V, 8
Art for state buildings, Title 22, chapter 2, part 4, See **CAPITOL AND OTHER STATE BUILDINGS**
Attainder prohibited, Const., II, 30
Attorney general opinions, 2-15-501
Audits of state agencies, Const., V, 10; Title 5, chapter 13, See **LEGISLATIVE AUDIT**
Banks and trust companies, insolvent — approval of depositor's or creditor's claim against state, 32-1-537
Biennial sessions, Const., V, 6
Bills and resolutions, See **LAW, Enactment and repeal**
Budget, See also **APPROPRIATIONS**; **BUDGET AND BUDGETING**
  action on, 17-7-131
  amendments
    allowed when, 17-7-131
    approval, 17-7-402
    certification improper, complaints, 17-7-405
  general fund spending reductions, 17-7-140
  hearings, officers' right to appear, 17-7-132
  judicial budget requests, 3-1-702
  legislative branch budget proposals, 17-7-111, 17-7-122

LEGISLATURE (Continued)
Budget (Continued)

- resource and indemnity trust interest account, diversion of allocations — requirements, 15-38-202
- submission
  - to legislative fiscal analyst, 17-7-122
  - to legislature, Const., VI, 9
- supplemental appropriations, 17-7-301, 17-7-311

Budget director, 17-1-131, See also **BUDGET AND PROGRAM PLANNING, OFFICE OF**
Buildings
- construction or repair and maintenance costs, consent and appropriation, 18-2-102
- energy conservation program, Title 90, chapter 4, part 6
- highway general obligation bond proceeds, authority, 17-5-506
- lease with option to purchase, approval, 18-3-101
- long-range building program, 17-7-203; Title 17, chapter 5, part 4

Call to order, 5-2-212, 5-2-213
Candidacy of member for other office, 5-2-104; Const., V, 9
Capitol, relocation, 10-3-607
Capitol Restoration Commission, Title 5, chapter 17, part 2
Caucus, presession, 5-2-201 — 5-2-203
Chaplains, 5-2-221, See also **Employees**
Chief clerk of the house, See **House of Representatives**
Children and Families, Joint Oversight Committee on
- appointment and staff assistance, 5-22-101
- duties, 5-22-102

Child support, uniform guidelines — modification proposals to, 40-5-209
Cities and towns
- immunity from suit provided when, 7-1-4125
- winter work committee minutes, use by, 7-16-4309

Claims for disbursements, transmittal, 17-8-202
Code sets, availability to legislators and committees, 5-11-209
Collective bargaining agreements of state employees, submission to, 39-31-305
Committees, See also specific committee
- conference committees, 5-4-304
- establishment, Const., V, 10
- interim activities, 2-18-502, 5-5-202, 5-11-105
  - joint interim subcommittees, Title 5, chapter 5, part 2
- standing or select committees
  - agency or program review, hearings, 2-8-113
  - budget director, assistance, 17-1-131
  - interim status and authority, 5-5-202
  - job training plan, review and comment, 53-2-1110
  - legislative council services and authority, See **LEGISLATIVE COUNCIL**
  - legislative finance, powers, 5-12-205
  - meal allowance, 2-18-502
  - Montana code annotated, sets reserved for, 5-11-209
  - reports and recommendations by, 5-11-105
- statutorily created, 5-11-105, See also specific committee

Communication systems, assistance and rulemaking, 2-17-302
Community college district organization, approval, 20-15-209
Compensation, See **Salary and expenses of members**
Composition, 5-2-101; Const., V, 1
Computer system planning, Title 5, chapter 11, part 4
Conflict of interest of member, 2-2-112
Constitutional amendments, 2/3 vote required to propose by referendum, Const., XIV, 8
Constitutional convention, 2/3 vote required for referendum, Const., XIV, 1; XIV, 4
Consumer Committee and counsel, Title 5, chapter 15, See **CONSUMER COUNSEL; LEGISLATIVE CONSUMER COMMITTEE**

LEGISLATURE (Continued)

Continuity of government, Title 10, chapter 3, part 6, See **EMERGENCIES AND EMERGENCY POWERS; GOVERNOR, Succession**
Contract disputes with state, appropriations for judgments, 18-1-414
Contracts, public, Title 18
Convening, See **Sessions; Special sessions**
Corporations, reservation of power, 35-1-118
Council of State Governments, 5-11-301, 5-11-302
Counties
  creation by, 7-2-2301, See **COUNTIES, New, creation by legislation**
  name change, effect on legislative officials, 7-2-2513
Criminal Intelligence Information Advisory Council, representation on, 44-5-501
Criminal justice agency technical assistance and supportive services assigned by, 44-4-301
Cultural and aesthetic projects
  account funds, appropriation, 22-2-305
  advisory committee recommendations, 22-2-302
  grant proposals, 22-2-304
Debate subject to question only in legislature, Const., V, 8
Developmental Disabilities Planning and Advisory Council, appointments to, 2-15-2204
Discriminatory practices in employment allowed when, 49-2-308
Districting and apportionment, Const., V, 14; Title 5, chapter 1
Education, constitutional provisions, Const., X, 1
Effective date of laws, 1-2-201, See **LAW, Enactment and repeal**
Election duties
  ballot issues, 13-27-402; Const., IV, 7
  political practices, commissioner of — appointment, confirmation, 13-37-102
  tie votes, election to break, 13-16-504
Election of, See also **ELECTIONS**
  applicability of laws, 13-26-102
  ballot, placement, 13-12-207
  campaign contributions, limitation, 13-37-216, 13-37-218
  campaign finance reports, filing, 13-37-226
  certification of vote, 13-15-501, 13-16-418
  constitutional convention delegates, applicability of laws, 13-26-102
  contested, Const., V, 10
  date, 13-1-104
  declaration for nomination, filing, 13-10-201, 13-10-202
  judging, Const., V, 10
  recount when, 13-16-201, 13-16-418
  residence, 13-1-112, 13-10-201, 13-10-208, 13-12-201; Const., V, 4
  roster of legislators, 5-2-211
  term of office, 5-2-102, 5-2-401, 5-2-406; Const., IV, 8; V, 3
  tie vote, 13-16-503
  vacancy among
    legislators, Const., V, 7
    nominees, 13-14-118
Electoral districts, Const., V, 14; Title 5, chapter 1
Eligibility of member to other office, 5-2-104; Const., V, 9
Emergencies and disasters
  confirmation of declaration of, 10-3-302, 10-3-303, 10-3-505
  energy, extension or termination, 90-4-310
  sessions, emergency, 2-16-513
  succession in office, Title 10, chapter 3, part 6, See **EMERGENCIES AND EMERGENCY POWERS, Continuity of government; GOVERNOR, Succession**
  termination, 10-3-303, 10-3-505
Eminent domain, authorization of public uses, 70-30-102

LEGISLATURE (Continued)

Employees
  appointment, 5-2-221
  duties, 5-2-222
  hiring, 5-2-201, 5-2-202
  incentive program, Title 2, chapter 18, part 11
  minors' employment prohibited, exemptions, 41-2-104
  nepotism prohibited, 2-2-138, 2-2-302
  public employees' retirement system provisions, applicability, 19-3-403
  statewide classification and pay plans, 2-18-103
Enactment and repeal of laws, See **LAW**
Energy conservation
  energy conservation measure grants, 90-4-102. 90-4-109
  state buildings, Title 90, chapter 4, part 6
Energy emergency, extension or termination, 90-4-310
Energy policy analysis for energy-related bills, 90-4-1004
Environmental protection, formulation of state policies, Const., IX, 1; IX, 2; Title 5, chapter 16, See **ENVIRONMENTAL QUALITY COUNCIL**
Environmental Quality Council, appointments to, 5-16-101, See **ENVIRONMENTAL QUALITY COUNCIL**
Environmental quality studies, reports, and recommendations, 75-1-324
Ethical requirements, 2-2-112
  commission, 2-2-138
    administrative appeal, 2-2-137
    lobbying activity prohibited, 2-2-138, 2-2-143
    meetings, quorum, 2-2-139
    members' political activity prohibited, 2-2-142
  committees, 2-2-135
  enforcement, 2-2-136
  nepotism prohibited, 2-2-138, 2-2-302
Ethics, Code of, Title 2, chapter 2; Const., XIII, 4
Expense allowance for members, See **Salary and expenses of members**
Expulsion of members, Const., V, 10
Facsimile signatures of members, 5-2-105
Federal assistance programs, Title 17, chapter 3, part 1
Federal comprehensive environmental response, compensation, and liability cooperative agreements — appropriation for implementation, 75-10-604
Federal Higher Education Programs, Commission on — assignation of duties, 20-2-403
Federal land grants, approval for acceptance when, 77-1-211
Federal mandates
  budget recommendation, requirement, 2-1-405
  citation of federal mandates act, 2-1-401
  definitions, 2-1-403
  information, 2-1-406
  legislative declaration, 2-1-402
  legislative review and oversight, 2-1-408
  reporting, 2-1-405, 2-1-407
  state programs to implement, 2-1-404
Finance and Claims Committee, Senate
  administration, department of — assistance, 17-1-103
  budget amendments, Title 17, chapter 7, part 4
  budget director, assistance, 17-1-131
  interentity loan extension justification and repayment plan submitted to, 17-2-107
  legislative finance committee, members appointed to, 5-12-202
  presession work, 5-2-202, 5-2-203
Fiscal analysis of state government, Title 5, chapter 12, See **LEGISLATIVE FINANCE**

LEGISLATURE (Continued)

Fiscal notes
  background information concerning, availability, 5-4-206
  contents, 5-4-205
  dedication of revenue findings, inclusion, 17-1-506
  distribution, 5-4-204
  preparation, 5-4-203, 20-2-115
  request for, 5-4-202
  required when, 5-4-201
  revenue estimates, 5-18-107
  sponsor's fiscal note, 5-4-204
  statutory appropriation findings, inclusion, 17-1-508
  submission, 5-4-204
Floor leaders, See **Majority and minority leaders**
Food and Nutrition, State Advisory Council on — representation on, 2-15-2210
Forest lands, state — disposition of profits prescribed by, 77-1-216
Gambling, authorization through referendum, Const., III, 9
Gaming Advisory Council, appointments to, 2-15-2021
Gifts to legislators, acceptance prohibited, 2-2-104
Gifts to public servants by persons subject to their jurisdiction unlawful, 45-7-104
Governor's action on bills, Const., VI, 10; Title 5, chapter 4, part 3, See **GOVERNOR**
Health care
  advisory council, membership — application, 50-4-203
  consumer report cards, 50-4-312
Highway patrol officers' retirement, supplemental benefit funding — recommendations concerning, 19-6-709
Highways
  federal laws, assent to, 60-3-101
  revenues, continued provision for, 17-5-914; Const., VIII, 6
Historical sites, acquisition proposals, 23-1-108
Historical Society
  board of trustees, approval of appointments, 22-3-104
  report, biennial, 22-3-107
House of Representatives, See also **PUBLIC OFFICERS OR EMPLOYEES**
  appropriations committee, See **Appropriations Committee, House**
  call to order, 5-2-213
  chambers, location, 2-17-101
  chaplain, appointment, 5-2-221
  chief clerk, See also **Employees**
    appointment, 5-2-221
    arrest warrant, countersignature, 5-5-104
    computer system planning council, legislative branch — member, 5-11-402
    session laws, copies to, 5-11-203
  employees' appointment, confirmation, 5-2-221
  impeachment, sole power vested in, 5-5-402; Const., V, 13; See also **IMPEACHMENT OF PUBLIC OFFICERS**
  number of members, Const., V, 2
  officers, See **Officers**
  office space, allocation, 2-17-108
  organization, 5-2-213, 5-2-216; Const., V, 10
  public employees' retirement system, service credit, 19-3-521
  quorum, 5-2-212, 5-2-213, 10-3-606
  rosters, 5-2-211
  sergeant-at-arms
    appointment, 5-2-221
    computer system planning council, legislative branch — member, 5-11-402

LEGISLATURE (Continued)
House of Representatives (Continued)

- speaker of the house, See **Speaker of the house**
- speaker pro tempore, 5-2-221, 5-2-222
- vacancies, See **Vacancies**

Immunity from liability, 2-9-111; Const., V, 8, See also **GOVERNMENT LIABILITY**
Impeachment of officers, Const., V, 13; Title 5, chapter 5, part 4, See **IMPEACHMENT OF PUBLIC OFFICERS**
Incentive program awards for employees, consideration by, 2-18-1106, See **PUBLIC OFFICERS OR EMPLOYEES**
Indian Affairs, Committee on, Title 5, chapter 19, part 1, See **INDIANS, Committee on Indian Affairs**
Initiatives

- review, 13-27-202
- special election when, Const., IV, 7

Institutions — abandonment, moving, or discontinuance — consent to, 53-1-202
Insurance, group — participation, 2-18-703, 2-18-704, 2-18-809, 5-2-303, See also **PUBLIC OFFICERS OR EMPLOYEES, Group benefits**
Intent

- statement of, inclusion in bills, 5-4-404
- statutes, construction, 1-2-102

Interim activities or studies, 2-18-502, 5-5-202, 5-11-105

- legislative council responsibilities, See **LEGISLATIVE COUNCIL**
- requests for, 5-5-217
- standing or select committees, interim authority, 5-5-202
- subcommittees, functions, 5-5-214, 5-5-216, 5-11-105

Interlocal cooperation commission, recommendations made by, 7-11-230
Interns

- assignment, 5-6-107
- citation of legislative intern act of 1974, 5-6-101
- establishment of program, 5-6-102
- funding by legislature not required, 5-6-111
- guidelines, 5-6-108
- number of, 5-6-104
- participants, 5-6-102
- qualifications, 5-6-106
- responsibility to legislator, 5-6-109
- schools, participation not mandatory, 5-6-110
- selection, 5-6-104 — 5-6-106
- term of service, 5-6-103

Interstate cooperation, 5-11-301, 5-11-302
Job training

- job training plan, submission to, 53-2-1110
- state job training coordinating council, recommendations by, 53-2-1105

Joint resolutions, See **LAW, Enactment and repeal**
Joint rules, See **Rules, joint**
Journals

- authentication and filing, 5-11-201
- custody of, 2-6-111
- impeachment, entries of court proceedings, 5-5-419, 5-5-422
- oath of office entered in, 5-2-214
- required, Const., V, 10
- voting record contained in, Const., V, 11

Judicial districts, creation, Const., VII, 6
Judicial notice of actions of, Title 26, chapter 10, M.R.Ev., Rule 202
Judicial Standards Commission, creation, Const., VII, 11
Justices of the peace, provision for additional justices, Const., VII, 5
Law Library, State — use by members, 22-1-505

LEGISLATURE (Continued)

Laws, specification and form, See **LAW, Enactment and repeal**
Leave of absence from employment, 2-18-620
Legislative Audit Act, Title 5, chapter 13, See **LEGISLATIVE AUDIT**
Legislative Audit Committee, appointments to, 5-13-202, See also **LEGISLATIVE AUDIT**
Legislative auditor, Title 5, chapter 13, See **LEGISLATIVE AUDIT**
Legislative Consumer Committee, appointments to, 5-15-101, See also **LEGISLATIVE CONSUMER COMMITTEE**
Legislative Council, appointments to and duties, 5-11-101, See also **LEGISLATIVE COUNCIL**
Legislative Finance Act, Title 5, chapter 12, See **LEGISLATIVE FINANCE**
Legislative Finance Committee, appointments to, 5-12-202, See also **LEGISLATIVE FINANCE**
Legislative fiscal analyst, Title 5, chapter 12, See **LEGISLATIVE FINANCE**
Legislative History Act
  citation, 5-4-401
  "delegation of authority" defined, 5-4-403
  intent, statement of, 5-4-404
  purpose, 5-4-402
Liability, Const., V, 8; Title 2, chapter 9, part 1, See **GOVERNMENT LIABILITY**
Libraries
  joint services with university system, new building subject to approval by, 22-1-403
  library services, policy to encourage, 22-1-401
Lieutenant governor elected by, when, 2-16-512
Lobbying regulations, Title 5, chapter 7, See **LOBBYING AND LOBBYISTS**
Local Citizen Review Board, office of supreme court administrator — reports required, 5-11-210, 41-3-1004
Local government infrastructure projects, approval, 90-6-710
Long-range building program, 17-7-203; Title 17, chapter 5, part 4; Title 17, chapter 7, part 2
Lottery, state
  audit reports, 23-7-410, 23-7-411
  commission, reports to certain committees, 23-7-202
Majority and minority leaders, 5-2-221, See also **Officers**
  discriminatory practices in employment allowed when, 49-2-308
  election of, 5-2-221; Const., V, 10
  environmental quality council, appointments to — consent, 5-16-101
  legislative council, appointments to — advice concerning, 5-11-101
  pacific northwest economic region, member appointed by, 5-11-703
  political practices, commissioner of — selection committee, 13-37-102
  presession activity, 5-2-201 — 5-2-203
  reapportionment commissioners appointed by, 5-1-102, 5-1-103; Const., V, 14
  revenue oversight committee, appointments to — consultation concerning, 5-18-102
Majority and minority whips, 5-2-221, See also **Officers**
Majority vote required, 5-2-215, 5-4-305, 5-4-306, 17-5-706, 17-5-801, 17-8-106, 18-3-101, 39-71-2503, 75-5-1122, 90-4-611; Const., V, 11; VI, 10
Microbusiness Advisory Council, legislative consulting panel, 17-6-411
Mileage allowance for members, 2-18-503, 5-2-301, 5-2-302
Military service, appointment of acting member, 10-2-227
Minority leaders, See **Majority and minority leaders**
Montana Code Annotated, availability to legislators and committees, 5-11-209
Natural areas, lands for
  designation, 76-12-107
  eminent domain, authorization for acquisition by, 76-12-108, 76-12-110
  reports concerning, 76-12-109
Nonprofit corporations, reservation of power, 35-2-116
Number of members, Const., V, 2
Oaths
  administered to members, 2-16-211, 5-2-212, 5-2-213, 5-5-416; Const., III, 3

LEGISLATURE (Continued)
Oaths (Continued)

  committee members, power to administer, 5-5-201
  impeachment, senate as court of, 5-5-403, 5-5-416
  journals, entered in, 5-2-214
  officers, power to administer, 5-2-222, 5-5-416
Officers
  election, 5-2-212, 5-2-213, 5-2-215, 5-2-216, 5-2-221; Const., V, 10
  facsimile and manual signatures filed with, 5-2-105
  nomination, 5-2-201
  powers and duties, 5-2-222
    fiscal notes, See **Fiscal notes**
  salaries, See **Salary and expenses of members**
  statewide classification and pay plans, 2-18-103
Open meetings, Const., V, 10; Title 2, chapter 3, part 2
Organization, 5-2-211 — 5-2-213, 5-2-216; Const., V, 10
Pacific Northwest economic region, participation, Title 5, chapter 11, part 7
Parks, state — acquisition proposals, 23-1-108
Pearl Harbor Memorial Committee, Title 5, chapter 17, part 3
Per diem of members, See **Salary and expenses of members**
Performance audits, Title 2, chapter 8, part 1, See **EXECUTIVE BRANCH, Legislative review**
Poll of members, See also **Administrative rules**
  special sessions, 5-3-105 — 5-3-108
  vetoed bills, consideration, 5-4-306; Const., VI, 10
Power, Const., V, 1
President of the senate, 5-2-221, See also **Officers**
  arrest warrant, 5-5-104
  ballot issue argument committees, appointments to, 13-27-402, 13-27-404
  budget provisions, "approving authority" defined, 17-7-102
  capitol restoration commission, member of and appointments to, 5-17-203
  computer system planning council, legislative branch — designation of member, 5-11-402
  election, 5-2-216, 5-2-221
  employees, appointment, 5-2-221
  environmental quality council
    appointments to, 5-16-101
    notice of vacancy, posting required when, 5-16-104
  governor
    acting, as, 2-16-515
    appointments, certification, 5-5-303
    party of, candidate for president, 5-2-216
    succession to, 2-16-511 — 2-16-515
  impeachment, trial duties, 5-5-412, 5-5-414, 5-5-416, 5-5-418, See also **IMPEACHMENT OF PUBLIC OFFICERS**
  journal authentication, 5-11-201
  lottery, state
    audit reports to, 23-7-410, 23-7-411
    commission, reports by, 23-7-202
  majority party candidate, election, 5-2-216
  oaths, power to administer, 5-2-222, 5-5-416
  pacific northwest economic region, member appointed by, 5-11-703
  political practices, commissioner of — selection committee, 13-37-102
  pro tempore, 2-16-513, 5-2-221, 5-2-222
  reserved water rights compact commission, appointments to, 2-15-212
  salary and expenses, 2-18-501, 2-18-503, 5-2-301
  small business regulation and licensing system plan, board of review — duties, 30-16-103, 30-16-302
  subpoena power, 5-5-101
  veto override, authentication, 5-4-305

LEGISLATURE (Continued)

President pro tempore of the senate, 2-16-513, 5-2-221, 5-2-222, See also **Officers**
Presiding officers, See **Officers**
Printing Control Act, State, Title 18, chapter 7, part 3, See **PUBLIC CONTRACTS, Printing**, state printing
Privileges and immunities, irrevocable grant prohibited, Const., II, 31
Privatization of state programs, Title 2, chapter 8, part 3
Proceedings, publication and distribution, 5-11-211 — 5-11-214, 5-11-221, See **LEGISLATIVE COUNCIL**
Publications library distribution center, 22-1-211 — 22-1-218
Public assistance programs, legislative findings, 53-3-115
Public Employee Retirement Systems, Committee on, Title 5, chapter 21, part 1
Public Employees' Retirement System
  postretirement or cost-of-living increases, 19-3-1008
  service credit, 19-3-521
Public health improvement
  plan, copy to, 50-1-405
  task force, representation, 50-1-404
Public meetings, Const., V, 10; V, 11
Public officers
  absence from state, consent for, 2-16-112, 2-16-501
  resignation, 2-16-502
Public participation in government, exception, 2-3-102
Public records, Title 2, chapter 6, See **PUBLIC RECORDS**
"Public servant", legislator defined as, 45-2-101
Purchase of goods and services, Title 18, chapters 4 and 5
Qualifications, Const., V, 4
Quorum, 5-2-212, 5-2-213, 10-3-606; Const., V, 10
Reapportionment, Const., V, 14; Title 5, chapter 1
Recall of members, Title 2, chapter 16, part 6, See **RECALL**
Recess, Const., V, 10
Recodification, See **LAW**
Records management and preservation, 2-6-203, 22-3-203; Const., VI, 4, See also **PUBLIC RECORDS**
Recycling program, Title 75, chapter 10, part 8, See **SOLID WASTE MANAGEMENT, Integrated waste management**
Referendums, special election when, Const., IV, 7, See **BALLOT ISSUES**
Reimbursement, See **Salary and expenses of members**
Reports to legislature, 5-11-210
  administration, department of, 17-1-103
  agricultural experiment station, 20-25-236
  agriculture, department of, 80-7-713
  apprenticeship programs, concerning, 39-6-101
  appropriations for second fiscal year of biennium, expenditure during first fiscal year of biennium made from, 17-7-301
  children and families, joint oversight committee on, 5-22-102
  clearinghouse for, 5-11-210
  committees, legislative standing and select, 5-11-105
  cooperative extension service, 20-25-236
  costs of printing and distribution, 5-11-210
  environmental impact statement fees, agencies' reports concerning, 75-1-203
  environmental quality council, 75-1-324, 85-2-105
  executive orders of governor, 2-15-125
  fish, wildlife, and parks — department of, 87-1-216, 87-1-250
  flathead basin commission, 75-7-304
  governor, 2-15-108, 2-15-125, 17-7-301, 39-51-407, 46-23-316, 85-1-704; Const., VI, 9
    inability to govern, report on, Const., VI, 14

LEGISLATURE (Continued)
Reports to legislature (Continued)

- health care advisory council, 50-4-103, 50-4-206
- highway transportation agreement, multistate, 5-11-210
- historical society, 22-3-107
- indian affairs, committee on, 5-19-108
- interim subcommittees, 5-5-216, 5-11-105
- investment program, unified, Const., VIII, 13
- investments, board of, 17-5-1650
- judicial standards commission, 3-1-1126
- justice, department of, 2-15-2021
- labor and industry, department of, 39-6-101
- land commissioners, board of, 76-12-109
- legislative auditor, 19-21-111
- legislative council
  - clearinghouse for and procedures, 5-11-210
  - legislative committees and subcommittees, assistance, 5-11-105, 5-11-116
- legislative finance committee, 17-1-505
- legislative fiscal analyst, 5-12-302
- list of titles, 5-11-210
- livestock, department of, 87-1-216
- lobbyists and principals, 5-7-207
- medicaid services, 53-6-110
- mental health state and community resources, activities and recommendations, 53-21-202
- mountain sheep license, auction proceeds — use or investment, 87-2-722
- natural areas, designation or acquisition, 76-12-109
- noxious plants and their management, 80-7-713
- nuclear compact, western interstate, 5-11-210
- political practices, commissioner of, 5-7-207
- public employees' retirement systems committee, 5-21-105
- public health and human services, department of, 53-6-110
- publishing policy committee, 18-7-303
- revenue, department of, 2-7-104, 15-1-205
- revenue oversight committee, 5-18-107
- secretary of state, 13-13-279, 13-22-108
- subcommittees, legislative, 5-5-216, 5-11-105
- supreme court administrator, office of, 41-3-1004
- taxation, 2-7-104, 15-1-205, 15-1-601
- tax commission, multistate, 15-1-601
- unemployment insurance administration account, replacement funds required, 39-51-407
- university system unit presidents, 20-25-305
- upland game bird enhancement activities, 87-1-250
- upper clark fork river basin steering committee, 85-2-338, 85-2-439
- vehicle equipment safety compact, 5-11-210
- vocational education, K-12 — state director, 20-7-302.1
- water storage projects, 85-1-704
- workers' compensation rates, examination and review, 39-71-2362, 39-71-2363

Reserved Water Rights Compact Commission, appointments to, 2-15-212
Residence, Const., V, 4
Resignations
- made to, 2-16-502
- members, of, Title 2, chapter 16, part 5, See **PUBLIC OFFICERS OR EMPLOYEES, Vacancy in office**

Resolutions, See **LAW, Enactment and repeal**
Retirement
- benefits, applicability, 19-2-303, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM**
- public, continued participation, 5-2-304

LEGISLATURE (Continued)

Revenue of state, to insure strict accountability, Const., VIII, 12
Revenue Oversight Committee, See also **REVENUE OVERSIGHT COMMITTEE**
  appointments to, 5-18-102
  revenue estimating duties, 5-18-107
Revenue studies, 2-7-104, 5-18-107
Roster of legislators, 5-2-211 — 5-2-213
Rules, joint
  amendments in committee of the whole, 5-4-304
  communication systems, 2-17-302
  conflict of interest of members, disclosure, 2-2-112
  energy policy analysis requests, 90-4-1004
  fiscal note requests, 5-4-202
  legislative council functions, 5-11-112
  officers' duties, 5-2-222
  required, Const., V, 10
  statements of legislative intent, 5-4-404
Salary and expenses of members
  administrative code committee, 2-4-401
  indian affairs, committee on, 5-19-106
  interim compensation, 5-2-302
  interstate cooperation, delegations or committees for, 5-11-301
  legislative audit committee, 5-13-203
  legislative finance committee, 5-12-203
  meal allowance, 2-18-502
  mileage allowance, 2-18-503, 5-2-301, 5-2-302
  presession activity, 5-2-203
  provided by law, Const., V, 5
  remuneration for services performed, 5-2-301
  reserved water rights compact commission, 2-15-212
  retirement system payments, 5-2-304
  revenue oversight committee, 5-18-106
  rules of conduct concerning compensation, 2-2-104, 2-2-111
  session compensation, 2-18-501, 2-18-503, 5-2-301
  trips to residence during session, 5-2-301
School districts, rules with financial impact — funding, 20-2-115
Senate, See also **PUBLIC OFFICERS OR EMPLOYEES**
  appointment of employees, confirmation, 5-2-221
  arts council, approval of appointments to, 22-2-102
  call to order, 5-2-212
  chambers, 2-17-101, 2-17-109, 5-17-205
  committee on committees, appointments by, See specific committee
  finance and claims committee, See **Finance and Claims Committee, Senate**
  governor
    appointments, See also specific office
      nomination and concurrence, 5-5-302, 5-5-303; Const., VI, 8; VII, 8
      public officers, 2-16-203, 2-16-213, 2-16-506, 5-5-413
    emergency succession to, 2-16-513
  historical society, approval of appointments to board of trustees, 22-3-104
  impeachment, senate as court of, 3-1-101, 5-5-403; Const., V, 13, See also **IMPEACHMENT OF PUBLIC OFFICERS**
  number of members, Const., V, 2
  officers, See **Officers**
  office space, allocation, 2-17-108
  organization, 5-2-212, 5-2-216; Const., V, 10
  president of the senate, See **President of the senate**

LEGISLATURE (Continued)
Senate (Continued)

  president pro tempore, 5-2-221, 5-2-222
  public employees' retirement system, service credit, 19-3-521
  quorum, 5-2-212, 5-2-213, 10-3-606
  rosters, 5-2-211
  secretary, 5-2-221, See also **Employees**
    arrest warrant, countersignature, 5-5-104
    computer system planning council, legislative branch — member, 5-11-402
    governor's appointments, certification, 5-5-303
    oaths administered by, 5-5-416
    session laws, copies to, 5-11-203
  sergeant-at-arms, 5-2-221, 5-11-402
  vacancies, See **Vacancies**
Senior citizens' legislature, 52-3-111
Sentencing, Commission on — membership, 46-18-130
Separation of powers, Const., III, 1
Sergeants-at-arms, 5-2-221, 5-5-104, 5-11-402, See also **Employees**
Session laws
  members, copies to, 5-11-203
  publication and distribution, See **LAW**
Sessions
  call for, immunity from liability, 2-9-113
  emergency, 2-16-513
  legislative auditor and staff, assistance by, 5-13-306
  legislative council responsibilities, See **LEGISLATIVE COUNCIL**
  presession activity
    compensation and expenses, 5-2-203
    organization and purpose, 5-2-201, 5-2-202
  public, open to, Const., V, 10
  secretary of state, attendance, 2-15-401, 13-13-279, 13-22-108
  special sessions, See **Special sessions**
  time and place, 5-2-103; Const., V, 6; V, 10; VI, 11
Size, Const., V, 2
Small business regulation and licensing system plan, recommendations, 30-16-103, 30-16-301
Sovereign immunity abolished except as provided by law, Const., II, 18, See **GOVERNMENT LIABILITY**
Speaker of the house, 5-2-221, See also **Officers**
  arrest warrant, 5-5-104
  ballot issue argument committees, appointments to, 13-27-402
  budget provisions, "approving authority" defined, 17-7-102
  capitol restoration commission, member of and appointments to, 5-17-203
  computer system planning council, legislative branch — designation of member, 5-11-402
  election, 5-2-216, 5-2-221
  employees, appointment, 5-2-221
  environmental quality council
    appointments to, 5-16-101
    notice of vacancy, posting required when, 5-16-104
  gaming advisory council, appointments to, 2-15-2021
  governor
    party of, candidate for speaker, 5-2-216
    succession to, 2-16-511 — 2-16-515
  indian affairs, committee on — appointments to, 5-19-102
  joint subcommittee members, appointment by, 5-5-211, 5-5-217
  journal authentication, 5-11-201
  legislative council, appointments to, 5-11-101
  legislative finance committee, appointments to, 5-12-202

LEGISLATURE (Continued)
Speaker of the house (Continued)

- lottery, state
    - audit reports to, 23-7-410, 23-7-411
    - commission, reports by, 23-7-202
- majority party candidate, election, 5-2-216
- microbusiness advisory council, legislative consulting panel — appointments to, 17-6-411
- oaths, power to administer, 5-2-222
- pacific northwest economic region, member appointed by, 5-11-703
- political practices, commissioner of — selection committee, 13-37-102
- pro tempore, 5-2-221, 5-2-222
- reserved water rights compact commission, appointments to, 2-15-212
- revenue oversight committee, appointments to, 5-18-102
- salary and expenses, 2-18-501, 2-18-503, 5-2-301
- small business regulation and licensing system plan, board of review — duties, 30-16-103, 30-16-302
- subpoena power, 5-5-101
- veto override, authentication, 5-4-305

Speaker pro tempore of the house, 5-2-221, 5-2-222, See also **Officers**
Special sessions

- call for, 2-16-504, 5-2-103, 5-3-101, 5-3-102, 10-3-505; Const., V, 6; VI, 11
    - approval, 5-3-107
    - failure to approve, 5-3-108
    - immunity from liability, 2-9-113
- energy supply emergencies, extension or termination, 90-4-310
- governor, to determine ability to discharge powers and duties of office, Const., VI, 14
- mileage allowance when, 2-18-503, 5-2-301
- poll of legislators
    - approval, 5-3-107
    - date of session, notification, 5-3-107
    - failure to approve, 5-3-108
    - procedure, 5-3-106
    - request for, 5-3-105
- postattack recovery and rehabilitation emergencies, 10-3-505
- subjects limited, 5-3-101
- vetoed bills, for reconsideration, 5-4-306; Const., VI, 10

Speech or debate subject to question only in legislature, Const., V, 8
State agency review, Title 2, chapter 8, part 1, See **EXECUTIVE BRANCH, Legislative review**
State finance to insure strict accountability, Const., VIII, 12
State parks, acquisition proposals, 23-1-108
State pay plan, See **Statewide classification and pay plan**
State publications library distribution center, 22-1-211 — 22-1-218
State treasurer, information to, 17-1-111
Statewide classification and pay plan

- appropriations
    - salary schedules, 2-18-302
    - unexpended, transfer, 2-18-106
- equal pay for comparable worth, periodic evaluation, 2-18-209
- number and classes of employees, amendment of determination, 2-18-204

Statutes, See **LAW**
Student interns, See **Interns**
Subcommittees, Title 5, chapter 5, part 2
Subpoenas, See **Witnesses**
Succession, Title 10, chapter 3, part 6, See **Vacancies**; See also **EMERGENCIES AND EMERGENCY POWERS, Continuity of government**; **GOVERNOR, Succession**
Supreme court rules of procedure subject to legislative disapproval, Const., VII, 2
Taxation

- in-kind payment of inheritance and estate taxes, review and approval, 72-16-447, 72-16-448

LEGISLATURE (Continued)
Taxation (Continued)

  multistate tax commission, report from, 15-1-601
  property valuation and assessment system fee, exemption for agencies and committees, 2-6-110
  recommended legislation, 15-1-203
  state tax appeal board members, confirmation, 15-2-101
  studies and reports, 2-7-104, 15-1-205, 15-1-601
Term of office of members, 5-2-102, 5-2-401; Const., IV, 8; V, 3
  vacancies in office, term of replacement, 5-2-405 — 5-2-407
Testimony before, See **Witnesses**
Torts, See **GOVERNMENT LIABILITY**; **TORTS**
Trauma care system, report by department of public health and human services, 50-6-402
Travel expenses, See **Salary and expenses of members**
Treasury funds, interentity loans — extension or repayment terms, authorization, 17-2-107
Uniform State Laws, Commission on, Title 1, chapter 12, See **LAW**
University system maintenance expenditures and equipment and fixed assets purchase, plan for information to, 17-7-304
Vacancies
  administrative code committee, how filled, 5-14-103
  anticipated, 5-2-407
  appointee
    anticipated vacancy, 5-2-407
    political party same as predecessor's, when, 5-2-403
    term, 5-2-405, 5-2-406
  appointment to fill, 5-2-402, 5-2-407
    majority vote, failure to achieve — procedure, 5-2-404
  definitions, 5-2-401
  elective offices, how filled, 2-16-504
  emergency succession, Title 10, chapter 3, part 6, See **EMERGENCIES AND EMERGENCY POWERS, Continuity of government**
  environmental quality council, how filled, 5-16-104
  indian affairs, committee on — how filled, 5-19-104
  legislative audit committee, how filled, 5-13-202
  legislative consumer committee, how filled, 5-15-104
  legislative council, how filled, 5-11-103
  legislative finance committee, how filled, 5-12-204
  nominees for legislature, 13-14-118
  revenue oversight committee, how filled, 5-18-104
  senate, election procedures, 5-2-406
  special election to fill, Const., V, 7
  subcommittees, 5-5-212
Veto, 5-4-303 — 5-4-306, 5-4-308; Const., VI, 10, See also **GOVERNOR, Legislature**
Voting records, Const., V, 11
Warrant payments directed by, when, 17-8-307
Water adjudication advisory committee, recommendations by, 3-7-103
Water Rights Compact Commission, Reserved — appointments to, 2-15-212
Water use
  adjudication, designation of priority basins or subbasins, 85-2-218
  appropriations
    change in appropriation right, 85-2-402
    missouri river basin reservations, assistance to applicants, 85-2-331
  compacts, ratification, 85-1-223
  ground water appropriation limitations, affirmation of department decision, 85-2-317
  indian waters, ratification of apportionment compacts, 85-2-702
  state water plan, submission to and revision by, 85-1-203
  storage projects, 85-1-704
  water users' associations, consent to sale or abandonment of water project involved with, 85-6-109

LEGISLATURE (Continued)
Water use (Continued)

    yellowstone river diversions, review, 85-2-803
Western Interstate Commission for Higher Education, appointment to, 20-25-806
Western Regional Higher Education Compact, approval, 20-25-801
Witnesses
    attendance compelled, 5-5-104
    contempt, 5-5-103
    immunity, 5-5-105
    oaths, 5-5-105, 5-5-201
    subpoenas, 5-5-101, 5-5-102
Youth voting program
    purpose and intent, 13-22-102
    report, biennial, 13-22-108

LEMON LAW, Title 61, chapter 4, part 5
    See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Warranty on new vehicles**

LETTERS OF CREDIT
    See also **UNIFORM COMMERCIAL CODE, GENERAL PROVISIONS**
Account, assignment, 30-5-116
Advice of credit, 30-5-104, 30-5-106, 30-5-107, 30-5-116, 30-9-305
Advising bank, 30-5-103, 30-5-107, 30-5-111, 30-5-117
Agreements, 30-1-102, 30-1-105, 30-1-201, 30-1-209, 30-5-113
Agricultural commodity warehouse operators or dealers, as condition for licensing when, 80-4-502, 80-4-601
Alcoholic beverage license fees, to guarantee, 16-4-402, 16-4-501
Anticipatory repudiation, 30-5-115
Applicability of laws, 30-5-102, 30-5-103
    bank deposits and collections, 30-4-102, 30-4-503
    prior law, 30-1-110, 30-5-102
    secured transactions law, 30-5-116
Assignment of rights, 30-5-111, 30-5-116
Authentication, 30-5-104
Availability of credit, 30-5-110
Beneficiary, 30-5-103
    anticipatory repudiation, 30-5-115
    assignment of rights, 30-5-116
    establishment of credit, 30-5-106
    notation credit, 30-5-108
    portions, use of credit in, 30-5-110
    warranties, 30-5-111
    wrongful dishonor, 30-5-115
Cancellation of credit, 30-5-115
Citation of Uniform Commercial Code, 30-1-101, 30-5-101
Code authentication, 30-5-104
Compressed natural gas dealer, security, 15-70-701
Confirmation, 30-5-104, 30-5-107
Confirming bank, 30-5-103, 30-5-104, 30-5-107, 30-5-111, 30-5-112, 30-5-117
Conflict of laws, 30-1-105
Consent, modification or revocation, 30-5-106
Consideration, 30-5-105
Construction, 30-1-102, 30-1-104, 30-5-103
Contract for sale, 30-1-209, 30-2-106, 30-2-325, 30-5-103
Customer, 30-5-103, 30-5-106, 30-5-107
Damages, wrongful dishonor, 30-5-115
Defects in documents, 30-5-113, 30-5-114

LETTERS OF CREDIT (Continued)

Definitions, 30-1-102, 30-1-201, 30-2-103, 30-2-325, 30-5-103
  acceptance, 30-3-410, 30-5-103
  code, 30-1-101
  draft, 30-3-104, 30-5-103
  holder in due course, 30-3-302, 30-5-103
  midnight deadline, 30-4-104, 30-5-103
  notation credit, 30-5-108
  presenter, 30-5-103, 30-5-112
  security, 30-5-103, 30-8-102
Dishonor, 30-5-112, 30-5-115, 30-5-116, 30-2-325
Documentary drafts, 30-4-503, 30-5-103, 30-5-110 — 30-5-112
Documents related to credit
  adequacy, 30-7-509
  claim to, 30-5-110
  defects, 30-5-113, 30-5-114
  defined, 30-5-103
  dishonor, 30-5-115
  examination, 30-5-109
  insolvency of bank, 30-5-117
  return, 30-5-112
Economic development projects, financing, 17-5-1526, 17-5-1527
Error in advice of credit, 30-5-107
Establishment, 30-5-105 — 30-5-107
Evidence, notation credit, 30-5-108
Examination of documents, 30-5-109
Exclusions from provisions, 30-5-102
Exhaustion of credit, 30-5-108, 30-5-117
Forgery, 30-1-201, 30-5-114
Form, 30-5-104
Fraud, 30-5-114
Gasoline
  distributor's license, security for, 15-70-202
  special fuel, distributor's license — security for, 15-70-341
  special fuel user's permit, security, 15-70-301
Good faith, 30-1-201, 30-1-203, 30-5-108, 30-5-109, 30-5-114
Hazardous substance releases, remedial action sites — liable person's financial assurance, 75-10-719, 75-10-721
Highway revenue bonds, for repayment, 17-5-922
Honor of, 30-1-201, 30-5-108, 30-5-112 — 30-5-114, 30-5-117
Indemnities, 30-5-113
Injunction, honor of draft or documents, 30-5-114
Insolvency of bank, 30-1-201, 30-5-117
Insurers
  reinsurance, security, 33-2-1217
  surplus lines, alien — trust fund, 33-2-307
Interpretation, 30-1-102, 30-5-103
Irrevocable credit, 30-5-103, 30-5-106
Issuer, 30-5-103
  insolvency, 30-5-117
  liability, 30-5-109
  obligation, 30-5-109, 30-5-114
  reimbursement, right to, 30-5-106, 30-5-114
  risks, 30-5-107
  warranties, 30-5-111
  wrongful dishonor, 30-5-115

LETTERS OF CREDIT (Continued)

Loss or destruction, 30-5-109
Messages, credit — risk, 30-5-107
Mining, opencut — reclamation bond, deposit in lieu of, 82-4-433
Modification of terms, 30-5-104 — 30-5-106
Negotiation, indemnity, 30-5-113
Nonconformance, 30-5-110, 30-5-114
Notation credit, 30-5-103, 30-5-108
Notices, 30-1-201, 30-5-106, 30-5-113
Obligation, 30-1-203, 30-1-209, 30-5-107, 30-5-109
Order of payment, 30-5-108
Portions, use of credit in, 30-5-110
Power of attorney, statutory — authority, 72-31-228
Presentment, 30-4-503, 30-5-110, 30-5-111
Priorities, to honor, 30-5-108
Prior law, applicability, 30-1-110, 30-5-102
Reimbursement, 30-5-106, 30-5-113, 30-5-114, 30-5-117
Rejection, time, 30-5-112
Remedies, 30-1-106, 30-1-201, 30-5-115
Repudiation, anticipatory, 30-5-115
Reservation of claim, 30-1-207, 30-5-110
Return of documents, 30-5-112
Revocable credit, 30-5-103, 30-5-106
Revocation, 30-5-106
Risk, 30-5-107
Security interest, 30-1-201, 30-1-209, 30-5-116, 30-9-305
Short titles, 30-1-101, 30-5-101
Signing, 30-1-201, 30-5-104
State procurement contract security, 18-4-312
Subordinated obligations, 30-1-209
Telegram as, 30-1-201, 30-5-104
Transfer of rights, 30-5-116
Transfer, warranties, 30-5-111
Usage of trade, application, 30-1-205, 30-5-109
Variance of law by agreement, 30-1-102, 30-1-105
Warranties, 30-5-108, 30-5-111, 30-5-114
Workers' compensation, security for employer, 39-71-2106
Wrongful dishonor, 30-5-115

LETTERS ROGATORY, Title 25, chapter 20, M.R.Civ.P., Rule 28(b)

LIABILITY
  See specific subject area

LIBERTY OF INDIVIDUAL, Const., Preamble; II, 3
  See also generally **DISCRIMINATION; RIGHTS**

LIBRARIES
Blind persons, services for, 22-1-103
Board of Professional Standards and Library Examiners, 22-1-103
Bond issues for, 22-1-304
Bookmobiles, 22-1-301
Buildings, 22-1-304, 22-1-309, 22-1-403
Capital improvements, 22-1-305, 22-1-309
City libraries, See also **Public libraries**
  city council
    election of library trustees, 7-3-4254

LIBRARIES (Continued)
City libraries (Continued)
  city council (Continued)
    powers, 7-3-4252
    proceedings and financial statement, copies to library, 7-3-4266
  public welfare, director of — management, 7-3-4463
  revenues from, 7-6-4133
City-county libraries, See **Joint city-county libraries**
Community service corps and volunteer projects, 90-14-105
Confidentiality of records, See **Library records confidentiality**
Contracts
  city library assuming functions of county library, 22-1-315
  depository libraries, as, 22-1-214, 22-1-215
  federations, concerning, 22-1-402 — 22-1-404
  joint city-county libraries, concerning, 22-1-316, 22-1-317
  public library board of trustees, authority, 22-1-309, 22-1-315
  services, for, 22-1-103, 22-1-303, 22-1-309, 22-1-403
Definitions, 22-1-211, 22-1-301, 22-1-402, 22-1-1102
Depository libraries, 22-1-212 — 22-1-215
  Montana code annotated, distribution to, 1-11-301
District courts, maintenance, 7-6-2352
Elections
  federations, participating entities — withdrawal, 22-1-402
  public libraries
    establishment, for, 22-1-303
    tax levy, for exceeding maximum, 22-1-304
  trustees when, 7-3-4254
Equipment, See **Property**
Federal funds, 22-1-103, 22-1-306
Federations, 22-1-402
  board of trustees, 22-1-404, 22-1-405
  coordinator, 22-1-404
  disagreement between participants concerning funding, resolution, 22-1-405
  establishment, areas designated for, 22-1-103, 22-1-402
  funding and appropriations
    coal severance tax, revenue from, 15-35-108
    disagreements, resolution, 22-1-405
    grants, 22-1-331, 22-1-405, 22-1-413
    participating libraries, 22-1-401, 22-1-402
    state funds, 22-1-402, 22-1-412, 22-1-413
    tax levy, 22-1-403
  grant programs, 22-1-331, 22-1-405, 22-1-413
  headquarters library
    designation, 22-1-103, 22-1-402
    librarian, 22-1-404
    Montana code annotated, distribution to, 1-11-301
  organization, 22-1-401, 22-1-402
  participation in, 22-1-402, 22-1-403
  purpose and policy of state, 22-1-401
  regents of higher education, board of — contracts with, 22-1-403
  reports, 22-1-413
  tax levy for, 22-1-403
Fire protection and safety regulations, 50-61-103, See **FIRES AND FIRE PROTECTION**
Forest and Conservation Experiment Station, Montana — purpose, 20-25-242
Free public libraries, See **Public libraries**
Funding
  administration, 22-1-103
  appropriations, 22-1-103, 22-1-306, 22-1-326, 22-1-412, 22-1-413

LIBRARIES (Continued)
Funding (Continued)

    city library assuming functions of county library, 22-1-315
    coal severance tax, allocation of revenue, 15-35-108
    contracts for services, 22-1-309
    federal, 22-1-103, 22-1-306
    federations, 15-35-108, 22-1-331, 22-1-401, 22-1-402, 22-1-405, 22-1-412, 22-1-413
    Montana state library trust, 22-1-103, 22-1-225, 22-1-226
    private, 22-1-103, 22-1-306
    public libraries, 22-1-302, 22-1-304, 22-1-306, 22-1-309
    state, 22-1-103
        federations, 15-35-108, 22-1-331, 22-1-401, 22-1-402, 22-1-405, 22-1-412, 22-1-413
        public libraries, 22-1-326 — 22-1-328, 22-1-330, 22-1-331
    state library commission, authority, 22-1-103, 22-1-326 — 22-1-328, 22-1-330, 22-1-331, 22-1-405, 22-1-412, 22-1-413
    tax levies for, 7-11-1112, 22-1-304, 22-1-316, 22-1-403
        state aid, distribution withheld when, 22-1-326
Gifts, 7-16-2321, 22-1-309
Grants
    depreciation reserve fund, public and private grant funds, 22-1-306
    federal funds, 22-1-103
    federations, 22-1-331, 22-1-405, 22-1-413
    property, of, 7-16-2321, 22-1-103, 22-1-309
    public libraries, 22-1-306, 22-1-309, 22-1-327, 22-1-331
    public library board of trustees, acceptance, 22-1-309
    state library commission, authority, 22-1-103, 22-1-327, 22-1-331, 22-1-405, 22-1-413
Handicapped persons, services for, 22-1-103
Historical library, 22-3-101 — 22-3-103, 22-3-107, 22-3-110, See also **HISTORICAL SOCIETY**
Information Access Montana Act, 22-1-325 — 22-1-331
Insurer's financial condition, assets not allowed in determination, 33-2-502
Interlibrary loan service
    reimbursements, 22-1-328, 22-1-330
    state library, 22-1-213
Interstate Library Compact, 22-1-601, 22-1-602
Joint city-county libraries
    board of trustees, 22-1-317
    depreciation reserve fund, 22-1-305 — 22-1-307
    establishment and operation, 22-1-316
    federations, participation in, See **Federations**
    property and capital improvements, 22-1-305
    tax levy for, 22-1-316
Law libraries
    state, Title 22, chapter 1, part 5, See **LAW LIBRARY**
    university of Montana, 2-4-313, 3-2-604
Leases, 7-16-2321, 22-1-309
Library Commission, See **State Library Commission**
Library records confidentiality
    citation of Montana library records confidentiality act, 22-1-1101
    definitions, 22-1-1102
    nondisclosure of records and exceptions, 22-1-1103
    penalty for violations, 22-1-1111
    written request and consent for disclosure, 22-1-1103
Library systems, See **Depository libraries**; **Federations**; **Public libraries**
Mines and Geology, Bureau of — purpose, 20-25-212
Montana Library Records Confidentiality Act, Title 22, chapter 1, part 11
Montana state library trust, 22-1-103, 22-1-225, 22-1-226
Motor vehicles, gross vehicle weight fee exemption, 61-10-214

LIBRARIES (Continued)

Multilibrary card, state, 22-1-301, 22-1-329, 22-1-330
Municipal commission government
    council proceedings and financial statement, copies to libraries, 7-3-4266
    library trustees, 7-3-4252, 7-3-4254
Municipal commission-manager government, duties of director of public welfare, 7-3-4463
Networks, See also **Federations**
    defined, 22-1-402
    funding, 15-35-108
Obscene material, display or dissemination to minors — nonapplicability of provisions when, 45-8-206
Park Commissioners, County Board of — powers, 7-16-2321, 7-16-2327
Printing provisions in public contract law, nonapplicability, 18-4-123
Property
    bond issues for, 22-1-304
    depreciation reserve fund, 22-1-305
    federations, 22-1-403
    gifts, 7-16-2321, 22-1-309
    grants, 7-16-2321, 22-1-103, 22-1-309
    joint city-county libraries, 22-1-316
    leases, 7-16-2321, 22-1-309
    park commissioners, county board of — authority, 7-16-2321, 7-16-2327
    public library board of trustees, authority, 22-1-309
    tax exemptions, 15-6-201, 15-6-203, 22-1-313; Const., VIII, 5
Public libraries, 22-1-103, 22-1-302, 22-1-303; Const., X, 1
    administration, 22-1-302, 22-1-314, 22-1-405
    appropriations for, 22-1-306, 22-1-326, 22-1-412, 22-1-413
    board of trustees, Title 22, chapter 1, part 3
    bond issues authorized, 22-1-304
    bookmobiles, 22-1-301
    branch facilities, 22-1-301, 22-1-309
    budgets, 7-6-2348, 7-6-4259, 22-1-309, 22-1-405
    buildings, 22-1-304, 22-1-309
    capital improvements, 22-1-305, 22-1-309
    central facilities, 22-1-301, 22-1-309
    central public library, establishment, 22-1-309
    city libraries, See also **City libraries**
        county library, functions assumed by, 22-1-315
        county system, not part of — when, 22-1-313
    contracts for services, 22-1-303, 22-1-309
    cooperation or merger of authorities, 22-1-312, 22-1-315
    county free library fund, 22-1-315
    definitions, 22-1-301
    depository library contracts, 22-1-214, 22-1-215
    depreciation reserve fund
        authorization and purpose, 22-1-305
        investment, 22-1-307
        money for, 22-1-306
    donations, 22-1-309
    elections
        establishment, for, 22-1-303
        tax levy, for exceeding maximum, 22-1-304
    establishment, 22-1-103, 22-1-302, 22-1-303; Const., X, 1
    federal funding, 22-1-306
    federations, See **Federations**
    financial statements, 22-1-309

LIBRARIES (Continued)
Public libraries (Continued)

- funding, See also **Funding**
  - contracts for services, 22-1-309
  - depreciation reserve fund, 22-1-306
  - generally, 22-1-302
  - public library fund, 22-1-304, 22-1-309
  - state aid, 22-1-326 — 22-1-328, 22-1-330, 22-1-331
- gifts, 22-1-309
- grants, 22-1-306, 22-1-309, 22-1-327, 22-1-331
- information access Montana act, 22-1-325 — 22-1-331
- interlibrary loan reimbursements, 22-1-328, 22-1-330
- interlocal agreements, 7-11-1102, 7-11-1111, 7-11-1112, See **INTERLOCAL COOPERATION, Multijurisdictional service districts**
- joint city-county libraries, See **Joint city-county libraries**
- leases, 22-1-309
- librarian and personnel, 22-1-103, 22-1-309, 22-1-310
- merger or cooperation of authorities, 22-1-312, 22-1-315
- petitions, 22-1-303, 22-1-304
- preexisting, continuation, 22-1-314
- privileges and use, regulations, 22-1-309, 22-1-311
- property, 22-1-304, 22-1-305, 22-1-309
- public library fund, 22-1-304, 22-1-309
- purchase of supplies, price discrimination provisions — nonapplicability, 30-14-902
- purpose of provisions, 22-1-302
- records, 22-1-309, See also **Library records confidentiality**
- resolutions, 22-1-303, 22-1-304
- rules, 22-1-309
  - violation, effect, 22-1-311
- service districts, 7-11-1102, 7-11-1111, 7-11-1112, See **INTERLOCAL COOPERATION, Multijurisdictional service districts**
- standards, 22-1-103
- state aid, 22-1-326 — 22-1-328, 22-1-330, 22-1-331
- state library commission, assistance and advice, 22-1-103
- tax levy for, 22-1-304, See also **Taxation**
  - state aid, distribution withheld when, 22-1-326
- telecommunications network (METNET), 20-9-343, 20-32-101 — 20-32-104
- use and privileges, regulations, 22-1-309, 22-1-311

Records, confidentiality, See **Library records confidentiality**
Regions, See **Federations**
Schools, See **SCHOOLS**
Service districts, 7-11-1102, 7-11-1111, 7-11-1112, See **INTERLOCAL COOPERATION, Multijurisdictional service districts**
Smoking in, prohibited, 50-40-105, 50-40-204
State Law Library, Title 22, chapter 1, part 5, See **LAW LIBRARY**
State Library, 22-1-201

- administrative rules and register, copy distributed to, 2-4-313
- appropriations, nongeneral fund money expenditure priority — exception, 17-2-108
- city council proceedings and financial statement, copies to, 7-3-4266
- local government study commissions, copy of final report to, 7-3-187
- maintenance and operation, 22-1-103, 22-1-201
- natural resource data system advisory committee, employee appointed to, 2-15-1514
- natural resource information system and heritage program, authority, Title 90, chapter 15
- publications library distribution center, See **State publications library distribution center**
- public libraries, contracts with and report, 22-1-309
- rules and standards, 22-1-103
- session laws, copies to, 5-11-203

LIBRARIES (Continued)
State Library (Continued)

  state library commission, powers, 22-1-103
  supreme court decision reports to, 3-2-604
  trust, 22-1-103, 22-1-225, 22-1-226
State Library Commission, 2-15-1511, 2-15-1514, 22-1-101, 22-1-301
  depository library contract requirements established by, 22-1-214
  executive officer, 22-1-102, 22-1-602
  federations
    areas, designation, 22-1-103, 22-1-402
    funding, appropriations and apportionment, 22-1-405, 22-1-412, 22-1-413
    headquarters library, designation, 22-1-103, 22-1-402
  funding, authority, 22-1-103, 22-1-326 — 22-1-328, 22-1-330, 22-1-331, 22-1-405, 22-1-412, 22-1-413
  grants, authority, 22-1-103, 22-1-327, 22-1-331, 22-1-405, 22-1-413
  interlibrary loan reimbursements, 22-1-328, 22-1-330
  interstate library compact, administration, 22-1-602
  librarian and assistants, 22-1-102, 22-1-212, 22-1-214, 22-1-602
  natural resource data system advisory committee, 2-15-1514, See also **NATURAL RESOURCES**
  powers, 22-1-103
  publications library distribution center, rules for, 22-1-212
  public libraries, state aid — administration and distribution, 22-1-326 — 22-1-328, 22-1-330, 22-1-331
  rulemaking authority, 22-1-103, 22-1-212, 22-1-328, 22-1-330, 22-1-413
  state library, maintenance and operation, 22-1-103, 22-1-201
  state multilibrary card program, 22-1-329, 22-1-330
State multilibrary card, 22-1-301, 22-1-329, 22-1-330
State publications library distribution center
  creation and purpose, 22-1-212
  definitions, 22-1-211
  depository libraries
    eligibility, 22-1-214
    establishment, promotion, 22-1-212
    publications, 22-1-213, 22-1-215
  exempted agencies and officers, 22-1-218
  interlibrary loan service, 22-1-213
  publications
    deposit requirements, 22-1-213
    lists of, 22-1-215, 22-1-216
    public distribution prohibited, 22-1-217
    sale of, 22-1-213
  rules, 22-1-212
State visual, aural, and other educational media library, 20-2-121, 20-3-106, 20-7-201, See also **SUPERINTENDENT OF PUBLIC INSTRUCTION, Educational media**
Taxation
  exemptions, 15-6-201, 15-6-203, 22-1-313; Const., VIII, 5
  levies for, 7-11-1112, 22-1-304, 22-1-316, 22-1-326, 22-1-403
University system, 20-25-302, 22-1-214, 22-1-215, 22-1-328, 22-1-403, 22-3-211
Veterans' clubhouses, tax exemption, 15-6-203

LICENSING COORDINATION ACT, SMALL BUSINESS, Title 30, chapter 16
  See **TRADE REGULATION AND COMPETITION, Small business licensing coordination**

LIENS
  See also generally **ATTACHMENT OF PROPERTY; DEBTS, DEBTORS, AND CREDITORS; SECURED TRANSACTIONS**
Accessions, 30-9-314
Accessory to performance, 71-3-119
Acknowledgment of satisfaction, 71-3-131
  construction liens, 71-3-537

LIENS (Continued)
Acknowledgment of satisfaction (Continued)

crop dusting, liens for, 71-3-908
farm laborers' liens, 71-3-408
federal liens, not required, 71-3-203
hail insurance, liens for crop protection, 71-3-713
seed or grain, crop liens for, 71-3-704
threshers' liens, 71-3-808
Actions
construction liens, on bond, 71-3-553
crop dusting, liens for — enforcement, 71-3-906
loggers' liens, enforcement, 71-3-611, 71-3-613, 71-3-614, 71-3-616
salaries and wages, liens for — disputed claim, 71-3-305
threshers' liens, foreclosure, 71-3-806
Affidavits
agisters' liens, amount of claim, 71-3-1203
construction liens, notice of completion — of publication, 71-3-533
loggers' liens, verification, 71-3-605, 71-3-613
oil and gas wells and pipelines, labor and materials liens — perfecting, 71-3-1004
Agisters' liens, 71-3-1201
airports, state — repair or storage of personal property, 67-2-302
enforcement, 71-3-1203
forcible or fraudulent taking of property, 71-3-1204
priority, 71-3-1202
Agreements
creation of lien by, 71-3-104
future interest, 71-3-105
Agricultural associations, membership lands
lien upon, 35-16-401, 35-16-402, 35-16-404, 35-16-405
withdrawal, effect, 35-16-303, 35-16-304
Agricultural commodities, producer's lien, 80-4-420
Agricultural Loan Authority
loans, security, 80-12-201
pledge, lien of, 80-12-308
Agricultural marketing associations
filing fees, 35-17-409
marketing agreements, lien does not arise, 35-17-407
Agriculture
agisters' liens, Title 71, chapter 3, part 12
centralized filing, 71-3-125, See **SECURED TRANSACTIONS**, **Filing of financial statement**, computerized system for agricultural liens
crop dusting, liens for, Title 71, chapter 3, part 9
farm laborers' liens, Title 71, chapter 3, part 4
grain, special provisions
fees and charges for inspection, grading, weighing, and protein testing, 80-4-721
terminal warehouse, grain held in not subject to, 80-4-530
hail insurance, 71-3-711 — 71-3-713; Title 80, chapter 2, part 2
rollback tax liens, release, 15-7-209
seed or grain, crop lien for, 71-3-701 — 71-3-705
statement of lien, filing, 71-3-125, 71-3-402, 71-3-703, 71-3-712, 71-3-802, 71-3-902
threshers' liens, Title 71, chapter 3, part 8
wheat or barley, special provisions, 80-11-201, 80-11-207
Agriculture, Department of, 80-2-104
Airports, municipal — maintenance of property, enforcement of payment of charges, 67-10-403
Alcoholic beverages
agency liquor stores, state lien on liquor in, 16-2-110
licenses subject to, when, 16-4-404

LIENS (Continued)

Attachment
  affidavit of plaintiff, 27-18-202
  delivery of property, 27-18-501
  lien of, 27-18-307, 27-18-308
  not permitted when, 27-18-101
  officer's lien, 71-3-1503
  security, motion to increase by lienholder, 27-18-725, 27-18-726
  writ, motion to modify or vacate by lienholder, 27-18-725, 27-18-726
Attorneys' fees
  construction liens, 71-3-551
  foreclosure, 25-10-302, 71-3-124
  judgment lien for, 37-61-420, 71-3-1114, See also **JUDGMENTS AND DECREES**, **Lien of judgment**
  partition proceedings, 70-29-113
  salaries and wages, liens for, 71-3-305
Baggage
  hotel liens, Title 71, chapter 3, part 14
  passenger carriers, lien when, 69-11-206
  unclaimed, sale — advertising expenses, 70-9-501
Bailment
  lien of, effect, 70-6-211
  storage, liens for, 70-6-411, 70-6-412
Bail, when real property given as, 46-9-403, 46-9-502
Banks and trust companies
  bankers' liens, 71-3-1502
  documentary draft, lien upon goods, 30-4-504
  liquidating agents and attorneys, compensation as lien on assets, 32-1-518
  liquidation, creditors' claims — order of payment, 32-1-534
  loans to managing officers, requirements, 32-1-467
  minors' deposits, 32-1-444
  possession by department of commerce, posting notice — effect, 32-1-512
Beer
  brewers, importers, or wholesalers — financial interest in retailers when, 16-3-242
  tax, lien for nonpayment, 16-1-409
Boats, 23-2-502, 23-2-508, 23-2-510, 23-2-512, 30-9-203, 30-9-302
Bond issues, public — general provisions
  interest rate, 17-5-101
  validation, 17-5-202
Building and loan associations
  applicability of provisions, 32-2-103
  minors' savings accounts, 32-2-418
Carriers' liens, 30-7-307
  enforcement, 30-7-308, 30-7-403
  freightage, on, 69-11-410, 69-11-411
  passenger, on baggage, 69-11-206
Checks, stop payment to defeat possessory lien — liability, 27-1-717
Child support, 40-5-162, 40-5-242, 40-5-247, 40-5-248, 40-5-255
  administrative orders, effect, 40-5-227
  lottery winnings, 23-7-312
Cities and towns
  construction costs of sidewalks, curbs, and gutters, 7-14-4122
  refunding revenue bonds, relating to, 7-7-4502, 7-7-4606, 7-7-4622, 7-7-4623, 7-7-4629, 7-7-4632
  revenue bonds, arising from, 7-7-4425, 7-7-4431
  smoke abatement tax levies, 7-31-116
Commencement of lien, 30-9-501, 71-3-103 — 71-3-105, See also specific lien
Condominiums, See **CONDOMINIUMS**, **Liens and encumbrances**

LIENS (Continued)

Conservation districts, 76-15-501, 76-15-528, 76-15-810
Construction liens
  amount, 71-3-526
  attachment, 71-3-521, 71-3-535, 71-3-541, 71-3-542
  bonds, substitution of, 71-3-551 — 71-3-553
  condominiums, construction costs, 70-23-201, 70-23-205
  definitions, 71-3-522
  discharge, 71-3-552
  extent, 71-3-525
  filings, 7-4-2619, 71-3-531, 71-3-533 — 71-3-535, 71-3-542, 71-3-552
  foreclosure, 25-10-302, 71-3-124, 71-3-541, 71-3-542, 71-3-551, 71-3-553
  homestead, execution on, 70-32-202, 70-32-221
  limitations, 71-3-523, 71-3-524
  notice of completion, 71-3-533, 71-3-535
  notice of lien, 71-3-535, 71-3-536, 71-3-541
  notice of right to claim, 71-3-531, 71-3-532, 71-3-535
  oil and gas operators' liens, enforcement as, 82-11-212
  parties, 71-3-561
  priority, 71-3-541, 71-3-542, 72-16-479
  rules of civil procedure, applicability, 71-3-563
  satisfaction, 71-3-525, 71-3-537, 71-3-542
  scope of provisions, 71-3-521
  service, 71-3-534, 71-3-535
  statutes of limitations, 71-3-553, 71-3-562
  who may claim, 71-3-523
Consumer counsel fee, lien for nonpayment, 69-1-227
Contract
  creation of lien, 71-3-102, 71-3-104
  void when, 71-3-109
Contractor registration, prerequisite to filing, 39-9-207
Controlled substances, seizures relating to — rebuttal of presumption of forfeiture, 44-12-204
Conversion of personal property, damages of lienholder, 27-1-321
Counties
  abandonment, vesting of property or disposition of records, 7-2-2723, 7-2-2724
  community decay ordinances, assessment for abatement of violations, 7-5-2111
  creation of new counties, transfer of records or court actions, 7-2-2254, 7-2-2255
  fire service area assessments, 7-33-2404
  licenses, arising from, 7-21-2104
  revenue bonds, arising from, 7-7-2501
  road improvement districts, 7-14-2714, 7-14-2731, 7-14-2735, 7-14-2761
  smoke abatement tax levies, 7-31-116
  united states, conveyance of land to — effect, 7-8-2403
  water and/or sewer districts, 7-13-2221
    taxes to be, 7-13-2310
Creation of lien, 30-9-501, 71-3-102, 71-3-105, 71-3-111, 71-3-113
Creditor, enforcement of lien, 71-3-110
Credit unions, lien on members' shares when, 32-3-507
Crime victims' compensation, judgment or recovery by claimant — subrogation right of division of crime control, 53-9-132
Crop dusting, liens for, 71-3-901, 71-3-902
  foreclosure, 71-3-907, 71-3-909
  owner, who considered, 71-3-905
  parties, 71-3-906
  priority, 71-3-904
  rules of civil procedure, applicability, 71-3-909

LIENS (Continued)
Crop dusting, liens for (Continued)

  satisfaction, acknowledgment, 71-3-908
  statement of lien, filing, 71-3-125, 71-3-902
Cropland spraying programs, delinquent assessments as, 80-7-505
Crop liens, Title 71, chapter 3, parts 4, 7 — 9; Title 80, chapter 2, part 2
Dams and reservoirs
  emergency repairs or breaching costs, 85-15-215
  inspection costs, 85-15-214
Debtor, contracts of — validity, 31-2-103
Deeds and conveyances
  encumbrance, 70-20-305
  good faith purchaser, acquisition of title or lien, 70-20-303
Definitions, 71-3-101
  construction lien provisions, 71-3-522
  lien, 1-1-205, 30-2A-103, 31-2-328, 71-3-101
  lien creditor, 30-1-201, 30-9-301
  lienholder, 23-2-502
  lumber, 71-3-601
  oil and gas wells and pipelines, labor and materials lien provisions, 71-3-1001
Delay in performance, 71-3-116
Development corporation incorporators, authority, 32-4-201
Discharge, See **Satisfaction**
Distraint, warrant for, See specific lien generally
Documents of title, effect, See **DOCUMENTS OF TITLE**
Door-to-door sales, buyer's right, 30-14-506
Drainage districts
  bond issues, lien of bonds, 85-8-503
  damages, payment when lien against property, 85-8-364
  preliminary report on proposed work, costs on dismissal, 85-8-350
  taxes and assessments, lien of, 85-8-612, 85-8-619
Eminent domain, complaint — contents, 70-30-203
Enforcement, 71-3-101, 71-3-107, 71-3-110, See also specific lien
Estates and probate, See **ESTATES AND PROBATE**
Evidence
  construction liens
    contracting owner, presumption of agency, 71-3-522
    delivery of materials, presumption of use, 71-3-524
    materials supplied, intent for use, 71-3-524
  logger's lien, presumption on purchase of property, 71-3-612
Exclusive liens, order of resort, 71-3-115
Execution, See **Redemption**; See also **EXECUTION**
Execution officer's lien, 71-3-1503
Extent, 71-3-106, See also specific lien
Extinguishment, See **Satisfaction**
Factors' liens, 30-9-102, 71-3-1501
Farm laborers' liens, 71-3-401, 71-3-402
  foreclosure, 25-10-302, 71-3-124, 71-3-401, 71-3-404, 71-3-405
  parties, 71-3-407
  priority, 71-3-401, 71-3-904
  rules of civil procedure, applicability, 71-3-406
  satisfaction, acknowledgment, 71-3-408
  statement of lien, filing, 71-3-125, 71-3-402
Federal liens
  certification and notice, execution, 71-3-203
  citation of uniform federal lien registration act, 71-3-201
  fees, 71-3-206

LIENS (Continued)
Federal liens (Continued)

- filing officer, duties, 71-3-205
- place of filing, 71-3-204
- prior filing, 71-3-207
- uniformity of interpretation, 71-3-202

Filing and indexing, 7-4-2613, 7-4-2619, 7-4-2631, 71-3-124, See also specific lien
Fire hazards, demolition of structure — salvage sale expense account, 50-62-107
Foreclosure, 71-3-117, See also specific lien
- costs, 25-1-201, 25-10-101, 25-10-102, 25-10-302, 71-3-124
- documentary draft, lien upon goods, 30-4-504
- execution exemptions, applicability, 25-13-613
- forest fire protection, amount due, 76-13-211
- grazing districts, security for payment of livestock damage, 76-16-311
- hazardous or deleterious substance, release by facility — acquisition of facility, 75-10-701, 75-10-715
- livestock
  - disease control expenses, 81-2-109
  - quarantine expenses, 81-2-705
- mortgage upon levied property, 71-1-222
- motor vehicle financial responsibility bonds, sureties on, 61-6-137
- oil and gas production damage mitigation account, lien for expenditures from, 82-11-164
- renewable resource grant and loan projects, lien on, 85-1-615
- service of process by publication, Title 25, chapter 20, M.R.Civ.P., Rule 4D
- unknown parties defendant, 25-3-504
- venue, 25-2-123

Forest fire hazard reduction or management
- costs and expenses, 76-13-410
- purchaser of forest products, failure to submit withheld money, 76-13-413

Forest fire protection amount as, 76-13-211
Forfeiture of property, contract void, 71-3-109
Fraudulent transfers, Title 31, chapter 2, part 3
Freight carriers, for freightage, 69-11-410, 69-11-411
Frozen food lockerman's liens, 71-3-1505
Funds transfers, creditor process, 30-4A-502
Future interests, 71-3-105
Gambling premises and devices, on — civil penalty, amount not paid, 23-5-136
General liens, 71-3-101
General provisions, Title 71, chapter 3, part 1
Grain, See **Agriculture**
Grazing districts, security for payment of livestock damage, 76-16-311
Hail insurance, liens for crop protection, 71-3-711 — 71-3-713, 80-2-226
- foreclosure, 80-2-231
- insurance secured by, 80-2-207, 80-2-227
- priority, 71-3-711, 71-3-904
- real estate lien created when, 80-2-225
- satisfaction, 71-3-713, 80-2-230
- statement of lien, filing, 71-3-125, 71-3-712

Hail losses, appraisers — conflict of interest, 80-2-242
Hazardous or deleterious substance, remedial action upon release
- costs, damages, and penalties to constitute lien, 75-10-720
- release by facility, acquisition and liability of facility, 75-10-701, 75-10-715

Health Facility Authority
- conveyance of interest in facility, 90-7-307
- pledge, lien of, 90-7-312

Health maintenance organizations, examination charges and expenses, 33-31-401
Highway revenue bonds
- funds, lien upon, 17-5-911

LIENS (Continued)
Highway revenue bonds (Continued)

highway revenues, pledge of — as lien, 17-5-912
Hotel liens, 71-3-1401, See also **Agisters' liens**
    enforcement, 71-3-1402, 71-3-1403
    unclaimed baggage, sale — advertising expenses, 70-9-501
Housing authorities, municipal, 7-15-4402, 7-15-4524 — 7-15-4526, 7-15-4532
Housing, Board of
    loans or securities, security, 90-6-108
    pledge, lien of, 90-6-113
Industrial development project revenue bond proceeds, use, 90-5-108
Inferior lienor, rights, 71-3-118
Innkeepers' liens, 70-9-501; Title 71, chapter 3, parts 12 and 14
Insurance code violations, nonpayment of fines — amount of fine as lien, 33-1-318
Insurance guaranty associations, contract and policy liens, 33-10-220
Insurers
    assets, policy liens — inclusion, 33-2-501
    domestic mutual, to secure unpaid assessments, 33-3-412
    examination expenses, 33-1-413
    farm mutual, investments, 33-4-403
    investments
        chattel mortgages, 33-2-831
        improvement district obligations, assessments for payment of principal and interest, 33-2-814
        real estate, in, 33-2-832
        real estate mortgages, security for, 33-2-830
        security for, 33-2-831
    lenders, rejection of insurance contracts for protection of property — restrictions, 33-18-501
    rehabilitation and liquidation, during, See **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
Investments, Board of
    judgment constitutes, when, 17-5-1648
    pledge, lien of, 17-5-1528, 17-5-1622
Irrigation districts, See **IRRIGATION DISTRICTS**
Judgment liens, 71-3-1504, See **JUDGMENTS AND DECREES**, **Lien of judgment**
Labor, liens for, See **Salaries and wages, liens for**
Landlords' liens, 30-9-104, 71-3-1401 — 71-3-1403
Lease transactions, Title 30, chapter 2A
Lien creditor, 30-1-201, 30-2-403, 30-9-301
Lienholder, See also specific lien
    compensation, 71-3-112
    extinction of lien, 71-3-121 — 71-3-123
    general lien, 71-3-101
    inferior, 71-3-118
    prior lien, 71-3-107
    restoration of property by, 71-3-123
    special lien, 71-3-101, 71-3-107
Limitations, 71-3-106, See also specific lien
Limited liability company, lien against membership interest — effect, 35-8-704
Livestock, on, See also **Agisters' liens**
    disease control expenses, 81-2-109
    herd districts, trespassing animals — security for damages, 81-4-307
    horse herd districts, wrongful entry of horses — security for damages, 81-4-326
    per capita license fee, predatory animal control expenses, 81-7-603
    quarantine expenses, 81-2-705
    sheep, license fees upon, 81-7-303
    stolen, vehicles used to transport — payment of liens concerning, 81-5-111
Local government revenue anticipation notes or bonds, 7-7-109

LIENS (Continued)

Loggers' liens, 71-3-601
  defects in claim, 71-3-607
  duration, 71-3-604
  enforcement, 71-3-611, 71-3-616
  extent, 71-3-603
  filing, 71-3-605 — 71-3-608
  foreclosure, 25-10-302, 71-3-124
  identification of property, 71-3-616
  judgment and execution, 71-3-614 — 71-3-616
  landowners, 71-3-601, 71-3-603, 71-3-606
  "lumber" defined, 71-3-601
  parties, 71-3-608, 71-3-613
  priority, 71-3-602, 71-3-611
  purchaser, requirements, 71-3-612
  sale of property, 71-3-614, 71-3-615
Lottery winnings, on, 23-7-312
Materials furnished, liens for
  agisters' liens, Title 71, chapter 3, part 12
  construction liens, Title 71, chapter 3, part 5
  crop dusting, liens for, 71-3-901
  crop liens, 71-3-701
  oil and gas wells and pipelines, labor and materials liens, Title 71, chapter 3, part 10
  physicians, nurses, physical therapists, occupational therapists, chiropractors, dentists, psychologists, licensed social workers, licensed professional counselors, and hospitals, Title 71, chapter 3, part 11
  priority, 30-2A-306, 30-9-310
  uniform commercial code inapplicable, 30-9-104
Mausoleums and columbariums
  dedication, encumbrances subordinate, 35-21-407
  human remains, lien upon — unlawful, 35-21-703
Mechanics' liens, Title 71, chapter 3, part 5
Medicaid
  benefits, recovery, 53-6-171 — 53-6-188
  payments, limitations, 53-2-612, 53-6-143
Metropolitan sanitary and/or storm sewer districts
  assessments, 7-13-128
  reserve fund, loans to bond fund, 7-13-154
Microbusiness development loans, security, 17-6-407
Mines and mining, See **MINES AND MINING**
Minors
  banks and trust companies, deposits in, 32-1-444
  building and loan associations, minors' savings accounts, 32-2-418
Mint and mint oil, 80-11-402, 80-11-412 — 80-11-414
Mortgages, See also **MORTGAGES**, generally
  foreclosure, judgment lien, 71-1-222
  lien, as, 71-1-103
  priority, 71-1-205, 71-1-206, 71-3-114, 71-3-542
  reverse annuity mortgage loans, eligibility, 90-6-503
Mosquito control districts, fees on structures, 7-22-2432
Motor carrier compensation, fees, or charges, 69-12-422
Motor vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, Security interests
Museums, on property loaned to, 22-3-508
Mustard seed, inspection and weighing fees, 80-4-307
Negotiable instrument, issuance or transfer for value, 30-3-303
Nursery stock, infected — removal costs as, 80-7-110

LIENS (Continued)

Obligation, See also specific lien
    accessory, 71-3-119
    application of performance, 28-1-1106
    creditor, enforcement by, 71-3-110
    limitations, 71-3-106
    partial performance, 71-3-120
    personal, 71-3-111
Off-highway vehicles, 23-2-811, 23-2-812
Oil and gas lease forfeiture or cancellation, effect, 82-1-202
Oil and gas operators' liens, 82-11-212
Oil and gas production damage mitigation account, for expenditures from, 82-11-161, 82-11-164
Oil and gas wells and pipelines, labor and materials liens, 71-3-1004, 71-3-1006
    contractor, labor or supplies furnished for, 71-3-1003
    definitions, 71-3-1001
    enforcement, 71-3-1005
    fee interest, effect on interest which is less than, 71-3-1012
    foreclosure, 25-10-302, 71-3-124
    leasehold, labor and materials furnished for use on, 71-3-1002
    liability fixed, 71-3-1009, 71-3-1011
    priority, 71-3-1007
    purchaser of oil and gas, notice to, 71-3-1011
    removal of property, 71-3-1010
    running account as single contract, 71-3-1008
Operation of law, creation of lien, 30-2A-306, 30-9-310, 71-3-102, 71-3-103
Order of resort, 71-3-115
Parking commissions, 7-14-4635, 7-14-4656, 7-14-4666
Parking improvement district assessments, 7-14-4721
Partial performance, 71-3-120
Partition, effect, See **PARTITION**
Partnership
    charging order, on judgment debtor's transferable interest, 35-10-505
    federal lien, filing, 71-3-204
    mining, 35-13-205, 35-13-207, 35-13-208
Performance
    accessory, lien is, 71-3-119
    partial, 71-3-120
    redemption made by, 71-3-116
Personal obligation not implied, 71-3-111
Physicians, nurses, physical therapists, occupational therapists, chiropractors, dentists, psychologists, licensed social workers, licensed professional counselors, and hospitals — liens in personal injury claims, 71-3-1114
    applicability of provisions, 71-3-1118
    citation of physician, nurse, physical therapist, occupational therapist, chiropractor, dentist, psychologist, licensed social worker, licensed professional counselor, and hospital lien act, 71-3-1111
    definitions, 71-3-1113
    failure to recognize lien, liability, 71-3-1117
    notice, 71-3-1114 — 71-3-1117
    purpose, 71-3-1112
    workers' compensation benefits, effect, 39-71-743, 71-3-1118
Pledged property, lien upon, 71-2-107
Power of attorney, statutory — authority, 72-31-224, 72-31-225
Premarital agreements, rights of parties, 40-2-605
Priority, See specific lien
Prior lien, 71-3-107, 71-3-115

LIENS (Continued)

Public assistance, medical assistance — upon third party recoveries, 53-2-612, 53-6-143
Purchase, lien as, 30-1-201
Purchase money security interest, 30-9-301, 30-9-313, 71-3-1301 — 71-3-1303
Quieting title, See **QUIET TITLE**
Railroads
  corporations, judgment liens, 69-14-555
  lighting and crossing construction expenses, 7-14-4302
Real estate liens
  construction, for, Title 71, chapter 3, part 5
  fixtures, priority of security interests, 30-9-313
  mortgage foreclosure, 71-1-222
  purchase price, for, 30-9-301, 71-3-1301 — 71-3-1303
  secured transactions, applicability, 30-9-104
  surety, real estate of — on, 2-9-528
Recording and indexing, 7-4-2613, 7-4-2619, 7-4-2631, 70-21-202, 70-21-306, 71-3-124, See also specific lien
Redemption, 71-3-116, See also specific lien
  contract restraining rights void, 71-3-109
  execution, upon, 25-13-801 — 25-13-803, 25-13-806, 25-13-809, See also **EXECUTION, Redemption**
  inferior lienor, 71-3-118
  right, 71-3-117
  service of process by publication, Title 25, chapter 20, M.R.Civ.P., Rule 4D
Release, See **Satisfaction**
Resort, order of, 71-3-115
Restoration of property, extinguishment by, 71-3-123
Retail installment transactions, 31-1-202, 31-1-231
Road improvements districts, delinquent assessments, 7-14-2907
Rural special improvement districts, See **RURAL SPECIAL IMPROVEMENT DISTRICTS**
Salaries and wages, liens for
  agisters' liens, Title 71, chapter 3, part 12
  construction, Title 71, chapter 3, part 5
  crop dusting, Title 71, chapter 3, part 9
  disputed claim, 71-3-304 — 71-3-306
  farm laborers, Title 71, chapter 3, part 4
  foreclosure, 25-10-302, 71-3-124
  loggers, Title 71, chapter 3, part 6
  oil and gas wells and pipelines, laborers on, Title 71, chapter 3, part 10
  physicians, nurses, physical therapists, occupational therapists, chiropractors, dentists, psychologists, licensed social workers, licensed professional counselors, and hospitals, Title 71, chapter 3, part 11
  preferred claims, 30-9-310, 71-3-301 — 71-3-303, 71-3-305, 71-3-306, 71-3-904
  prior lien, 71-3-307
  secured transactions, applicability, 30-9-104
  service of notice, 71-3-303, 71-3-304
  threshers, Title 71, chapter 3, part 8
Sales
  dealership or distribution contracts, canceled — inventory repurchase exceptions, 30-11-703
  delivery ex-ship, 30-2-322
  delivery by seller, 30-11-203
  levied property, 71-3-121, See also specific lien
  personal solicitation, buyer's right, 30-14-506
  resale by seller, 30-11-202
  warranty of title, 30-2-312
Satisfaction
  accessory to performance, lien as, 71-3-119
  acknowledgment, 71-3-131, See also specific lien

LIENS (Continued)
Satisfaction (Continued)

- application of performance, 28-1-1106
- default, secured party's rights, 30-9-504
- delivery ex ship, 30-2-322
- partial performance, effect, 71-3-120
- prior liens, 71-3-107
- release, filing, 71-3-131
- restoration of property, effect, 71-3-123
- statute of limitation, 71-3-122
- wrongful conversion, 71-3-121

Secured transactions, effect, See **SECURED TRANSACTIONS**
Securities, See **SECURITIES AND SECURITIES REGULATION**
Seed or grain, crop liens for, 71-3-701, 71-3-703
- priority, 71-3-401, 71-3-702, 71-3-711, 71-3-804, 71-3-904
- records, 71-3-703, 71-3-705
- satisfaction, acknowledgment, 71-3-704
- statement of lien, filing, 71-3-125, 71-3-703

Service of process by publication, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
Snowmobiles, 23-2-601, 23-2-611, 23-2-612, 30-9-203, 30-9-302
Solid waste management district service charges when, 7-13-233
Special improvement districts, See **SPECIAL IMPROVEMENT DISTRICTS**
Special liens, 71-3-101
- mortgages, 71-1-103
- officers who levy attachment or execution, 71-3-1503
- prior lien, satisfaction, 71-3-107
- real estate, lien on purchase price, 71-3-1302

State lands
- crops and improvements, lien on, 77-2-327, 77-2-336, 77-6-112
- irrigation districts, participation in — effect, 77-2-315
- patent provisions, 77-2-343
- reversion to state, effect, 77-2-314
- sales, canceled certificate of purchase — reinstatement, 77-2-333

Statutes of limitation, 71-3-122, 71-3-405, 71-3-807, 71-3-907
Storage, liens for, 70-6-411, 70-6-412, See also **Warehouseman, lien of**
- hotels, Title 71, chapter 3, part 14

Street lighting district assessments, 7-12-4338
Subdivisions
- abstract of title requirements, 76-3-612
- in-state sales of out-of-state subdivisions
  - application for registration, contents, 76-4-1228
  - public offering statement, 76-4-1233
- land division created as security for lien, subdivision exemption, 76-3-201
- out-of-state sales of in-state subdivisions, blanket encumbrance, 76-4-1101

Subordinate liens, order of resort, 71-3-115
Swathers' liens, Title 71, chapter 3, part 8
Table wine distributors, financial interest in retailers when, 16-3-406
Tax liens
- agricultural land, rollback tax — release, 15-7-209
- beer tax, for nonpayment, 16-1-409
- cement taxes, 15-59-107, 15-59-206
- city court, jurisdiction over lien on property for nonpayment of taxes, 3-11-103
- coal gross proceeds tax, 15-23-704
- coal severance tax, 15-23-704
- compressed natural gas tax, 15-70-719
- consumer report, inclusion in, 31-3-112, 31-3-126

LIENS (Continued)
Tax liens (Continued)

- corporation license tax, 15-31-101
- county land, conveyance to united states — effect, 7-8-2403
- county water and/or sewer districts, taxes to be lien, 7-13-2310
- drainage district taxes and assessments, 85-8-612, 85-8-619
- electric energy producers' license tax, 15-51-112
- estate tax, 72-16-432, 72-16-911
- gasoline and vehicle fuels
  - gasoline license tax, 15-70-211
  - special fuel license tax, 15-70-354
  - special fuel use tax, 15-70-334
- hail insurance, levy to secure — delinquency, 80-2-225
- income tax, 15-30-208
- inheritance tax
  - closely held businesses
    - lien for additional tax, 72-16-491 — 72-16-493
    - lien for deferred tax, 72-16-471, 72-16-472, 72-16-474 — 72-16-482, 72-16-493
  - lien of tax, 72-16-432, 72-16-433, 72-16-436, 72-16-480, 72-16-503
- mines, metal — gross proceeds tax, 15-23-806
- mines, metal — license tax, 15-37-107
- mines, micaceous mineral — license tax, 15-37-206
- mines, net proceeds tax, 15-23-504, 15-23-508
- mobile homes, delinquent taxes — lienholders
  - chargeable to, limit, 15-24-209
  - notice, 15-24-202, 15-24-206
  - sale, impending — notice, 15-24-210
- motor fuel tax, local option — delinquent, 7-14-304
- motor vehicle taxes and fees, 61-3-503
- oil and natural gas production tax, 15-36-319
- property tax, See **TAXATION, PROPERTY**
- public contractor's license tax on gross receipts, 15-50-310
- resource indemnity trust and ground water assessment tax, 15-38-108
- rollback taxes, 15-7-209, 15-7-403
- smoke abatement levies, 7-31-116
- state lands, reversion to state — effect, 77-2-314
- telephone company license tax, 15-53-113
- unemployment insurance, unpaid taxes, 39-51-1304

Threshers' liens, 71-3-801, 71-3-802
- foreclosure, 25-10-302, 71-3-124, 71-3-806, 71-3-807, 71-3-809
- owner, who considered, 71-3-805
- parties, 71-3-806
- priority, 71-3-401, 71-3-804, 71-3-904
- records, 71-3-810
- rules of civil procedure, applicability, 71-3-809
- satisfaction, acknowledgment, 71-3-808
- statement of lien, filing, 71-3-125, 71-3-802

Timber, liens on, Title 71, chapter 3, part 6
Timeshare units, statement of liens affecting title, 37-53-202, 37-53-303
Title, lien does not transfer, 71-3-108
Title insurance, 33-1-212, 33-25-105, 33-25-214, See **INSURANCE, TITLE**
Transfer
- order of resort, 71-3-115
- secured transactions, applicability, 30-9-104
- title, 71-3-108

Trusts
- breach of trust, remedy for, 72-34-506

LIENS (Continued)
Trusts (Continued)

  trustee, of, 72-33-632
Uniform Commercial Code
  creditor, 30-1-201, 30-2-403, 30-9-301
  exclusions, 30-9-102, 30-9-104
  ex-ship delivery, 30-2-322
  purchase, lien as, 30-1-201
Unperfected security interests, priority, 30-9-301
Urban renewal
  exemption of property when, 7-15-4260
  real property, 7-15-4206
Utilities
  creation by, 69-3-501
  rural cooperatives, effect of merger or consolidation, 35-18-403
Vendors' liens, real estate, 70-32-202, 70-32-221, 71-3-1301, 71-3-1303
Video gambling machines, sale by lienholder, 23-5-614
Wages, liens for, See **Salaries and wages, liens for**
Warehouseman, lien of, 30-7-209, 30-7-602, See also **Storage**
  carrier's lien, enforcement as, 30-7-308
  delivery, effect upon, 30-7-705
  enforcement, 30-7-206, 30-7-210
  negotiation concealing, unlawful, 30-7-706
  priority, 71-3-904
  satisfaction, 30-7-206, 30-7-210, 30-7-403
  statement in warehouse receipt, 30-7-202
  termination of storage by warehouseman, 30-7-206, 30-7-403
Water conservancy districts, lien of
  assessments, 85-9-601
  bond issues, 85-9-503
Water quality district fees, unpaid, 7-13-4524
Water supply and sewer districts
  assessments and charges, 7-13-3024
  loans from reserve fund to bond fund, 7-13-3037
Water use
  acquisition of property by department of natural resources and conservation, 85-1-209
  contracts with state agencies and counties for water or water rights, 85-1-224
  project properties or interests, market value determination — consideration, 85-1-210, 85-1-211
  renewable resource grant and loan projects, 85-1-102, 85-1-604, 85-1-615, 85-1-618
  water commissioners, lien of assessments for services, 85-5-206, 85-5-408
  water conservation revenue bonds, 85-1-304, 85-1-307
Wineries, financial interest in retailers when, 16-3-406
Workers' compensation
  bankruptcy or failure of employer, liability as lien, 39-71-408
  medical and other payments, applicability, 39-71-743, 71-3-1118
  penalties and claims, unpaid, 39-71-506
  subrogation, insurer's right of, 39-71-414
Wrongful conversion, 27-1-321, 71-3-121

LIEUTENANT GOVERNOR, 2-15-301; Const., VI, 1
  See also generally **EXECUTIVE BRANCH; PUBLIC OFFICERS OR EMPLOYEES**
Acting governor, as, Const., VI, 14
Administrative policies of the executive branch, conflicts, 2-15-103
Appointment, 2-16-511; Const., VI, 6
Candidacy for other office, Const., VI, 5
Capitol Restoration Commission, member of and appointments to, 5-17-202
Death, 2-16-513; Const., VI, 6

LIEUTENANT GOVERNOR (Continued)

Deeds, execution, 60-4-207, 87-1-209
Delegation of gubernatorial power, Const., VI, 4
Disability, Const., VI, 6, See also **PUBLIC OFFICERS OR EMPLOYEES, Vacancy in office**
Duties generally, 2-15-302; Const., VI, 1; VI, 4
Election, See also **ELECTIONS**
    ballot
        placement, 13-12-207
        rotation, 13-12-205
    campaign contributions, limitation, 13-37-216
    declaration for nomination, 13-10-201; Const., VI, 2
    legislature, by, 2-16-511, 2-16-512
    manner of, 2-16-201; Const., VI, 2
    primaries
        declaration for nomination, 13-10-201; Const., VI, 2
        vacancy in office of governor, effect, 13-10-328
    qualifications, Const., VI, 3
    term of office, Const., IV, 8; VI, 1; VI, 6
    tie vote, 13-16-504
    vacancy in governor candidacy, effect, 13-10-328
Environmental Quality Council, vacancy on — publication of notice, 5-16-104
Governor
    acting, Const., VI, 14
    succession to, Const., VI, 6; Title 2, chapter 16, part 5, See **GOVERNOR, Succession**
Impeachment, Const., VI, 13; Title 5, chapter 5, part 4, See **IMPEACHMENT OF PUBLIC OFFICERS**
Inability to perform duties, 2-16-504, 2-16-513, 2-16-515; Const., VI, 6, See **PUBLIC OFFICERS OR EMPLOYEES, Vacancy in office**
Land Commissioners, Board of — presiding officer, when, 77-1-201
Lieutenant governor-elect, Const., VI, 14
Oath of office, 2-16-211; Const., III, 3
Powers and duties, 2-15-302; Const., VI, 4
Public office, may not hold other public office, Const., VI, 5
Qualifications, Const., VI, 3
Records, official, 2-6-301 — 2-6-304, See also **PUBLIC RECORDS, Executive branch officers**
Residence, Const., VI, 1; VI, 3
Resignation, 2-16-502; Const., VI, 6, See also **PUBLIC OFFICERS OR EMPLOYEES, Vacancy in office**
Retirement benefits, applicability, Title 19, chapter 3, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM**
Rulemaking powers, 2-15-112
Salary, 2-16-405; Const., VI, 5, See also **WAGES AND SALARIES, State officers**
State land patents, execution when, 77-2-342
Succession, 2-16-511 — 2-16-514; Const., VI, 6, See **GOVERNOR, Succession**
Term of office, Const., IV, 8; VI, 1; VI, 6
Transportation, Department of — execution of deeds for land sales by, 60-4-207
Vacancies on councils, boards, commissions, or committees — publication of notice, 2-15-201
Vacancy in office, 2-16-511, Const., VI, 6, See **PUBLIC OFFICERS OR EMPLOYEES, Vacancy in office**

LIFE AND DISABILITY INSURANCE POLICY LANGUAGE SIMPLIFICATION ACT, 33-15-321 — 33-15-329
    See **INSURANCE, Policies**, language simplification

LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT, Title 33, chapter 10, part 2
    See **INSURANCE GUARANTY ASSOCIATION, LIFE AND HEALTH**

LIGHTING DISTRICTS
  See **STREET LIGHTING DISTRICTS**

LIMITATIONS OF ACTIONS
  See **STATUTES OF LIMITATIONS**

LIMITED LIABILITY COMPANIES
Actions, 35-8-107
  by and against, 35-8-1101, 35-8-1102
  dissolution,
    claims, enforcement, 35-8-908, 35-8-909
    revocation, 35-8-907
  foreign limited liability companies
    revocation of certificate of authority, 35-8-1011
    successor or assignee, certificate of authority required, 35-8-1002
    transaction of business, exclusion, 35-8-1001
  members and managers, by or against, 35-8-301, 35-8-402, 35-8-404
  merger, surviving company, 35-8-1201
  service of process, 35-8-105, 35-8-906, 35-8-1010, 35-8-1012, 35-8-1201
  winding up of business, 35-8-903, 35-8-904
Agency and agents, 35-8-107, See also **AGENCY**
  articles of organization, information included in, 35-8-202
  foreign limited liability companies, 35-8-1001
  indemnification, 35-8-107
  members and managers, power, 35-8-301, 35-8-904
  pensions, profit-sharing, or benefit plans, 35-8-107
  registered agent, 35-8-105
    annual report, designation in, 35-8-208
    change, 35-8-209, 35-8-1006, 35-8-1011
    foreign limited liability company, 35-8-1003 — 35-8-1006, 35-8-1010 — 35-8-1012
  service of process, 35-8-906, 35-8-1010
Annual reports, 35-8-208, 35-8-209, 35-8-1011
Articles of dissolution, 35-8-802, 35-8-904, 35-8-906 — 35-8-908, 35-8-1201
Articles of merger, 35-8-102, 35-8-1201
Articles of organization, 35-8-102, 35-8-202, 35-8-405
  actions of members or managers, provisions relating to, 35-8-301, 35-8-402
  actions on behalf of company, authority set forth in, 35-8-1102
  admission of members, time provided in, 35-8-801
  amendment, 35-8-203, 35-8-403, 35-8-405, 35-8-906
    articles of amendment, 35-8-203
  breach of, 35-8-802
  contributions by members, obligation set forth in, 35-8-502
  disassociation of member, provisions for, 35-8-802
  dissolution, requirements, 35-8-901
  distributions, provisions for, 35-8-601 — 35-8-605, 35-8-905
  filing, 35-8-201, 35-8-205, 35-8-206, 35-8-212, 35-8-906
  indemnification, statement in, 35-8-107, 35-8-404
  interest in limited liability company, assignment provisions, 35-8-704, 35-8-706, 35-8-802
  liability limitations set forth in, 35-8-404
  management provisions set forth in, 35-8-102, 35-8-202, 35-8-301, 35-8-302, 35-8-401, 35-8-702, 35-8-904, 35-8-1102
  name of company set forth in, 35-8-103, 35-8-202
  professional limited liability companies, 35-8-102, 35-8-202, 35-8-208
    professional services described in, 35-8-1302, 35-8-1304
  profits, losses, and surpluses — sharing provisions set forth in, 35-8-503

LIMITED LIABILITY COMPANIES (Continued)
Articles of organization (Continued)

- purpose, statement in, 35-8-106, 35-8-107
- records and information requirements set forth in, 35-8-405
- restatement, 35-8-203
- voting by members, provision for, 35-8-403
- winding up of business, provisions for, 35-8-903

Assets, 35-8-107
- dissolution
  - claims, enforcement, 35-8-909
  - reinstatement following, 35-8-210
- distribution, See **Distributions**

Assignment
- foreign limited liability companies, actions by assignee, 35-8-1002
- interest in limited liability companies, See **Members and managers**

Benefit plans, 35-8-107
Bonds, issuance, 35-8-107
Borrow money, power to, 35-8-107, See **Indebtedness**
Certificates
- foreign limited liability companies
  - authority, of, See **Foreign limited liability companies**
  - revocation, of, 35-8-1012, 35-8-1013
  - withdrawal, of, 35-8-1010
- foreign professional limited liability company, of authority, 35-8-1014
- membership interest, of, 35-8-704
- reinstatement, of, 35-8-210

Citation of Montana Limited Liability Company Act, 35-8-101
Contract
- members and managers, liability to third parties, 35-8-304
- power to, 35-8-107

Contractor registration, 39-9-202
Contributions to capital, 35-8-405, 35-8-501 — 35-8-503, 35-8-603, 35-8-605, 35-8-706, 35-8-905
Court, 35-8-102
- dissolution, 35-8-902
- membership interest, judgment creditor's rights, 35-8-705
- orders, liability to third parties, 35-8-304
- winding up of business, 35-8-903

Creditors
- contributions by members, original obligation — enforcement, 35-8-502
- dissolution, claims, 35-8-908, 35-8-909
- interest in limited liability company, availability to, 35-8-102
- winding up of business, distributions to, 35-8-905

Definitions, 35-8-102, 35-8-908
Directors — pensions, profit-sharing, or benefit plans, 35-8-107
Dissolution, 35-8-901, See also **Winding up of business**
- administrative, 35-8-209
- agency power of members or managers, 35-8-904
- annual report, date set forth in, 35-8-208
- articles of dissolution, 35-8-802, 35-8-904, 35-8-906 — 35-8-908, 35-8-1201
- articles of organization, date set forth in, 35-8-202
- articles of revocation of dissolution, 35-8-907
- claims against dissolved company
  - known, 35-8-908
  - unknown, 35-8-909
- disassociation of member, events of, 35-8-802
- distributions, 35-8-604
- events that require, 35-8-405

LIMITED LIABILITY COMPANIES (Continued)
Dissolution (Continued)

- involuntary, 35-8-209, 35-8-210, 35-8-802
- judicial dissolution, 35-8-901, 35-8-902
- power to dissolve, 35-8-107
- reinstatement of dissolved company, 35-8-210
- revocation, 35-8-907

Distributions, 35-8-604
- assignee of limited liability company interest
  - liability, 35-8-706
  - to, 35-8-704
- disassociation of member, event of, 35-8-602
- dissolution, claims — enforcement, 35-8-909
- in kind, 35-8-603
- right to, 35-8-606
- sharing, 35-8-601
- unlawful, liability, 35-8-404, 35-8-502, 35-8-605
- winding up of business, 35-8-903, 35-8-905
- withdrawal of member by voluntary act, offset, 35-8-802

Documents generally
- execution, 35-8-204, 35-8-301, 35-8-906
- facsimile copies, filing, 35-8-207, 35-8-211
- fees, 35-8-211
- filing requirements, 35-8-205, 35-8-207

Donations by, 35-8-107

Employees
- foreign limited liability companies, 35-8-1001
- indemnification, 35-8-107
- pensions, profit-sharing, or benefit plans, 35-8-107
- professional limited liability companies, 35-8-1306, 35-8-1307

Employing unit and employment, definitions, 39-51-201, 39-51-203, 39-51-204

Evidence
- agent, registered — appointment, 35-8-105
- articles of organization, filing, 35-8-206
- dissolution, notice of — filing of articles of dissolution presumed to constitute, 35-8-904
- foreign, certification of tax payments, 35-8-1010
- members and managers
  - admissions within scope of authority, effect, 35-8-302
  - interest by member in limited liability company, 35-8-704

Fees
- failure to remit, 35-8-209
- filing, 35-8-205, 35-8-208, 35-8-211, 35-8-212
- license, 35-8-212

Filings
- agent, registered — change, 35-8-209, 35-8-1006
- annual report, 35-8-208, 35-8-209
- articles of dissolution, 35-8-904, 35-8-908
- articles of organization, 35-8-201, 35-8-205, 35-8-206, 35-8-212, 35-8-906
- articles of revocation of dissolution, 35-8-907
- documents generally, requirements, 35-8-205
- facsimile copies of documents, 35-8-207
- fees, 35-8-205, 35-8-208, 35-8-211, 35-8-212
- foreign limited liability company
  - certificate of authority, application, 35-8-212, 35-8-1003
  - registered office or registered agent, statement of change, 35-8-1006
- office, registered — change, 35-8-209, 35-8-1006
- statement of qualification, 35-8-208

LIMITED LIABILITY COMPANIES (Continued)

Financial statements, 35-8-405, 35-8-604
Foreign limited liability companies, 35-8-102, 35-8-107
  annual report, 35-8-208, 35-8-1011
  certificate of authority
    amendment, 35-8-1007
    application, 35-8-212, 35-8-1003
    effect, 35-8-1008
    required, 35-8-1001
    revocation, 35-8-1011, 35-8-1012
      appeal, 35-8-1013
    transacting business without, 35-8-1002
  dissolution, claims — enforcement, 35-8-909
  license fees, 35-8-212
  name, 35-8-104, 35-8-1007, 35-8-1008
  registered office and registered agent, 35-8-1003 — 35-8-1006, 35-8-1011
  service of process, 35-8-1010, 35-8-1012
  withdrawal, 35-8-1010
Formation, 35-8-201, 35-8-204, 35-8-206, 35-8-801
Indebtedness
  distributions, 35-8-604
  foreign limited liability companies, 35-8-1001
  members and managers, liability to third parties, 35-8-304
  merger, surviving company, 35-8-1201
  power to incur or create, 35-8-107
  records and information, failure to keep or maintain — liability, 35-8-405
Indemnification of members, managers, agents, or employees, 35-8-107, 35-8-404
Information requirements, 35-8-405
Investments, 35-8-107
Leases, power generally, 35-8-107
Liabilities
  contributions to capital, 35-8-502
  distributions, unlawful, 35-8-604, 35-8-605
  foreign limited liability company — taxes, penalties, or interest due, 35-8-1010
  membership interest, assignee or assignor, 35-8-704, 35-8-706
  members or managers, 35-8-304, 35-8-402, 35-8-404, 35-8-502
  power to incur, 35-8-107
  professional limited liability company employees, 35-8-1306
  records or information, failure to keep or maintain, 35-8-405
  winding up of business, 35-8-903
License fees, 35-8-212
Liquidation, 35-8-802, 35-8-909
Loans, 35-8-107
Losses, sharing, 35-8-503
Management, 35-8-401, See **Members and managers**
Members and managers, 35-8-102
  actions brought by, 35-8-1102
  admission of members, 35-8-801
  admissions or representations, 35-8-302
  agency power, 35-8-301, 35-8-904
  contributions to capital, 35-8-405, 35-8-501 — 35-8-503, 35-8-603, 35-8-605, 35-8-905
  disassociation of member, events of, 35-8-102, 35-8-602, 35-8-802, 35-8-901
  dissolution
    agency power after, 35-8-904
    reinstatement following, 35-8-210
    remedies for claims or rights, 35-8-909

LIMITED LIABILITY COMPANIES (Continued)
Members and managers (Continued)
- dissolution (Continued)
  - rights, preferential, 35-8-604
- distributions, 35-8-404, 35-8-601, 35-8-605, 35-8-905
- documents, execution, 35-8-204, 35-8-301
- duties generally, 35-8-402, 35-8-404
- foreign limited liability companies, 35-8-1001, 35-8-1003
- foreign professional limited liability company, 35-8-1014
- indemnification, 35-8-107, 35-8-404
- information provided by, 35-8-405
- interest in limited liability company, 35-8-102, 35-8-501, 35-8-602, 35-8-905
  - assignee's right to become member, 35-8-706, 35-8-801
  - assignment, 35-8-102, 35-8-704, 35-8-802
  - judgment creditor, rights, 35-8-705
  - nature of, 35-8-703
- liability, 35-8-304, 35-8-402, 35-8-404, 35-8-502, 35-8-605
- management by, 35-8-401, 35-8-405
  - annual report, statement in, 35-8-208
  - articles of organization, set forth in, 35-8-102, 35-8-202, 35-8-301, 35-8-302, 35-8-401, 35-8-702, 35-8-904, 35-8-1102
- meetings of members, 35-8-202, 35-8-1001
- notice to or knowledge of matters, 35-8-303
- professional limited liability companies, 35-8-208, 35-8-1303 — 35-8-1306
- profits, losses, and surpluses — sharing, 35-8-503
- property, real — transfer, 35-8-702
- records, inspection, 35-8-405
- voting, 35-8-403, 35-8-1102
- winding up of business, 35-8-903, 35-8-905
- withdrawal by voluntary act, 35-8-802

Merger, 35-8-102, 35-8-1201
Mortgages, power generally, 35-8-107, 35-8-1001
Name, 35-8-103
- actions, name in, 35-8-1101, 35-8-1102
- agent, registered — inclusion in statement of change, 35-8-105, 35-8-1006
- annual report, statement in, 35-8-208
- articles of amendment, statement in, 35-8-203
- articles of organization, statement in, 35-8-103, 35-8-202
  - restatement, statement in, 35-8-203
- assumed business name, 30-13-202, 35-8-1009
- dissolution
  - articles of dissolution, statement in, 35-8-906
  - articles of revocation of dissolution, statement in, 35-8-907
  - reinstatement following, application for, 35-8-210
- exclusivity, 30-13-202, 35-1-308, 35-1-1031, 35-2-305, 35-2-826, 35-4-206, 35-8-103, 35-12-505
- foreign limited liability company, 35-8-1009
  - certificate of authority, application — inclusion, 35-8-1003
  - certificate of withdrawal, application — inclusion, 35-8-1010
  - name change, 35-8-1007
  - registered office and registered agent, statement of change — inclusion, 35-8-1006
- foreign professional limited liability company, 35-8-1014
- office, registered — inclusion in statement of change, 35-8-105, 35-8-1006
- professional limited liability company, 35-8-1302
- property — acquisition, holding, or transfer, 35-8-701, 35-8-702
- reservation of name, 35-8-104

Notes, issuance, 35-8-107
Notices
- agent, registered — resignation, 35-8-105

LIMITED LIABILITY COMPANIES (Continued)
Notices (Continued)

- dissolution, of, 35-8-904, 35-8-908
- foreign limited liability company
  - certificate of authority, revocation, 35-8-1012
  - mailing address, change, 35-8-1010
  - registered office or registered agent, change, 35-8-1006
- foreign professional limited liability company, certification of revocation of certificate of authority, 35-8-1014
- members or managers, to, 35-8-303
- name, reserved — transfer, 35-8-104
- withdrawal of member by voluntary act, 35-8-802

Officers — pensions, profit-sharing, or benefit plans, 35-8-107
Offices

- annual report, designation in, 35-8-208
- foreign limited liability companies, 35-8-1001, 35-8-1003, 35-8-1005
- foreign professional limited liability company, 35-8-1014
- records, 35-8-405
- registered, 35-8-105
  - annual report, statement in, 35-8-208
  - articles of organization, statement in, 35-8-202
  - change, 35-8-209, 35-8-1006, 35-8-1011
  - foreign limited liability company, 35-8-1003 — 35-8-1006, 35-8-1011
  - foreign professional limited liability company, 35-8-1014

Operating agreement, 35-8-102, 35-8-405

- actions of members or managers, provisions relating to, 35-8-301, 35-8-402
- actions on behalf of company, authority set forth in, 35-8-1102
- admission of members, time provided in, 35-8-801
- amendment, 35-8-403, 35-8-405
- breach of, 35-8-802
- contributions by members, obligation set forth in, 35-8-502
- disassociation of member, provisions for, 35-8-802
- dissolution, requirements, 35-8-901
- distributions, provisions for, 35-8-601 — 35-8-605, 35-8-905
- indemnification, statement in, 35-8-107, 35-8-404
- interest in limited liability company, assignment provisions, 35-8-704, 35-8-706, 35-8-802
- liability limitations set forth in, 35-8-404
- management provisions set forth in, 35-8-401
- profits, losses, and surpluses — sharing provisions set forth in, 35-8-503
- records and information requirements set forth in, 35-8-405
- voting by members, provision for, 35-8-403
- winding up of business, provisions for, 35-8-903

Organization, 35-8-106, See **Articles of organization**
Pensions, pension plans, or pension trusts, 35-8-107
Pledges, 35-8-107

- membership interest, of — effect, 35-8-704

Power of attorney, 35-8-204, 35-8-405
Powers generally, 35-8-107, 35-8-202, 35-8-1201
Professional employers organizations and groups, licensing conditions, 39-8-202
Professional limited liability companies, 35-8-102

- annual report, 35-8-208
- articles of organization, 35-8-102, 35-8-202, 35-8-208, 35-8-1302, 35-8-1304
- disqualified person, 35-8-102, 35-8-802, 35-8-1304
- foreign professional limited liability companies, 35-8-102, 35-8-1302, 35-8-1304, 35-8-1306, 35-8-1307
  - admission, 35-8-1014
  - certificate of authority, 35-8-1014
  - statement of qualification, 35-8-208

LIMITED LIABILITY COMPANIES (Continued)
Professional limited liability companies (Continued)

- liabilities, 35-8-1306
- licensing authority, 35-8-102, 35-8-208, 35-8-1014, 35-8-1302, 35-8-1304
- members and managers, 35-8-1303 — 35-8-1306
- name, 35-8-1302
- professional services, 35-8-102, 35-8-202, 35-8-208, 35-8-1014, 35-8-1301, 35-8-1304, 35-8-1306, 35-8-1307
- purposes, 35-8-1301
- qualified persons, 35-8-102, 35-8-208, 35-8-1014, 35-8-1303
- relationship to clients and patients, 35-8-1307
- rendering services, 35-8-1305, 35-8-1306
- statement of qualification, 35-8-208

Profits, 35-8-503, See also **Distributions**
Profit-sharing, 35-8-107
Property, 35-8-107
- accounting, 35-8-402
- contributions, 35-8-405, 35-8-501
- distributions, 35-8-502, See also **Distributions**
- foreign limited liability companies, 35-8-1001
- merger, surviving company, 35-8-1201
- ownership, 35-8-701
- transfer of real property, 35-8-702
- winding up of business, 35-8-903

Purposes, 35-8-106, 35-8-107
Records, 35-8-405, 35-8-801
Reorganization, 35-8-802
Reports, annual, 35-8-208, 35-8-209, 35-8-1011
Rules, 35-8-208, 35-8-209, 35-8-211, 35-8-1302, 35-8-1304
Service of process, 35-8-105, 35-8-906, 35-8-1010, 35-8-1012, 35-8-1201
Short title, 35-8-101
Small business licensing coordination, Title 30, chapter 16
Stock, power generally, 35-8-107
Sue and be sued, power to, 35-8-107, See **Actions**
Surplus, sharing, 35-8-503, See also **Distributions**
Taxes
- dissolution, reinstatement following — certification of payment, 35-8-210
- foreign limited liability company, withdrawal — certification of payment, 35-8-1010
- returns, copies and information to be kept, 35-8-405

Trademarks, Title 30, chapter 13, part 3
Unemployment insurance, 39-51-1105, 39-51-1303, 39-51-1304
Winding up of business, 35-8-901, 35-8-903, 35-8-904, 35-8-906, See also **Dissolution**
- accounting, 35-8-402
- assets, distribution, 35-8-905
- disassociation of member, events of, 35-8-802

Workers' compensation old fund liability tax, 39-71-117, 39-71-118, 39-71-2503 — 39-71-2505

LIMITED PARTNERSHIPS
See also **PARTNERSHIPS**
Actions
- derivative actions, 35-12-1401 — 35-12-1404
- foreign limited partnership, 35-12-1307, 35-12-1308
- merger with partnership, effect, 35-10-642

Agent, resident, 35-12-507
- certificate of limited partnership
  - expiration, notice, 35-12-610
  - renewal application, 35-12-610, 35-12-611

LIMITED PARTNERSHIPS (Continued)
Agent, resident (Continued)
    certificate of limited partnership (Continued)
        statement in, 35-12-601
    certificates, execution, 35-12-606
    foreign limited partnerships, 35-12-1302, 35-12-1307
Applicability of laws, 35-12-502, 35-12-503
    foreign limited partnerships, 35-12-1301
    partnership laws, 35-12-503, 35-12-509, 35-12-803
Assets, 35-12-703, 35-12-904, 35-12-1007, 35-12-1101, 35-12-1204, See also **Contributions**; **Property**
Assignment of interest, 35-12-1102
    amendment or cancellation, petition by assignee, 35-12-605
    certificate of limited partnership, power set out in, 35-12-601
    creditors, for benefit of, 35-12-802
    judgment debtor, rights, 35-12-1103
    partner, assignee's right to become, 35-12-601, 35-12-701, 35-12-1104, 35-12-1105
    winding up by court, request by assignee, 35-12-1203
Business conducted by
    nature of, 35-12-509
    partner and partnership, between, 35-12-510
Certificate declaring withdrawal, 35-12-704
Certificate of amendment, 35-12-504, 35-12-602
    admission of additional partners, 35-12-701
    court, by, 35-12-605, 35-12-606
    creditors' claims, effect, 35-12-902
    delivery to limited partner, 35-12-609
    execution, 35-12-604 — 35-12-606, 35-12-704
    falsification, 35-12-602, 35-12-604, 35-12-607
    filing, 35-12-521, 35-12-602, 35-12-606, 35-12-704
    records requirements, 35-12-508
Certificate of cancellation, 35-12-603
    court, by, 35-12-605, 35-12-606
    creditors' claims, effect, 35-12-902
    delivery to limited partner, 35-12-609
    execution, 35-12-604 — 35-12-606
    falsification, 35-12-604, 35-12-607
    filing, 35-12-521, 35-12-603, 35-12-606
    foreign limited partnerships, 35-12-1306
Certificate of limited partnership, 35-12-504, 35-12-601
    amendment, See **Certificate of amendment**
    assignees' rights as partners, statement in, 35-12-1104
    cancellation, 35-10-636, 35-12-610, 35-12-613, See also **Certificate of cancellation**
    contribution provisions, 35-12-902 — 35-12-904, 35-12-1008
    delivery to limited partner, 35-12-609
    dissolution, statement of right, 35-12-1003, 35-12-1201
    distribution provisions, 35-12-1001, 35-12-1005
    execution, 35-12-601, 35-12-604, 35-12-704
    falsification, 35-12-602, 35-12-604, 35-12-607
    filing, 35-10-635, 35-12-521, 35-12-601, 35-12-606, 35-12-704
    general partners, provisions for, 35-12-802
    name in, 35-12-505
    notice, constructive, 35-12-608
    records requirements, 35-12-508
    renewal, 35-12-610 — 35-12-613
    term, 35-12-610
    withdrawal, statement in, 35-12-1003
Certificate of renewal, 35-12-612
Citation of Uniform Limited Partnership Act, 35-12-501

LIMITED PARTNERSHIPS (Continued)

Construction of provisions, 35-12-502
Contributions, 35-12-504, 35-12-901
  assignee, liability, 35-12-1104
  certificate of limited partnership, statement in, 35-12-601
  change, 35-12-602, 35-12-604
  distributions, effect, 35-12-904, 35-12-1005, 35-12-1204
  effect, 35-12-704, 35-12-804
  liability for, 35-12-902
  merger, obligation to surviving entity, 35-10-642
  profit and loss allocation, effect, 35-12-903
  return, 35-12-902, 35-12-1001, 35-12-1008, 35-12-1104, 35-12-1204
Conversion
  limited partnership to partnership, 35-10-636, 35-10-637, 35-10-644
  partnership to limited partnership, 35-10-635, 35-10-637, 35-10-644
Creditor's claims
  assignment of interest, effect, 35-12-1103
  contributions, effect upon, 35-12-902, 35-12-1008
  dissolution, priority, 35-12-1204
  limited partners, liability, 35-12-703
Damages
  falsification of certificates, 35-12-607
  withdrawal in violation of partnership agreement, 35-12-1002
Death or incapacity of partner, 35-12-802, 35-12-902, 35-12-1105
Definitions, 35-12-504
Derivative actions, 35-12-1401 — 35-12-1404
Disassociation of partner, 35-10-642
Dissolution, 35-12-1201
  assignment of interest, effect, 35-12-1102
  certificate of cancellation, See **Certificate of cancellation**
  certificate of limited partnership, provisions in, 35-12-601, 35-12-1003, 35-12-1201
  court, by, 35-12-1201, 35-12-1202
  distribution upon, 35-12-1204
  limited partners, liability, 35-12-703
  winding up, 35-12-601, 35-12-603, 35-12-703, 35-12-1001, 35-12-1003, 35-12-1201, 35-12-1203, 35-12-1204
Distributions
  allocation, 35-12-904
  assignment of interest, effect, 35-12-1102
  certificate of limited partnership, statement in, 35-12-601
  dissolution, upon, 35-12-1204
  effect, 35-12-1008
  in kind, 35-12-1005
  interim, 35-12-1001
  limitations, 35-12-1007
  limited partner, when erroneously believing one is, 35-12-704
  right, 35-12-1006, 35-12-1101
  withdrawal, effect, 35-12-1002, 35-12-1004
Facsimile copies of documents, 35-12-615
Fees for filing, 35-12-521, 35-12-612, 35-12-1303
Foreign limited partnerships, 35-12-504
  agent, 35-12-1302, 35-12-1307
  certificate of cancellation, 35-12-1306
  certificate of correction, 35-12-1305
  certificate of registration, 35-12-1303
  conflict of laws, 35-12-1301

LIMITED PARTNERSHIPS (Continued)
Foreign limited partnerships (Continued)

  limited liability companies, Title 35, chapter 8
  name, 35-12-505, 35-12-506, 35-12-1302, 35-12-1304
  registration, 35-12-1301 — 35-12-1308
  service of process, 35-10-642
  transaction of business without registration, 35-12-1307, 35-12-1308
Formation, 35-12-601
General partners, 35-12-504
  admission, 35-12-602, 35-12-604, 35-12-801
  ceases to be when, 35-12-802, 35-12-1102
  certificate of cancellation, information in, 35-12-603
  certificate of limited partnership
    expiration, notice, 35-12-610
    renewal application, 35-12-610 — 35-12-612
    statements in, 35-12-601
  certificate of renewal, 35-12-612
  certificates, delivery to limited partners, 35-12-609
  contributions, 35-12-804
  derivative action, 35-12-1401, 35-12-1403
  foreign limited partnerships, 35-12-1302
  information release, 35-12-705
  liabilities, 35-12-704, 35-12-803, 35-12-804
  limited partner as, 35-12-804
  limited partner's withdrawal, notice, 35-12-1003
  name in partnership name, 35-12-505
  powers, 35-12-803, 35-12-804
  removal, 35-12-703, 35-12-802
  rights, 35-12-803, 35-12-804
  voting, 35-12-805
  winding up by, 35-12-1203
  withdrawal, See **Withdrawal of partners**
Housing development sponsor, as, 90-6-103
Incapacity or death of partner, 35-12-802, 35-12-902, 35-12-1105
Judgment debtors, rights, 35-12-1103, See also **Creditor's claims**
Liabilities
  assignee, of, 35-12-1104
  contributions, upon return, 35-12-1008
  distributions, effect, 35-12-1007
  facsimile copies of documents, 35-12-615
  falsification of documents, 35-12-604, 35-12-607, 35-12-615
  general partner, 35-12-704, 35-12-803
  limited partner, of, 35-10-635, 35-10-636, 35-10-642, 35-12-703
  third parties, to, 35-12-703, 35-12-704
Limited liability companies, Title 35, chapter 8
Limited partners, 35-12-504
  admission, 35-12-602, 35-12-604, 35-12-701
  assignee, may become, 35-12-601, 35-12-701, 35-12-1104, 35-12-1105
  ceases to be partner when, 35-12-1102
  certificate of limited partnership, statement in, 35-12-601
  certificates, delivery to, 35-12-609
  contributions, See **Contributions**
  derivative action, 35-12-1401
  erroneous belief that one is a partner, 35-12-704
  general partners as, 35-12-704, 35-12-804
  information, right to, 35-12-705
  liabilities, 35-10-635, 35-10-636, 35-10-642, 35-12-703

LIMITED PARTNERSHIPS (Continued)
Limited partners (Continued)

- name in partnership name, 35-12-505
- voting, 35-12-702
- winding up by, 35-12-1203
- withdrawal, See **Withdrawal of partners**

Merger with partnership, 35-10-641, 35-10-644
- effect, 35-10-642
- statement of, 35-10-643

Name, 35-12-505
- certificate of amendment, statement in, 35-12-602
- certificate of cancellation, statement in, 35-12-603
- certificate of limited partnership, statements in, 35-12-601, 35-12-611
- exclusivity, 30-13-202, 35-1-308, 35-1-1031, 35-2-305, 35-2-826, 35-4-206, 35-12-506
- foreign limited partnerships, 35-12-1302, 35-12-1304
- limited partners, use of name in, 35-12-703
- merger with partnership, 35-10-641, 35-10-643
- reservation, 35-12-506, 35-12-521
- transfer, 35-12-506, 35-12-521

Notice
- certificate of limited partnership, pertaining to, 35-12-608, 35-12-610
- constructive notice, 35-12-608, 35-12-615
- name, reservation — transfer, 35-12-506
- withdrawal, 35-12-1002, 35-12-1003

Offices, 35-12-507, 35-12-508
- certificate of limited partnership, statements in, 35-12-601, 35-12-611
- foreign limited partnerships, 35-12-1302

Partnership agreements, 35-12-504
- admission as partner by compliance, 35-12-701
- assignment of interest, terms regulating, 35-12-1102, 35-12-1104
- business transactions of partner with partnership, 35-12-510
- certificates, delivery provisions, 35-12-609
- contribution provisions, 35-12-902, 35-12-1008
- dissolution, terms for priority in distributions, 35-12-1204
- distributions, terms pertaining to, 35-12-904, 35-12-1001, 35-12-1004, 35-12-1005, 35-12-1008
- general partner, outline of powers and liabilities, 35-12-803 — 35-12-805
- limited partner's liability, effect, 35-12-703
- merger provisions, 35-10-641
- profits and losses, terms for allocations, 35-12-903
- records requirements, 35-12-508
- voting provisions, 35-12-702, 35-12-805
- winding up, terms pertaining to, 35-12-1203
- withdrawal in violation of, 35-12-1002
- withdrawal procedures stated in, 35-12-1003

Partnership interest, 35-12-504, 35-12-1101, 35-12-1103, See also **Assignment of interest**
Pipeline carriers, See **PIPELINES**
Power of attorney, 35-12-508, 35-12-604
Profits and losses, 35-12-804, 35-12-903, 35-12-1101
Property, 35-10-637, 35-10-642, 35-10-643, 35-12-601, 35-12-901, 35-12-1101
Records, 35-12-507, 35-12-508, 35-12-705
Service of process, 35-10-642, 35-12-507, 35-12-601, 35-12-611, 35-12-1302, 35-12-1306, 35-12-1307
Short title, 35-12-501
Tax returns and reports, 35-12-508, 35-12-705
Uniformity of provisions, 35-12-502
Voting, 35-12-702, 35-12-703, 35-12-805
Winding up, See **Dissolution**

LIMITED PARTNERSHIPS (Continued)

Withdrawal of partners, 35-12-504
  certificate declaring, 35-12-704
  certificate of limited partnership provisions, 35-12-601, 35-12-602
  dissolution upon, 35-12-1201
  distributions, 35-12-1001, 35-12-1004
  general partner, effect, 35-12-802, 35-12-1002
  limited partner, effect, 35-12-1003

LITTERING AND LITTER CONTROL
Boats, prohibited from, 23-2-522
Camping permit, forfeiture when, 87-2-112
Caves, in — unlawful, 23-2-905
Counties
  community decay ordinances, 7-5-2110, 7-5-2111
  control, 7-5-2109
Enforcement of litter laws, 75-10-233, 87-1-504, 87-1-505
Fishing, hunting, or trapping licenses — forfeiture, 87-2-112
Highways, roads, streets, or alleys — prohibited on, 61-8-365, 61-8-370, 75-10-212, 75-10-213, 75-10-233
Natural areas, responsibility, 76-12-121
Recreational property, prohibited on, 75-10-212, 75-10-233
Shooting ranges, nonapplicability, 7-5-2109, 76-9-102
"Tamper" defined, 45-2-101
Unlawful, 61-8-365, 75-10-212, 75-10-213, 75-10-233, 87-1-102, 87-2-112

LITTLE DAVIS-BACON ACT, Title 18, chapter 2, part 4
  See **PUBLIC CONTRACTS**, **Wages paid by contractors**

LIVESTOCK
  See also generally **AGRICULTURE**; **ANIMALS**
Abandonment
  horses, See **Roundup of abandoned horses**
  sheep, 81-5-103
Advertising
  estrays, following possession, 81-4-603, 81-4-605
  horse herd districts, sale of horses wrongfully entering, 81-4-326
  trespassing, sale, 76-16-316
Affidavits
  arrest and examination of violators, 81-1-202
  departmental employees, taking, 81-2-102
  ownership and county, determination for indemnity, 81-2-201, 81-2-204
Agisters' liens, Title 71, chapter 3, part 12
Agricultural marketing associations, 35-17-103, See **AGRICULTURAL MARKETING ASSOCIATIONS**
Agricultural practices, sustainable, 20-25-233 — 20-25-236
Aircraft harassment prohibited, 67-1-204, 81-7-506
Alpacas, 15-1-101, 15-24-921, 81-2-702, 81-4-201, 81-4-214, 81-4-306, 81-4-401, 81-4-402, 81-4-601, 81-5-101, See also **TAXATION, PROPERTY, Livestock**
Animal facilities, protection, Title 81, chapter 30, part 1
Animal health division, licenses issued by, 49-3-204, 81-23-105
Animal health laws
  administrator
    appointment and qualifications, 81-1-301
    duties, 81-1-302
  federal veterinary inspectors, 81-1-304
  revenue, 81-2-102
Archers' use of, rules, 87-1-304

LIVESTOCK (Continued)

Artificial insemination, Title 81, chapter 2, part 4
    administration of provisions, 81-2-402
    sires, 81-2-401, 81-2-403
Associations
    breed, 81-4-211, 81-8-213, 81-8-214
    dealers, licenses, 81-8-271
    "family business entity" defined, 81-3-211
    local, 81-4-503, 81-8-252
    markets, certificates of public convenience, 81-8-251
    protective, See **Cattle protective districts**; **County**, livestock protective committees
    renderers, requests to remove dead or fallen animals, 81-9-313
    sheep growers, 81-7-302, 81-7-305
    stockgrowers, 81-8-252
    woolgrowers, 81-8-252
Auctions, See **AUCTIONS AND AUCTIONEERS**
Baby animals
    sales unlawful when, 81-8-401, 81-8-402
    unborn young as goods, 30-2-105, 30-2-501, 30-9-109
Bang's disease, See **Brucellosis**; **Disease control**; **Indemnification**
Barbed wire, 81-4-104 — 81-4-108
Beef promotion and marketing, 81-8-901, 81-8-902
Biologic products, curatives, and preventive agents, 81-2-102, 81-2-704
Bison or buffalo, See also **Estrays**; **Importation**; **Marks and brands**; **Running at large**; **FISH AND WILDLIFE**; **MEAT AND MEAT PRODUCTS**; **TAXATION, PROPERTY, Livestock**
    definitions, 15-1-101, 15-24-921, 81-3-201
    management policy, 81-2-120, 81-2-121, 87-1-216
    moving from customary range, 81-5-101
    publicly owned, taking when on private property, 81-2-121, 87-3-130
    stolen, property confiscation when, 81-5-104
    taxation provisions, 15-24-921, 15-24-922
Board of Livestock, 2-15-3102, 81-1-101
Boarding of, See **LIENS, Agisters' liens**
Bounty claims on predators, Title 81, chapter 7
Brand enforcement administrator, crimestoppers commission — member, 2-15-3104
Brands, See **Marks and brands**
Breed associations, 81-4-211, 81-8-213, 81-8-214, 81-8-216
Brucellosis, See also **Disease control**
    importation of animals with positive reaction, 81-2-703
    slaughter of diseased animals, See **Indemnification**
    vaccination requirement and exemption, 81-2-801
        penalty for violation, 81-2-805
Buffalo, See **Bison or buffalo**
Bulls, See **Estrays**; **Running at large**
Butchers and meat peddlers, Title 81, chapter 9, part 1, See **MEAT AND MEAT PRODUCTS, Establishments**
Carriers, See **Transporting and transporters**; **CARRIERS, Freight carriers**; **MOTOR CARRIERS**; **RAILROADS**
Casualty insurance, See **INSURANCE, CASUALTY**, generally
Cattle guards
    county roads, 7-14-2130
    highways, 60-7-103
    railroads
        eminent domain, 70-30-301, 70-30-307
        placement and maintenance, 69-14-701, 69-14-703, 69-14-706

LIVESTOCK (Continued)

Cattle protective districts
  committees
    members, selection, 81-6-202, 81-6-207
    powers and duties, 81-6-203, 81-6-204, 81-6-208, 81-6-209
  multiple counties, 81-6-201, 81-6-205
  single county, 81-6-206, 81-6-210
  tax levies, 81-6-204, 81-6-205, 81-6-209, 81-6-210
Cattle protection programs, 81-7-601 — 81-7-605, See also **PREDATORS AND PREDATOR CONTROL**
Certificates, See **Hide dealers and buyers**; **Inspections**; **Markets and marketing**
Change of ownership, See **Owners and ownership**
Cities or towns, ordinances for inspections, 81-2-105, See also **Running at large**
Close corporations, See **CLOSE CORPORATIONS**
Commercial feeds, Title 80, chapter 9, See **COMMERCIAL FEEDS**
Committees, See **Cattle protective districts**; **County**, livestock protective committees
Commodities, exemption from securities transactions, 30-10-103, 30-10-105
Consignment permits, 81-2-203, 81-3-205, 81-3-211, 81-3-212, 81-3-231
Containment, Title 81, chapter 4, See **Herd districts**; **Horse herd districts**; **Running at large**; See also **FENCES**
Cooperative marketing, See **AGRICULTURAL MARKETING ASSOCIATIONS**
County
  fairs, Title 7, chapter 21, part 34
  inspectors, 7-21-3211 — 7-21-3213, See also **Inspections**
  livestock protective committees, 81-6-101 — 81-6-103
    administration, 81-6-107, 81-6-108
    cooperation with adjoining county, 81-6-107
    deputy, special — recommendation for, 81-6-105
    discontinuance, 81-6-106
    petitions, 81-6-101, 81-6-106
    stockmen's special deputy fund, 81-6-104, 81-6-105
    tax levies, 81-6-101, 81-6-104, 81-6-106
  roads
    control on or near, 7-14-2130
    emergency areas, in, 7-14-2129
    stock lanes, creation, 7-14-2621
  zoning restrictions, protection, 76-2-901 — 76-2-903
Cows
  brucellosis vaccination requirement, 81-2-801
  production records, false representation, 81-8-501, 81-8-502
Crimestoppers Act, Title 81, chapter 6, part 3
Crimestoppers Commission, 2-15-3104
Cruelty to animals, 45-8-211, 81-30-103
Dairies and dairy products, Title 81, chapters 21 — 23, See **DAIRIES AND DAIRY PRODUCTS**
Damages, See **Liability**
Dead or fallen animals, See **Rendering or disposal plants**
Dealers, 81-8-213, See **Markets and marketing**; See also **Hide dealers and buyers**
Deputy stock inspector, 81-6-105, See **Inspections**
Dipping, supervision expenses, 81-2-109, 81-2-704
Disease control, Title 81, chapter 2
  animal health laws, See **Animal health laws**
  areas for, 81-2-301 — 81-2-303
  artificial insemination, fitness of sires, 81-2-403
  authority, 81-2-101, 81-2-105
  brucellosis, 81-2-703, 81-2-801, 81-2-805
  buffalo or bison, 87-1-216, 81-2-120, 81-2-121, 87-3-130

LIVESTOCK (Continued)
Disease control (Continued)

- buildings, destruction when, 81-2-102
- carcasses of animals, disposal, 81-2-108, 81-9-218, 81-9-231
- carriers' facilities, disinfection and cleaning, 81-2-110
- cooperation by public officers, 81-2-106
- county livestock protective committees, duties, 81-6-103, 81-6-105
- departmental powers, 81-1-102, 81-2-102, 87-4-408, 87-4-424
- diseased animals running at large unlawful, 81-2-108, See also **Running at large**
- disinfection
  - carriers' facilities, 81-2-110
  - property, destruction, 81-2-102, 81-2-104
  - supervision expenses, 81-2-109, 81-2-704
- disposal of carcasses, 81-2-108, 81-9-231
- emergencies, 81-2-111, 81-21-104
- expenses, payment, 81-2-109
- federal rules, adoption, 81-2-104
- food, diseased animals as, 50-31-202
- game animal farms, 87-4-408, 87-4-415, 87-4-424
- garbage feeders, Title 81, chapter 2, part 5, See **Garbage feeders**
- general provisions, 81-2-102
- health certificates, See **Importation**, permits and health certificates
- importation of diseased animals, 81-2-703, 87-4-424, 87-5-703, See **Importation**
- indemnity, See **Indemnification**
- injunction, 81-2-111, 81-21-104
- inspections, 81-2-102, 81-2-103, See **Inspections**
- markets, diseased animals in, 81-8-215, 81-8-216
- meat establishments, carcasses or animals, 81-9-218, 81-9-231, 81-9-234
- poultry, 81-20-101, 81-20-102, See also **POULTRY AND EGGS**
- property, destruction, 81-2-102, 81-2-104
- quarantines, See **Quarantines**
- reporting of diseases, 81-2-107
- revenue for, Const., XII, 1
- rules and orders for, 81-2-102 — 81-2-104
- semen, fitness of sires, 81-2-403
- slaughter of animals, See **Indemnification**
- special deputy, duties, 81-6-105
- testing, 81-2-103, 81-2-301
- treatment expenses, 81-2-109
- tuberculin, 81-2-103, 81-2-209, 81-2-601 — 81-2-603, 81-2-703
- vaccination requirements and penalty, 81-2-801, 81-2-805
- veterinarians, Title 37, chapter 18
- violation of provisions, 81-2-113
  - civil liability, 81-2-114
- wild buffalo, 87-1-215

Dispersal sales, 81-8-213, 81-8-260
Disposal plants, See **Rendering or disposal plants**
Districts, See **Cattle protective districts**; **Herd districts**; **Horse herd districts**
- city-county consolidation provisions, nonapplicability, 7-3-1101
- inspectors assigned to, 81-1-204

Dogs — destroying, harassing, or injuring, 7-23-2109, 81-7-401 — 81-7-403
Driving of animals, See **Herding**
Economic development bonds, Title 17, chapter 5, part 15
Eggs, Title 81, chapter 20
Elk, 81-3-201, See **Marks and brands**
Embryo transfers, 37-18-102, 37-18-104
Enforcement, funding, 15-24-921

LIVESTOCK (Continued)

Entry permits, 81-3-214, See also **Importation**
Estrays, Title 81, chapter 4, part 6
  branding, 81-4-604
  determination of ownership, 81-4-601
  expenses, payment, 81-4-605
  penalties for violations, 81-4-621
  sale
    auction, 81-4-603, 81-4-604
    description of estrays sold, publication, 81-4-606
    markets, at, 81-8-262, 81-8-263
    notice, 81-4-603
    proceeds, 81-4-603, 81-8-262, 81-8-263
      disposition, 81-4-605, 81-4-606, 81-8-263
  shipment, 81-4-603
  taking into possession
    authorization, 81-4-602, 81-8-262
    disposition following, 81-4-603, 81-8-263
  unlawful transportation, 81-3-203
  violations, penalties, 81-4-621
Fairs, Title 7, chapter 21, part 34
Farm Animal and Research Facilities Protection Act, Title 81, chapter 30, part 1
Farm mutual insurance companies, See **INSURERS, FARM MUTUAL**
Federal government
  dealers, bond requirements, 81-8-271
  diseased animals, slaughter — compensation, 81-2-201, 81-2-210
  standards, applicability
    dealers, 81-8-231, 81-8-273
    disease control, 81-2-102, 81-2-104
  territory, watering within, 2-1-202, 2-1-209
  veterinary inspectors, 81-1-304
Feed for, Title 80, chapter 9, See **COMMERCIAL FEEDS**
Feedlots, dead animals in, 81-3-215, 81-3-232
Fences, See **FENCES**
Financing statement, See **Security agreements**
Fines, disposition, 81-3-231, 81-4-202, 81-8-216, 81-8-279, See also specific violation under **Violations**
Foot-and-mouth disease, See **Disease control**
Forage, noxious weed seed free provisions, Title 80, chapter 7, part 9, See **WEEDS AND WEED CONTROL**
Forests, national — in, See **Running at large**
Fraudulent changes in marks and brands, See **Marks and brands**
Game animal farms, applicability of livestock laws, 81-3-102, 81-3-201, 87-4-408, 87-4-414, 87-4-415
Garbage feeders, Title 81, chapter 2, part 5
  administration and enforcement of provisions, 81-2-504
  garbage
    airplanes, originating on or removed from, 81-2-510
    cooking or other treatment, 81-2-509
  hearings, 81-2-507, 81-2-508
  injunction, 81-2-511
  inspections, 81-2-504, 81-2-505, 81-2-510
  licenses, 81-2-502
    applications, 81-2-503, 81-2-504
    discrimination in issuance prohibited, 49-3-204
    revocation, 81-2-508
  records, 81-2-505
  restraining orders, 81-2-507

LIVESTOCK (Continued)
Garbage feeders (Continued)

  violations, 81-2-502, 81-2-507, 81-2-511
Good faith
  beef or veal, slaughter for own use, 81-9-112
  county officers, boards, and employees — actions in, 81-4-328, 81-4-515
  registered livestock sales, auctioneers or agents, 81-8-501
  security agreements, collection or payment of money, 81-8-305
Goods, unborn young as, 30-2-105, 30-2-501, 30-9-109
Grazing, Title 76, chapter 16, See **GRAZING DISTRICTS**
Harassment prohibited
  aircraft, 67-1-204, 81-7-506
  snowmobiles, 23-2-633
Health, See **Animal health laws**; **Disease control**; **Importation**, permits and health certificates
Herd districts, See also **Horse herd districts**
  abolishment, 81-4-301, 81-4-304
  creation, size, and location, 81-4-301
  dissolution, 81-4-302
  effective period, 81-4-301, 81-4-305
  exclusion of government land, 81-4-303
  introduction of livestock, penalty, 81-4-309
  joint districts, 81-4-304
  protests, 81-4-301, 81-4-305
  running at large within, penalty, 81-4-306
  trespassing animals
    impounded animals, retrieval — penalty, 81-4-308
    introduction of livestock, penalty, 81-4-309
    retention for damages and keep, 81-4-307
  violations, 81-4-305 — 81-5-309
Herding
  county livestock protective committees, duties, 81-6-103, 81-6-105
  exemption from permit and certificate provisions, 81-3-212
  grazing districts, in vicinity of, 76-16-309
  highways, on, 60-7-204
  liens for labor, Title 71, chapter 3, parts 4 and 12
  snowmobiles, with, 23-2-633
  special deputy, duties, 81-6-105
  unlawful, 81-5-101, 81-5-102
Hide dealers and buyers, Title 81, chapter 9, part 4, See also **Markets and marketing**
  hide certificates, 81-9-401, 81-9-402
    exhibiting, 81-9-111
    falsification, penalty, 81-9-421
  identification tags, affixation and penalty, 81-9-402, 81-9-421
  inspection of hides, 81-9-403
  licenses, 81-9-411
    discrimination in issuance prohibited, 49-3-204
    failure to have, 81-9-422
    revocation, 81-9-412
  mutilation or concealment of hides, 81-9-423
  seizure and sale of hides, 81-9-403
  violations, 81-9-421 — 81-9-423
Hides, See **Hide dealers and buyers**; **Rendering or disposal plants**; **MEAT AND MEAT PRODUCTS**, **Establishments**
Highways, on, See also **HIGHWAYS**
  grazing or herding, 60-7-201 — 60-7-205
  lanes or trails for, 60-4-103
  open range, 60-7-102, 81-4-203, 81-4-501

LIVESTOCK (Continued)

Horse herd districts, See also **Herd districts**
    creation, size, and location, 81-4-322
    definition of horses, 81-4-321
    dissolution, 81-4-323
    liability of officers, 81-4-328
    running at large within, prohibited, 81-4-324
    wrongful entry, 81-4-325 — 81-4-327
Horses, See this main category generally; **HORSES AND HORSERACING; MEAT AND MEAT PRODUCTS**
Hours of employment for laborers, Const., XII, 2
Illegal branding, See **Marks and brands**
Importation
    baby animals, unlawful when, 81-8-401, 81-8-402
    brand inspections, See **Marks and brands**; **Inspections**
    brucellosis vaccination requirement and exemption, 81-2-801
    entry permits, 81-3-214
    game farm animals, 87-4-414, 87-4-415, 87-4-424
    inspections and tests prior to, 81-2-102
    notification to department of revenue, 15-24-905
    permits and health certificates, Title 81, chapter 2, part 7
        citation of animal importation permit and health certificate act of 1981, 81-2-701
        consignment requirements, 81-2-706
        fur farms, applicability, 87-4-1009
        game farm animals, 87-4-414, 87-4-415
        game bird farms, applicability, 87-4-910
        penalty for violations, 81-2-708
        quarantine of animals, 81-2-704
            lien, 81-2-705
        requirements, waiver, and exemptions, 81-2-703
        rulemaking power, 81-2-707
    prohibited when, 81-2-112
    transportation permits, 81-3-214
Impoundment, 7-14-2129, 81-4-308, 81-4-403 — 81-4-410, 81-4-501, See also **Roundup of abandoned horses; Running at large**
Indemnification, Title 81, chapter 2, part 2
    affidavit of ownership and county, 81-2-201, 81-2-204
    appraisal of animals or other property, 81-2-104, 81-2-201, 81-2-204
    buildings, destruction, 81-2-102
    carcasses, sale, 81-2-204, 81-2-208
    claims for indemnity, presentation, 81-2-204
    classification of animals, 81-2-201
    class 2 animals, 81-2-205, 81-2-209
    disease control areas, in, 81-2-301
    federal compensation, 81-2-201, 81-2-210
    federal rules, adoption, 81-2-104
    forfeiture of indemnity, 81-2-210
    funds for, 81-2-203, 81-2-207
    liability, 81-2-201, 81-2-207
    no indemnity when, 81-2-201, 81-2-209
    property other than livestock, 81-2-202, 81-2-204
    required, 81-2-102
    sale of carcass, 81-2-204, 81-2-208
Industry, promotion and protection, 81-1-102, 81-2-102, 81-6-103, 81-6-105, 81-8-212
Infectious diseases, See **Disease control**

LIVESTOCK (Continued)

Injuring or killing
    aerial harassment or injury prohibited, 81-7-506
    brands fraudulently changed, seizure and killing of animal to ascertain mark or brand, 81-3-221 — 81-3-223
    criminal mischief, 45-6-101
        fish and game wardens, enforcement powers, 87-1-504, 87-1-505
    cruelty to animals, 45-8-211, 81-30-103
    diseased animals, See **Indemnification**
    dogs — injuring, harassing, or destroying livestock, 81-7-401 — 81-7-403
    fences, defective — liability, 81-4-103, 81-4-104, See also **FENCES**
    herding upon railroad tracks, 81-5-102
    inspections, during, 81-2-201
    motor vehicles, collision with, 60-7-203
    predators, Title 81, chapter 7, See **PREDATORS AND PREDATOR CONTROL**
    railroads, upon, See **RAILROADS, Livestock protection**
    snare traps, from, 87-1-102, 87-3-107
    stock-killing bears, mountain lions, or bobcats — means of pursuit, 87-3-127
    tattooing of captured wild animals, applicability, 87-1-234
    testing, during, 81-2-201
    trespassing livestock, injury while retained, 81-4-217
Inspections, See also **MEAT AND MEAT PRODUCTS**
    animals injured or killed during, payment for, 81-2-201
    certificate of
        endorsements, 81-3-211
        issuance, 81-3-203, 81-3-211, 81-3-213, 81-8-261
        possession, to be in, 81-3-211, 81-3-231
        receipt for bill of sale, 81-3-210
    change of ownership, prior to, 81-3-204, 81-3-205, 81-3-210 — 81-3-212
    city ordinances, 81-2-105
    county or state line, 81-3-210
    county livestock protective committees, duties, 81-6-103, 81-6-105
    dairy cattle, 81-2-103, See also **DAIRIES AND DAIRY PRODUCTS**
    daylight, to be made in, 81-3-211
    dead or fallen animals, 69-14-712, 81-3-215, 81-3-232, 81-9-313, 81-9-315, 81-9-316
    dealers, 81-8-232, 81-8-273
    disease control, for, 81-2-102, 81-2-103, 81-2-301
    estrays, authority, 81-4-602
        branding, 81-4-604
        sale, 81-4-604, 81-8-262, 81-8-263
        taking into possession, 81-4-602, 81-4-603, 81-8-262, 81-8-263
    exceptions, 81-3-212
    expenses, 81-2-109, 81-2-704, 81-3-205, 81-9-113
    failure to have, 81-3-211, 81-3-231 — 81-3-233
    federal veterinary inspectors, 81-1-304
    feedlots, dead animals in, 81-3-215, 81-3-232
    fees, 81-3-205, 81-3-211, 81-9-113
    food commodities, 81-8-701, 81-8-702
    game farm animals, 87-4-408, 87-4-414, 87-4-415
    garbage feeders' premises and equipment, 81-2-504, 81-2-505, 81-2-510
    grazing districts, trespassing livestock — notice information, 76-16-315
    hide certificates, 81-9-316, 81-9-402
    hides, 69-14-712, 81-9-111, 81-9-112, 81-9-316, 81-9-403
    horse herd districts, horses wrongfully entering, 81-4-326 — 81-4-328
    law enforcement officers, designation as, 81-1-201
    loading and unloading facilities, designation, 81-3-206

LIVESTOCK (Continued)
Inspections (Continued)

- market consignment permits, issuance, 81-3-203
- markets
  - certificate of inspection, 81-8-261
  - certificates of public convenience, 81-8-232
  - fees, 81-3-205
  - reports and records, 81-8-258
  - required, 81-3-231
  - sale without, unlawful, 81-3-211, 81-3-212
- marks and brands, required, 81-3-211, 81-3-213
  - certificates of inspection, inclusion, 81-3-203
  - county road emergency areas, livestock running on, 7-14-2129
  - dead or fallen animals, 69-14-712, 81-3-215, 81-3-232, 81-9-313, 81-9-315, 81-9-316
  - estrays, 81-8-263
  - exceptions, 81-3-212
- meat and poultry inspection act, 81-9-216 — 81-9-220, 81-9-226 — 81-9-236, See **MEAT AND MEAT PRODUCTS**
- penalties for violations, 81-3-231 — 81-3-233
- quarantine of diseased animals, 81-8-215, 81-8-216
- rendering or disposal plants, production of records, 81-9-315
- removal from county, prior to, 81-3-205, 81-3-211, 81-3-231
- removal from state, 81-3-213, 81-3-233
- revenue, Const., XII, 1
- rules and orders, 81-2-102, 81-2-103, 81-3-202
- sanitary conditions, See **Sanitary conditions**
- seizure and sale provisions, 81-3-204, 81-3-221 — 81-3-223, 81-9-403
- stock inspectors, 81-3-201, 81-9-401
  - appointment, 7-21-3211, 81-1-201
    - confidentiality, 7-21-3212
  - compensation, 7-21-3212, 81-1-203, 81-3-205
  - county road emergency areas, livestock running on, 7-14-2129
  - districts, assignment to, 81-1-204
  - duties, 81-1-202, 81-3-203
  - employment, 7-21-3211
  - power, 7-21-3211, 81-1-201
- transportation permits, issuance, 81-3-203, 81-3-214
- trespassing animals, notice, 76-16-315, 81-4-217, 81-4-307
- vehicles, equipment, or other property used in theft of livestock — sale, 81-5-110, 81-5-111
- violations, penalties, 81-3-231 — 81-3-233

Institutions, state — permitted industry, 53-1-301
Insurance, See **INSURANCE, CASUALTY**, generally; **INSURERS, FARM MUTUAL**
Label, Montana quality, Title 81, chapter 8, part 7
Laboratory tests and services, 81-2-102, 81-2-704
Laborers

- hours of employment, Const., XII, 2
- income tax withholding exemption, 15-30-201
- liens of, Title 71, chapter 3, parts 4 and 12
- minimum wage, 39-3-402, 39-3-404
  - exclusions, 39-3-406
- overtime compensation, 39-3-402, 39-3-405
  - exclusions, 39-3-406
- paydays and rate of pay, notice not required, 39-3-203
- unemployment insurance coverage, 39-51-205, See **UNEMPLOYMENT INSURANCE, Agricultural labor**
- workers' compensation coverage exclusions, 39-71-401

LIVESTOCK (Continued)

Liability
  beef promotion and marketing, collection of assessment, 81-8-902
  civil, 81-2-114
  dog owners, of, 81-7-402
  expenses, for, 81-2-109, 81-2-704
  farm animal and research facilities protection, action for damages, 81-30-104
  fence maintenance, for, 81-4-103, 81-4-104
  financial, 81-8-234
  herd districts, trespassing or unlawful introduction, 81-4-307, 81-4-309, 81-4-325
  horses
    retention and sale for damages and care, 81-4-326
    wrongfully in horse herd districts, penalty, 81-4-325
  importation from known disease areas, for, 81-2-112
  indemnity, action by dissatisfied owner, 81-3-223
  officers and employees, of, 81-4-328, 81-4-515
  trespassing stock, for, 81-4-215 — 81-4-217, 81-4-220
Liens upon, See **Security agreements**; **LIENS, Agisters' liens**; **Livestock**; **SECURED TRANSACTIONS, Agricultural products**
Livery
  keepers, liens for labor, Title 71, chapter 3, parts 4 and 12
  stables, 7-21-4204
Livestock Crimestoppers Act, Title 81, chapter 6, part 3
Llamas, 15-1-101, 15-24-921, 15-24-922, 81-4-201, 81-5-101, 81-5-104, See also **Estrays**; **Importation**; **Marks and brands**; **Running at large**; **TAXATION, PROPERTY, Livestock**
Market consignment permits, 81-3-203, 81-3-205, 81-3-211, 81-3-212, 81-3-231
Marketing associations, 35-17-103, See **AGRICULTURAL MARKETING ASSOCIATIONS**
Market release certificates, 81-3-211, 81-3-231
Markets and marketing, Title 81, chapter 8, part 2
  agents for, 81-8-271
  bad checks issued by, penalty, 81-8-235
  baby animals, sales prohibited when, 81-8-401, 81-8-402
  beef promotion, 81-8-901, 81-8-902
  bond requirements, 81-8-271
    appellant, filing, 81-8-255
    noncompliance, 81-8-236
    nonmarket sales, 81-8-214, 81-8-216
    off-premises sales, 81-8-259
  brand and mark inspections, See **Inspections**, marks and brands
  breed or breed association sales, 81-8-213, 81-8-214, 81-8-216
  certificates of public convenience
    appeals, 81-8-255
    applications
      contents, verification, and filing, 81-8-251
      hearings, 81-8-252
    cancellation, 81-8-216, 81-8-254
    discrimination in issuance prohibited, 49-3-204
    failure to have, 81-8-236
    issuance, 81-8-252
    penalties for violations, 81-8-216
    posting, 81-8-232
    required, 81-8-236, 81-8-251
    revocation or suspension, 81-8-235, 81-8-254, 81-8-255
    transfer of ownership, 81-8-253
  certificates for release, 81-3-211, 81-3-231
  citation of livestock marketing act, 81-8-211

LIVESTOCK (Continued)
Markets and marketing (Continued)

- consignment permits, 81-3-203, 81-3-205, 81-3-211, 81-3-212, 81-3-231
- custodial accounts, failure to establish and properly use, 81-8-216
- dealers licenses
  - application and fee, 81-8-271
  - discrimination in issuance prohibited, 49-3-204
  - failure to have, 81-8-236
  - issuance, 81-8-272
  - posting, 81-8-232
  - renewal, refusal, 81-8-273
  - required, 81-8-236, 81-8-271
  - revocation or suspension, 81-8-235, 81-8-274
  - termination, 81-8-275
- definitions, 81-8-213
- departmental duties, 81-8-231
- diseased animals, 81-8-215, 81-8-216
- dispersal sales, 81-8-213, 81-8-260
- enforcement of provisions, 81-8-231
- estrays, See also **Estrays**
  - sale, 81-8-262, 81-8-263
  - shipment to, 81-4-603
- fees, 81-8-256, 81-8-271, 81-8-275, 81-8-276
- financial
  - responsibility, 81-8-234, 81-8-235, 81-8-251, 81-8-273
  - statements, 81-8-276
- hearings, 81-8-235, 81-8-252 — 81-8-254, 81-8-274
- “immediate resale” defined, 81-8-213
- injunction, 81-8-236
- inspections and inspectors, 81-8-261, See also **Inspections**
- institutions, state — permitted industry, 53-1-301
- investigation, 81-8-254
- jurisdiction, 81-8-217
- liability to
  - owners of livestock, 81-8-233
  - secured parties, 81-8-301
- mark and brand inspections, See **Inspections**
- nondelivery of livestock to, 81-3-231
- nonmarket sales, 81-8-214, 81-8-216
- notices, 81-8-235, 81-8-252 — 81-8-255, 81-8-274
- off-premises sales, 81-8-259
- overtime compensation exclusions for laborers, 39-3-406
- ownership of animals unknown, sale of animals, 81-8-262, 81-8-263, See also **Estrays**
- payment for livestock transactions, 81-8-234, 81-8-235
- penalties for violations, 81-8-235, 81-8-279
- posting of certificate or license, 81-8-232
- public convenience and necessity, determination, 81-8-252
- purebred livestock shows and sales, 81-8-503, 81-8-504
- purpose of provisions, 81-8-212
- quarantine of diseased animals, 81-8-215, 81-8-216
- records and reports, 81-8-258, 81-8-273, 81-8-278
- registered livestock, 81-8-501, 81-8-502
- satellite video auction, 81-8-213, 81-8-264, 81-8-265
- security agreements, notices and brands, 81-8-301, See **Security agreements**
- test station sales, 81-8-213, 81-8-214, 81-8-216
- title warranty of livestock sold, 81-8-233
- transportation permits, 81-3-203, 81-3-205, 81-3-211, 81-3-214, 81-3-231

LIVESTOCK (Continued)
Markets and marketing (Continued)

- violations, 81-8-235, 81-8-273, 81-8-274, 81-8-279

Marks and brands, Title 81, chapter 3
- abandoned horses, 81-4-501, See also **Roundup of abandoned horses**
- brand enforcement administrator, 2-15-3104
- county road emergency areas, livestock running on, 7-14-2129
- dead or fallen animals, 69-14-708, 69-14-712, 81-3-215, 81-3-232, 81-9-313, 81-9-315, 81-9-316
- designation and distinguishability, 81-3-103
- estrays, 81-4-601, 81-4-603, 81-4-604
- exclusive use of owner, 81-3-105
- feedlots, dead animals in, 81-3-215, 81-3-232
- fees, 81-2-107
- fraudulent changes
  - hides, on — seizure and sale, 81-9-403
  - killing of animal to ascertain brand, 81-3-221
    - compensation, 81-3-221 — 81-3-223
    - dissatisfied owner, action by, 81-3-223
  - markets, by, 81-8-254
  - registered livestock, 81-8-501, 81-8-502
  - seizure of livestock, 81-3-204, 81-3-221
- game farm animals, 81-3-102, 81-3-201, 87-4-408, 87-4-414
- grazing districts, trespassing livestock, 76-16-311, 76-16-317, See also **GRAZING DISTRICTS, Trespassing livestock**
- herd districts, trespassing livestock, 81-4-307
- hide certificates, information on, 81-9-316, 81-9-402
- histories, research and fee, 81-3-107
- horse herd districts, horses wrongfully entering, 81-4-326, 81-4-327
- horses, 81-3-211
- illegally branding, altering, or obscuring a brand, 45-6-327, 81-1-102, 81-1-202
- impounded livestock, ascertainment, 81-4-408
- inspections and inspectors, 81-3-203, See also **Inspections**
- market consignment permits, inclusion, 81-3-203
- meat establishments, hides, 81-9-112
- position on animal, designation, 81-3-103
- range stock, 81-8-311 — 81-8-315
- recording and records
  - application for, 81-3-103
  - branding without, unlawful, 81-3-102
  - copies and fee, 81-3-107
  - department as recorder, 81-3-101
  - owner of recorded brand, rights, 81-3-105
  - penalty for violations, 81-3-108
  - range stock, possession — records, 81-8-312, 81-8-314
  - rerecording
    - notice for, publication, 81-3-106
    - years for, designation, 81-3-104
  - security agreement notices to be listed, 81-8-301
- registered livestock, 81-8-501, 81-8-502
- rendering or disposal plants, hides, 81-9-313, 81-9-316, 81-9-402
- rules, 81-1-102, 81-3-202
- running at large, 81-4-207
  - branding unlawful when, 81-4-214
  - cities and towns, in, 81-4-404
- running irons prohibited, 81-4-214
- security agreements, recorded brands listed in, 81-8-304
- tattoos, 81-3-211

LIVESTOCK (Continued)
Marks and brands (Continued)

  transportation permits, 81-3-203, 81-3-211
  trespassing livestock, 76-16-311, 76-16-317, 81-4-217, 81-4-307
Meat and Poultry Inspection Act, 81-9-216 — 81-9-220, 81-9-226 — 81-9-236, See **MEAT AND MEAT PRODUCTS**
Migratory, taxation, 15-24-301, 15-24-302, 15-24-905, 15-24-906, 15-24-920
Milk and milk products, Title 81, chapter 23, See **DAIRIES AND DAIRY PRODUCTS**
Minimum wage for workers, 39-3-402, 39-3-404, 39-3-406
Mining operations, protection from, 82-4-202, 82-4-233, 82-4-227, 82-4-231, 82-4-336, 82-4-434
Modification of provisions, 30-1-111
Montana quality label, Title 81, chapter 8, part 7
Moving of animals, See **Herding**; **Transporting and transporters**
Name of ranch, registration, 30-13-112
National forests, in, See **Running at large**
Nonmarket sales, 81-8-214, 81-8-216
Noxious weed management, 7-22-2101, 7-22-2109, See **WEEDS AND WEED CONTROL**
Noxious Weed Management Advisory Council, representation on, 80-7-805
Oil and gas operations, damage to lands, Title 82, chapter 10, part 5
Open range, 60-7-102, 81-4-203, 81-4-501
  abandoned horses on, See **Roundup of abandoned horses**
  dogs, injuring or destroying livestock upon, 81-7-403
  fencing on highway right-of-way, 60-2-208, 60-7-101 — 60-7-103
  grazing adjacent to, 60-7-202
  marks and brands, recording or rerecording required, 81-3-102
  predator control funds, 81-7-104, See also **PREDATORS AND PREDATOR CONTROL**
  running at large upon, See **Running at large**
Ostriches, rheas, and emus, 15-1-101, 15-24-921, 81-2-702, 81-6-302, 87-3-130
Outfitters, care of, 37-47-305
Overtime compensation for workers, 39-3-402, 39-3-405, 39-3-406
Owners and ownership
  actions by, 81-3-223
  butchering livestock or poultry for own use, 81-9-111, 81-9-112, 81-9-218
  change of
    bill of sale requirements, 81-3-210
    inspections prior to, 81-3-205, 81-3-210, 81-3-211
      exceptions, 81-3-212
      seizure of animals, 81-3-204
    seller's responsibilities, 81-3-211
  liability, See **Liability**
  protection of rights and interests, 81-1-102, 81-1-202, 81-4-410
Packinghouses, Title 81, chapter 9, part 2, See **MEAT AND MEAT PRODUCTS**, **Establishments**
Permits, See **Importation**; **Markets and marketing**; **Transportation permits**
Pesticides, affect or harm — penalty, 80-8-306, 80-15-403
Port authorities, purpose, 7-14-1104
Poultry, Title 81, chapter 20, See **POULTRY AND EGGS**
Predator control, Title 81, chapter 7, See **PREDATORS AND PREDATOR CONTROL**
Pregnancy testing, 37-18-102, 37-18-104
Principal and income determinations, 72-34-404, 72-34-409, See also **TRUSTS**, **Principal and income, determination**
Production records, false representation, 81-8-501, 81-8-502
Protective associations, committees, or districts, See **Cattle protective districts**; **County**, livestock protective committees
Public markets, Title 7, chapter 21, part 33
Public nuisance
  fallen fence as, notice and procedure, 81-4-105 — 81-4-108
  male equine animals running at large, as, 81-4-205

LIVESTOCK (Continued)

Purebred livestock shows and sales, expenditures for, 81-8-503, 81-8-504
Quality label, Title 81, chapter 8, part 7
Quarantines
  expenses, payment, 81-2-109, 81-2-704, 81-2-705
  illegal entry, for, 81-2-704
  imposition, 81-2-102
  game farm animals, 87-4-415
  markets, diseased animals in, 81-8-215, 81-8-216
  meat establishments, animals in, 81-9-220
  poultry, 81-20-101, See also **POULTRY AND EGGS**
  rules and orders, 81-2-102, 81-2-103
  transitory cargo, compliance with rules, 81-2-703, 81-2-801
Railroads
  protection provisions, See **RAILROADS, Livestock protection**
  tracks, herding upon — unlawful, 81-5-102
Ranch laborers, liens for labor, Title 71, chapter 3, parts 4 and 12
Rangeland and range management, Title 76, chapters 14 and 16
Rangeland Resources Committee, representation on, 2-15-3305
Range stock, taking possession, See **Running at large**
Recording of marks and brands, See **Marks and brands**
Registered livestock sales, 81-8-501 — 81-8-504
Removal, See also **Inspections**
  from county, 81-3-205, 81-3-211, 81-3-231
  from state, 81-3-213, 81-3-233
Rendering or disposal plants, Title 81, chapter 9, part 3
  dead or fallen animal, 81-9-311 — 81-9-315
  fee, 81-9-301
  hearings, 81-9-303 — 81-9-305
  hides, 81-9-313, 81-9-316
  identification tags, 81-9-312, 81-9-314, 81-9-316
  inspections, 81-9-302, 81-9-313, 81-9-316
  licenses, 81-9-301
    discrimination in issuance prohibited, 49-3-204
    revocation, 81-9-304 — 81-9-306
  meat inspection and establishment provisions, exemption, 81-9-218
  operation, restraining orders, 81-9-303, 81-9-305, 81-9-306
  railroads, disposal of killed livestock, 69-14-712
  records, 81-9-313
    falsification, 81-9-317
    inspection, 81-9-315
    tag numbers, 81-9-314, 81-9-316
  penalty for violations, 81-9-306, 81-9-317
  rules and orders, 81-9-302 — 81-9-304, 81-9-313, 81-9-315
  supervision, control, and inspection, 81-9-302
  tagging of animals, 81-9-314
  transportation, animals not to be removed during, 81-9-315
  violations, 81-9-317, See **Violations**
Repeal of provisions, 30-1-111
Research facilities, protection, Title 81, chapter 30, part 1
Rewards for information about crimes, 81-6-311
Rodent control, Title 7, chapter 22, part 22; Title 80, chapter 7, part 11
Rodeos, See **RODEOS**
Roundup of abandoned horses, Title 81, chapter 4, part 5
  abandonment of horses, unlawful, 81-4-502
  assessment of horses taken in, 81-4-511

LIVESTOCK (Continued)
Roundup of abandoned horses (Continued)

- authorization, 81-4-503
- county officers and employees, 81-4-515, 81-4-516
- district for, 81-4-503, 81-4-505
- expenses, 81-4-503, 81-4-508
- fee, 81-4-509, 81-4-514
- foreman
  - bond requirements, 81-4-505
  - claim of ownership, notice for, 81-4-508
  - delivery of horses, 81-4-506, 81-4-509
  - report, 81-4-513
  - sale of horses, 81-4-506
  - supervision and designation, 81-4-505
- fund, abandoned horse, 81-4-503, 81-4-512, 81-4-514
- gathering horses prior to, unlawful, 81-4-507
- headquarters, 81-4-503, 81-4-505
- notice, form and publication, 81-4-504
- owners of horses
  - claim of ownership, 81-4-508, 81-4-512
  - gathering of horses prior to roundup, 81-4-507
  - proof of ownership, 81-4-509, 81-4-512
  - rights generally, 81-4-502, 81-4-507
  - taxes and penalties, payment, 81-4-509, 81-4-512
- petition for, 81-4-503
- sale of horses, 81-4-506, 81-4-509
  - notice, time, and title, 81-4-510
  - postponement, 81-4-508
- taxes and penalties on horses, 81-4-509, 81-4-512, 81-4-514

Running at large, Title 81, chapter 4, part 2

- abandoned horses, 81-4-502, See also **Roundup of abandoned horses**
- animals enumerated, 81-4-201, 81-4-202, 81-4-306, 81-4-401, 81-4-402
- branding unlawful when, 81-4-214
- castration of animals, 81-4-207, 81-4-212
- cities and towns, in, 81-4-401, 81-4-402
  - city or town council, powers, 7-23-4101
  - impoundment notices
    - contents, 81-4-404, 81-4-408
    - duty to give, 81-4-403
    - service, 81-4-405 — 81-4-407
  - marks and brands, duty to ascertain, 81-4-408
  - owners, duty to ascertain, 81-4-409
  - provisions mandatory, 81-4-410
- county roads, in emergency areas, 7-14-2129
- diseased animals, unlawful, 81-2-108
- estrays, See **Estrays**
- grazing districts, within, Title 76, chapter 16, See **GRAZING DISTRICTS**, **Livestock**; **Trespassing livestock**
- herd districts, in — penalty, 81-4-306
- horse herd districts, within — prohibited, 81-4-324
- horses, abandoned, 81-4-502, See also **Roundup of abandoned horses**
- male equine animals, 81-4-209, 81-4-204
  - castration, 81-4-207
  - killing to prevent injury, 81-4-206, 81-4-208
  - nuisance, as — abatement, 81-4-205
- "open range" defined, 60-7-102, 81-4-203, 81-4-501

LIVESTOCK (Continued)
Running at large (Continued)

- purebred bulls, 81-4-210, 81-4-213
  - castration, 81-4-212
  - female breeding cattle, to accompany, 81-4-211
- range stock, taking possession
  - limitation on period of possession, 81-8-313
  - mortgage, under, 81-8-312
  - process, under, 81-8-311
  - records, 81-8-314
  - sale, 81-8-315
- strays, See **Estrays**
- trespassing stock,
  - forests, marking boundaries of land and mining claims in, 81-4-218
    - methods, 81-4-219
    - right of action against trespassing stock, 81-4-220
  - grazing districts, within, Title 76, chapter 16, See **GRAZING DISTRICTS, Trespassing livestock**
  - liability of owners, 81-4-215
  - planted trees, damage to, 81-4-216
  - retention, 81-4-217

Running irons, 81-4-214
Rustling and rustlers, 81-6-103, 81-6-105, See also **Theft**
Sales, See also **SALES**; **SECURED TRANSACTIONS**

- baby animals, 81-8-401, 81-8-402
- breed or breed association, 81-8-213, 81-8-214, 81-8-216
- carcasses, 81-2-204, 81-2-208; See **MEAT AND MEAT PRODUCTS, Establishments**
- county livestock protective committees, duties, 81-6-103, 81-6-105
- dealers, See **Markets and marketing**
- dispersal, 81-8-213, 81-8-260
- estrays, See **Estrays**
- hides, See **Hide dealers and buyers**
- horses in herd districts, 81-4-326, 81-4-327, See also **Roundup of abandoned horses**
- "immediate resale" defined, 81-8-213
- lien foreclosure, 81-2-109
- markets for, See **Markets and marketing**
- meat establishments, Title 81, chapter 9, part 2, See **MEAT AND MEAT PRODUCTS, Establishments**
- nonmarket, 81-8-214, 81-8-216
- purebred or registered livestock, 81-8-501 — 81-8-504
- range stock running at large, 81-8-315
- security agreements, Title 81, chapter 8, part 3, See **Security agreements**
- seized livestock, 81-3-204
- special deputy, duties, 81-6-105
- test station, 81-8-213, 81-8-214, 81-8-216
- tuberculin, 81-2-601 — 81-2-603
- unborn young as goods, 30-2-105, 30-2-501, 30-9-109
- vehicles, equipment, or other property used to steal livestock, 81-5-110, 81-5-111

Sanitary conditions

- butchers and meat peddlers, 81-2-102, 81-2-109
- cooperation by public officers, 81-2-106
- disease control, for, See **Disease control**
- garbage feeders' premises, 81-2-504
- inspection expenses, payment, 81-2-109
- rendering or disposal plants, 81-9-302
- rules and orders, 81-2-102, 81-2-106, 81-2-504
- slaughter of diseased animals, See **Indemnification**

Satellite video auction, 81-8-213, 81-8-264, 81-8-265

LIVESTOCK (Continued)

Securities transactions, commodities exempt, 30-10-103, 30-10-105
Security agreements, See also **LIENS, Agisters' liens; Livestock**
  applicability of laws, 30-9-203, 30-9-423
  assignments, 81-8-301
  classification as goods, 30-9-109
  computerized filing system, See **SECURED TRANSACTIONS, Filing of financing statement**
  fees, 81-8-304
  money, collection or payment, 81-8-305
  notices, 81-8-301, 81-8-302
  satisfactions, filing, 81-8-301, 81-8-303
Security for cost of keeping and feeding abandoned horses, 81-4-508
Seizure
  animals
    abandoned horses, See **Roundup of abandoned horses**
    marks and brands fraudulently changed, for, 81-3-221 — 81-3-223
    retention and sale, 81-3-204, 81-4-307
  hides, sale, 81-9-403
  vehicles, equipment, and other property used to steal livestock, 81-5-104, 81-5-108 — 81-5-110
Semen, regulation of, Title 81, chapter 2, part 4, See also **Importation**, permits and health certificates
Sheep, See also this main category generally; **MEAT AND MEAT PRODUCTS**
  abandonment, penalty, 81-5-103
  dams, false representation of production records, 81-8-501, 81-8-502
  marks and brands, 81-3-201, See **Marks and brands**
  protective associations, 81-6-101, See **County**, livestock protective committees
  transportation permit system, 81-5-112
  wool laboratory, 20-25-227, 20-25-228
Shipment and shippers, See **Transporting and transporters**
Shows, promotion, 80-1-102
Slaughter, See **Hide dealers and buyers**; **Indemnification**; **Rendering or disposal plants**; **MEAT AND MEAT PRODUCTS**
Snare traps
  injury from, 87-1-102, 87-3-107
  removal, 87-3-507
Snowmobiles, driving or harassing animals with, 23-2-633
Stablekeepers, liens for labor, Title 71, chapter 3, parts 4 and 12
State lands, recreational use
  closure of land when, 77-1-804
  damage claims, 77-1-809
State meat inspection program, Title 81, chapter 9, part 2, See **MEAT AND MEAT PRODUCTS**
Stock inspectors, 81-3-201, 81-9-401, See **Inspections**
Stock lanes, 7-14-2621, 60-4-103
Stock water ponds, See **Water supply**
Stolen, 81-5-104, 81-5-108 — 81-5-111, See also **Theft**
Storage, 7-21-4202
Strays, See **Estrays**
Sustainable agricultural practices, 20-25-233 — 20-25-236
Tattoos, 81-3-211
Taxation, See **PREDATORS AND PREDATOR CONTROL; TAXATION, PROPERTY**
Testing
  animals killed or injured during, payment, 81-2-201
  disease control, for, 81-2-103, 81-2-301
  expenses, payment, 81-2-109, 81-2-704
  rules and orders, 81-2-102
Test station sales, 81-8-213, 81-8-214, 81-8-216

LIVESTOCK (Continued)

Theft
  arrest for, 81-1-202
  county livestock protective committees, duties, 81-6-103
  criminal charges, 45-6-301
  departmental duties, 81-1-102
  inspectors and detectives, See **Inspections**
  prosecution assistance
    county inspector, 7-21-3211
    departmental, 81-1-102
  rustling and rustlers, 81-6-103, 81-6-105
  seizure of animals, 81-3-204
  sheep, transportation permit system to prevent, 81-5-112
  vehicles, equipment, and other property used in
    forfeiture proceedings, 81-5-104, 81-5-108, 81-5-109
    sale, 81-5-110, 81-5-111
    seizure, 81-5-104
Title transfer, interstate shipment, 30-2-401
Transportation permits
  entry permits, 81-3-214
  exceptions, 81-3-212
  fees, 81-3-205, 81-3-211, 81-3-214, 81-5-112
  grazing purposes, for, 81-3-203, 81-3-211
  issuance, 81-3-203, 81-3-211, 81-3-214
  possession, to be in, 81-3-211, 81-3-231
  validity, period of, 81-3-203, 81-3-211
  violations, penalties, 81-3-231, 81-5-112
Transporting and transporters, See also **CARRIERS, Freight carriers**; **MOTOR CARRIERS**; **RAILROADS**
  caretakers, transportation free or at reduced rates, 69-11-208
  county livestock protective districts, duties, 81-6-103, 81-6-105
  disinfection and cleaning of facilities, 81-2-110
  game farm animals, 87-4-408, 87-4-414, 87-4-415
  gross vehicle weight fees, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Gross vehicle weight**
  highway patrol officers' authority, 44-1-1004
  inspections, 81-3-212, See **Inspections**
  interstate shipment, 30-2-401, 81-3-212
  "livestock dealer" defined, 81-8-213
  market consignment permits, 81-3-203, 81-3-205, 81-3-211, 81-3-212, 81-3-231
  permits for, 81-3-203, 81-3-205, 81-3-1211, 81-3-214, 81-3-231
  rendering or disposal plant vehicles and equipment, 81-9-302
  repeal or modification of provisions, 30-1-111
  sheep, permit system rules — violation, 81-5-112
  special deputy, duties, 81-6-105
  stolen livestock, 81-5-104, 81-5-108 — 81-5-111, See also **Theft**
  strays, See **Estrays**, shipment
  uniform commercial code, effect, 30-1-111
  unlawful, 81-5-101, 81-5-102, See also **Herding**
  violations, penalties, 81-3-231, 81-5-112
Trespassing livestock, See **Herd districts**; **Running at large**; **GRAZING DISTRICTS, Trespassing livestock**
Tuberculin, See also **Disease control**
  importation of animals with tuberculosis, 81-2-703
  "milk" defined, 81-22-101
  sale or distribution, 81-2-601 — 81-2-603

LIVESTOCK (Continued)
Tuberculin (Continued)

  slaughter of animals for, 81-2-209, See **Indemnification**
  testing, rules for, 81-2-103
Unborn young, as goods, 30-2-105, 30-2-501, 30-9-109
Unemployment insurance coverage for laborers, 39-51-205, See **UNEMPLOYMENT INSURANCE, Agricultural labor**
Uniform Commercial Code
  effect, 30-1-111
  sales, See **Sales**; **SALES**
  security interests, See **Security agreements**; **SECURED TRANSACTIONS**
University system facilities, 20-25-302
Unlawful practices, See **Violations**
Vaccination requirement, 81-2-301 — 81-2-303, 81-2-801
Veterinarians, Title 37, chapter 18
Video auction market, 81-8-213, 81-8-264, 81-8-265
Violations
  arrest for, 81-1-202
  baby animals, sales when, 81-8-401, 81-8-402
  brucellosis vaccination requirement, penalty, 81-2-805
  county road emergency areas, running on, 7-14-2129
  crimestoppers program, 81-6-313
  dealers, generally, 81-8-235, 81-8-273, 81-8-274, 81-8-279
  disease control areas, stock not gathered or inspected, 81-2-303
  disease control provisions generally, 81-2-113
  diseased animals running at large, 81-2-108
  dogs chasing or running livestock, 81-7-401, 81-7-403
  estrays, 81-3-203, 81-4-621
  farm animal protection, 81-30-103
  feedlots, noninspection of dead animals, 81-3-232
  fines, disposition, 81-3-231, 81-4-202, 81-8-216, 81-8-279, See also specific violation
  garbage feeders, 81-2-502, 81-2-507, 81-2-511
  herd districts
    effective period, change — violations generally, 81-4-305
    introduction of livestock, 81-4-309
    running at large within, 81-4-306
    trespassing animals, 81-4-307, 81-4-308
  herding
    from customary range without owner's permission, 81-5-101
    on highway, when, 60-7-205
    upon railroad tracks, 81-5-102
  hide dealers and buyers
    hide certificates, falsification, 81-9-421
    identification tags, failure to affix, 81-9-421
    licenses
      failure to have, 81-9-422
      revocation upon conviction of violations, 81-9-412
    mutilation or concealment of hides, 81-9-423
  highways, grazing or herding on, 60-7-201, 60-7-203, 60-7-205
  horse herd districts, wrongful entry of horses, 81-4-325
  horses, 81-4-502, 81-4-507
  importation of animals, 81-2-112
    permit and health certificate violations generally, 81-2-708
  inspections, 81-3-211, 81-3-231 — 81-3-233
  investigation, 7-21-3211
    expenses, liability, 81-2-109

LIVESTOCK (Continued)
Violations (Continued)

- markets
  - bad checks issued by, 81-8-235
  - certificates of public convenience, 81-8-216, 81-8-254
  - custodial accounts, failure to establish and properly use, 81-8-216
  - financial responsibility, 81-8-235
  - injunction, 81-8-236
  - jurisdiction of justices' courts, 3-10-303, 81-8-217
  - nonmarket sale provisions generally, 81-8-216
  - penalties, 81-3-231, 81-8-216, 81-8-235
  - quarantine of diseased animal provisions generally, 81-8-216
  - sales, 81-3-211, 81-3-231, 81-4-307
- marks and brands
  - illegally branding, altering, or obscuring a brand, 45-6-327, 81-1-102
  - inspection requirements, 81-3-211, 81-3-231 — 81-3-233
  - penalties, 81-3-108, 81-3-231
  - prosecution, departmental assistance, 81-1-102
  - recording or rerecording, 81-3-102, 81-3-108
  - registered livestock, changed markings, 81-8-501, 81-8-502
  - running at large, branding when, 81-4-214
  - running irons, 81-4-214
- penalties, 81-2-805, 81-3-231 — 81-3-233, 81-4-621, 81-8-216, 81-8-235, 81-8-279, 81-30-105
- prosecution, 81-1-102, 81-6-313, 81-8-705
- registered livestock, sale under false registration, 81-8-502
- removal from state without inspection, 81-3-233
- rendering or disposal plants, 81-9-317
  - licenses, 81-9-301, 81-9-303, 81-9-306, 81-9-315
- research facilities, protection, 81-30-103
- rewards for information about, 81-6-311
- running at large, 81-4-201, 81-4-202
  - branding animals, when, 81-4-214
  - cities and towns, in, 81-4-402
  - diseased animals, 81-2-108
  - herd districts, within, 81-4-306
  - male equine animals, 81-4-204, 81-4-209
  - purebred bulls, 81-4-210, 81-4-213
  - trespassing stock, taking from person retaining, 81-4-217, 81-4-308
- running irons, 81-4-214
- rustling, 81-6-103, 81-6-105
- snare traps, injury from, 87-1-102, 87-3-107
- theft, See **Theft**
- transportation, 81-5-112, 81-3-203, 81-3-231
- tuberculin sale or distribution, provisions generally, 81-2-603
- vaccination requirement, penalty, 81-2-805

Water supply

- adjudication of rights, 85-2-212, 85-2-222, 85-2-234
- appropriation permit exceptions, 85-2-306
- beaverhead river and red rock river basins, partial closure — nonapplicability, 85-2-328
- beaver or muskrat damage to ponds, 87-3-501
- beneficial use of water, 85-2-102
- conservation and development, 85-9-102, See **WATER CONSERVANCY DISTRICTS**; See also **CONSERVATION DISTRICTS**, generally
- county water and/or sewer district projects, 7-13-2218
- dams and reservoirs, purposes, 85-15-115
- federal territory, within, 2-1-202, 2-1-209
- grazing districts, Title 76, chapter 16

LIVESTOCK (Continued)
Water supply (Continued)

- ground water, order for controlled ground water area — preferences, 85-2-507
- jefferson and madison river basins, partial closure — nonapplicability, 85-2-341
- recreational use, landowner permission required, 23-2-302
- state projects for, 85-1-102, See **WATER USE, Projects and works**
- state water for, 85-1-204, 85-1-210
- teton river basin, partial closure — nonapplicability, 85-2-330
- upper clark fork river basin closure, applicability, 85-2-336
- upper missouri river basin, partial closure — nonapplicability, 85-2-343
- water project land leases for grazing, 85-1-803
- water quality districts, water withdrawals within — fee assessment prohibited, 7-13-4523
- yellowstone river appropriations, 85-20-103, 85-20-108, See also **WATER USE, Yellowstone River**

Weed management, 7-22-2101, 7-22-2109, See **WEEDS AND WEED CONTROL**
Wildlife
- importation or introduction provisions, nonapplicability, 87-5-703
- taking to protect livestock, 87-3-130

Wool Laboratory, 20-25-227, 20-25-228
Zoning restrictions, protection, 76-2-901 — 76-2-903

LIVESTOCK, DEPARTMENT OF, 81-1-101; Title 2, chapter 15, part 31
See also **AGRICULTURE**; **ANIMALS**; **EXECUTIVE BRANCH**
Agents, authority, 81-2-101
Agricultural marketing associations, 35-17-103, See **AGRICULTURAL MARKETING ASSOCIATIONS**
Animal health division, licenses issued by, 49-3-204, 81-23-105
Animal Importation Permit and Health Certificate Act of 1981, Title 81, chapter 2, part 7
Brands and marks
- enforcement administrator, 2-15-3104
- recorder, 81-3-101

Civil liability, 81-2-114
Crimestoppers Act, Title 81, chapter 6, part 3
Dairies and dairy products, Title 81, chapters 21 — 23
Disease control, Title 81, chapter 2
- animals running at large prohibited, 81-2-108
- carriers' facilities, cleaning or disinfecting — expenses, 81-2-110
- duty to report and notice, 82-2-107
- expenses, how paid, 81-2-109
- importation prohibited, 81-2-112
- rules
  - adoption, 80-2-103
- federal government, agreement, 80-2-104
- slaughter of diseased animals, indemnification, Title 81, chapter 2, part 2

Estrays, Title 81, chapter 4, part 6
Farm Animal and Research Facilities Protection Act, Title 81, chapter 30, part 1
Fish, Wildlife, and Parks — Department of, cooperation, 81-7-102, 87-1-216, 87-5-716
Fort peck dam territority, enforcement of laws within, 2-1-209
Garbage fed to swine, regulation, Title 81, chapter 2, part 5
Health, local boards — cooperation and assistance, 81-2-106
Herd districts, Title 81, chapter 4, part 3
Hide dealers and buyers, Title 81, chapter 9, part 4
Horses, abandoned — roundup, Title 81, chapter 4, part 5
Importation, regulation, Title 81, chapter 2 part 7
Injunctive remedies, 81-2-111
Inspectors and detectives, Title 81, chapter 1, part 2
Livestock Marketing Act, Title 81, chapter 8, part 2
Marks and brands, Title 81, chapter 3

LIVESTOCK, DEPARTMENT OF (Continued)

Meat and Poultry Inspection Act, 81-9-216 — 81-9-220, 81-9-226 — 81-9-236
Milk and milk products, Title 81, chapter 23
Montana quality label, Title 81, chapter 8, part 7
Municipal corporations, authority, 80-2-105
Municipalities, impoundment of animals in, Title 81, chapter 4, part 4
Penalty for violations, 81-2-113
Poultry and eggs, Title 81, chapter 20
Powers, generally, 81-1-102, 81-2-102
Predator control, Title 81, chapter 7
Public officers, cooperation, 81-2-106
Rabies control, Title 50, chapter 23, part 1
Railroads, livestock injured or killed by — duties, 69-14-710, 69-14-712
Rendering or disposal plants, Title 81, chapter 9, part 3
Reports to governor, Const., VI, 15
Running at large, control, Title 81, chapter 4, part 2
Security agreements, Title 81, chapter 8, part 3
Transportation permits, 81-3-203, 81-3-211, 81-3-214, 81-5-112

LIVING WILLS
Age requirements, 50-9-102, 50-9-103
Cancellation or concealment
  declaration or revocation, 50-9-206
  do not resuscitate identification, 50-10-106
Cardiopulmonary resuscitation, See **Do not resuscitate**
Citation of Montana Rights of the Terminally Ill Act, 50-9-101
Coercion in execution of declaration, 50-9-206
Consent
  do not resuscitate identification — concealment, cancellation, defacement, or obliteration without, 50-10-106
  withholding or withdrawal of treatment, by others, 50-9-106, 50-9-204
Declaration, 50-9-102
  age requirements, 50-9-102, 50-9-103
  cancellation or concealment, 50-9-206
  content, recording, 50-9-201
  effectiveness, 50-9-103
  execution, 50-9-103, 50-9-108, 50-9-206, 50-10-101
    not to be required when, 50-9-205
  falsification, 50-9-206
  forms, 50-9-103, 50-10-107
  insurance, effect on, 50-9-205
  notification to physician, 50-9-103, 50-9-105
  operative when, 50-9-105
  previous, effect, 50-9-108
  reciprocity, 50-9-111
  revocation, 50-9-104
    absence of notice, effect, 50-9-204
  unwillingness by physician to comply, 50-9-103, 50-9-203, 50-9-206
  validity, 50-9-103, 50-9-107
Definitions, 50-9-102
Designees, 50-9-103, 50-9-105, 50-9-204
Documentation, reliable, 50-9-102, 50-9-204
Do not resuscitate, 50-10-101
  adherence to protocol, 50-10-103
  form availability, 50-60-107
  fines, 50-10-106

LIVING WILLS (Continued)
Do not resuscitate (Continued)

- identification, 50-10-101 — 50-10-106
- immunities, 50-10-102
- insurance, effect on, 50-10-104
- order, 50-10-101 — 50-10-103
- penalties, 50-10-106
- protocol, 50-10-101, 50-10-103, 50-10-105
- revocation of identification, 50-10-106
- rules, 50-10-101, 50-10-105
- transfer of patients when, 50-10-103, 50-10-106
- violations, 50-10-106

Effect, reservations on, 50-9-205
Effectiveness, 50-9-103, 50-9-104
Emergency medical services personnel, 50-9-102, 50-10-101
- do not resuscitate provisions, 50-10-101 — 50-10-107
- immunities, 50-9-204, 50-10-102
- protocol, 50-9-102, 50-9-204
- revocation, witness to, 50-9-104

Euthanasia not authorized by, 50-9-205
Execution, 50-9-103
Falsification or forgery
- declaration or revocation, 50-9-206
- do not resuscitate identification, 50-10-106

Fines, 50-9-206, 50-10-106
Forms, 50-9-103, 50-10-107
Fraudulent practices, 50-9-206
Good faith, 50-9-106, 50-9-204
Health care facilities, 50-10-101
- do not resuscitate provisions, 50-10-101 — 50-10-103
- immunities, 50-9-204, 50-10-102
- transfer of patients when, 50-9-105, 50-9-203, 50-10-103

Health care providers, See **Physicians or health care providers**
Homicide, death resulting from not to be
- declaration procedures, 50-9-205
- do not resuscitate protocol, 50-10-104

Identification card or form, 50-9-102
Immunities, 50-9-204, 50-10-102
Insurance, effect on, 50-9-205, 50-10-104
Medical Examiners, Board of, 50-9-102, 50-10-101, 50-10-105
Medical records
- declaration, inclusion, 50-9-103
  - content, recording, 50-9-201
  - revocation, 50-9-104
- do not resuscitate order, 50-10-101
- terminal condition, determination — recording, 50-9-201, 50-9-206

Mercy killing not authorized by, 50-9-205, 50-10-104
Penalties, 50-9-206, 50-10-106
Physicians or health care providers, 50-9-102, 50-10-101
- content, recording, 50-9-201
- designee, physician as, 50-9-103
- do not resuscitate
  - immunities, 50-10-102
  - order, issuance, 50-10-101
- execution of declaration not to be required, 50-9-205
- immunities, 50-9-204, 50-10-102

LIVING WILLS (Continued)
Physicians or health care providers (Continued)

  notification to physician, 50-9-103, 50-9-105
    revocation, of, 50-9-104
  penalties, 50-9-206, 50-10-106
  pregnancy of patient, effect, 50-9-106, 50-9-202
  revocation, witness to and effectiveness, 50-9-104
  terminal condition, determination, 50-9-105, 50-9-106, 50-9-201, 50-9-206
    recording, 50-9-201
  transfer of patients when, 50-9-105, 50-9-203, 50-9-206, 50-10-103, 50-10-106
  validity of declaration, presumption, 50-9-107
  withholding or withdrawal of treatment, 50-9-106, 50-9-204
Pregnancy, effect, 50-9-106, 50-9-202
Protocol, 50-9-102, 50-9-204, 50-10-101, 50-10-103, 50-10-105
Qualified patients, 50-9-102, 50-9-202, 50-9-204
Reciprocity, 50-9-111
Revocation, 50-9-104
  absence of notice, effect, 50-9-204
  concealment or withholding knowledge of, 50-9-206, 50-10-106
  falsification or forgery, 50-9-206
Rights of patients, 50-9-205, 50-10-104
Rulemaking authority, 50-9-110, 50-10-101, 50-10-105
Suicide, death resulting from not to be
  declaration procedures, 50-9-205
  do not resuscitate protocol, 50-10-104
Terminal condition, 50-9-102
  determination, 50-9-105, 50-9-106, 50-9-201, 50-9-206
    recording, 50-9-201
Transfer of patients when, 50-9-105, 50-9-203, 50-9-206, 50-10-103, 50-10-106
Unwillingness by physician to comply, 50-9-103, 50-9-203, 50-9-206, 50-10-103
Validity, 50-9-103, 50-9-107
Violations, 50-9-206, 50-10-106
Withholding of knowledge of revocation, 50-9-206, 50-10-106
Withholding or withdrawal of treatment, consent by others, 50-9-106, 50-9-204
Witnesses, 50-9-103, 50-9-104, 50-9-106

LOANS
  See also **DEBTS, DEBTORS, AND CREDITORS**
Agricultural development, Title 90, chapter 9
Agricultural loan authority program, by or to, Title 80, chapter 12
Agricultural marketing associations, to, 35-17-408
Airport improvement projects, 67-1-301, 67-1-305 — 67-1-307
Banks and trust companies, Title 32, chapter 1
Building and loan associations, Title 32, chapter 2
Coal impact areas, Title 90, chapter 6, part 2
Coal severance tax funds, Title 17, chapter 6, part 3
Commercial lenders, 31-1-112
Community disaster, 10-3-314
Complaint for money lent, form, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 5
Conservation district conservation practice loan program, Title 76, chapter 15, part 5
Conservator's power, 72-5-427
Consolidation, 31-3-203
Consumer loan businesses, Title 32, chapter 5
Contracts, plain language, Title 30, chapter 14, part 11
Contract terms, 31-1-102, 31-1-103, 31-1-106, 31-1-107, 31-1-109
Cooperative associations, power, 35-15-103, 35-15-201
Corporate power, 35-1-115

LOANS (Continued)

Credit cards, See **CREDIT TRANSACTIONS, Credit cards**
Credit unions, Title 32, chapter 3
Currency valuation, effect on repayment, 31-1-102
Debt adjustment, 31-3-203
Deceptive practices, 45-6-317
Defined, 31-1-101, 31-1-308
Development corporations, Title 32, chapter 4
Discrimination
  distribution, in, 49-3-206
  practices, See **DISCRIMINATION, Credit transactions; Financial institutions**
Energy
  conservation loans, 15-32-107
  renewable sources and conservation development, Title 90, chapter 4, part 1
Execution, levy against exempt property to enforce claims for, 25-13-607
Federal assistance program, Title 17, chapter 3, part 1
Guaranty, Title 28, chapter 11, parts 1 and 2
Handicapped persons, telecommunications equipment, 53-19-307
Hard-rock mines impact areas, Title 90, chapter 6, part 3
Health Facility Authority, 90-7-202, 90-7-213, 90-7-220, 90-7-221, 90-7-311, 90-7-317, 90-7-320
Health maintenance organizations, by, 33-31-221
Heritage properties and paleontological remains, 22-3-432
Hospital districts, educational benefits for personnel, 7-34-2122
Housing authorities, municipal, 7-15-4419, 7-15-4502, 7-15-4511
Housing, Board of — authority, 90-6-104, 90-6-108
Industrial development project revenue bonds, loan from proceeds, 90-5-102, 90-5-105, 90-5-106
Industrial development, tax levy for — use limitation, 90-5-112
Insurance
  credit life and disability, Title 33, chapter 21
  life policies, on, 33-2-805; Title 33, chapter 20, part 1
Insurers
  domestic stock and mutual, by, 33-3-431
  farm mutual, investments, 33-4-403
  investments, See **INSURERS ORGANIZATION AND REGULATION GENERALLY, Investments**
  restrictions regarding, 33-18-501
Interest, 31-1-103 — 31-1-109, 31-1-111 — 31-1-113
  principal, as part, 31-1-109, 72-34-404, 72-34-408, See also **TRUSTS, Principal and income, determination**
Irrigation districts, contracts for loans from united states, Title 85, chapter 7, parts 19 — 21
Job investment, Title 17, chapter 6, part 5
Legislators, breach of duty, 2-2-104
Limited liability companies, 35-8-107
Limited partnership, authority, 35-12-510
Mausoleum-columbarium authorities, violation, 35-21-625
Merchant lenders, 31-1-112
Microbusiness development, Title 17, chapter 6, part 4
Milk producers and retailers, prohibitions, 81-23-305
Minors, for educational purposes, 41-1-303
Mint oil, pledge or mortgage as security — calculation and payment of assessment, 80-11-412, 80-11-414
Montana Developmental Center facilities — for acquisition, construction, and equipment, 90-7-220
Montana State Hospital facilities — for acquisition, construction, and equipment, 90-7-221
Mortgages, Title 71, chapter 1, parts 1 and 2
Museum Loan Act, Title 22, chapter 3, part 5
Natural Resources and Conservation, Department of — authority, 85-2-111
Nonprofit corporations, power, 35-2-118, 35-2-213, 35-2-423, 35-2-435
Offenses, 31-1-108

LOANS (Continued)

Partnership not created by, 35-10-202
Pawnbrokers, Title 31, chapter 1, part 4
Penalties, 31-1-108
Personal property, loan of, See **PROPERTY, PERSONAL, Loan for exchange; Loan for use**
Pledges, Title 71, chapter 2
Port authorities, 7-14-1126, 7-14-1133, 7-14-1136
Power of attorney, statutory — authority, 72-31-224, 72-31-225, 72-31-228, 72-31-230
Principal
    determination, 72-34-404, 72-34-408
    interest as part, 31-1-109
Public officers or employees, breach of duty, 2-2-104
Rail authorities, receipt and disbursement, 7-14-1624
Rangeland improvement loan program, Title 76, chapter 14
Regulated lenders, interest exemption, 31-1-106, 31-1-111, 31-1-112
Religious corporations, power, 35-3-205
Renewal, effect on agreed interest rate, 31-1-107
Repayment, 31-1-102, 31-1-109, 31-1-113
Retail installment sales, Title 31, chapter 1, part 2
Science and technology development, Title 90, chapter 3
Secured transactions, applicability of laws, 30-9-201, 30-9-203
Small business loan participations to create jobs, incentives, 17-6-318, 17-6-319
Solid waste management districts, 7-13-236
State agencies, airport improvement or development, 67-1-305 — 67-1-307
State, loans to — use of proceeds, Const., VIII, 11
State-owned buildings, retrofitting, 90-2-141
Statute of limitation, 31-1-108
Telecommunications equipment for the handicapped, 53-19-307
Title insurance for loans secured by interest in property, Title 33, chapter 25
Treasure state endowment program, 90-6-701
Trust beneficiaries, to, 72-34-338
Trust indentures, Title 71, chapter 1, part 3
Uniform Commercial Code, applicability, 30-9-201, 30-9-203, 31-1-106
Usury, 31-1-107, 31-1-108, 31-1-111, 31-1-112, 33-2-1345
Utilities, rural cooperative, 35-18-106
Violations, 31-1-108
Wage brokers, 31-1-303
    amount assigned, restrictions, 31-1-304
    bond, 31-1-301
    filing assignment, 31-1-307
    interest on loan, 31-1-305
    invalid assignment, 31-1-306, 31-1-307
    license, 31-1-301, 31-1-302, 49-3-204
    loan, assignment as, 31-1-308
    notice to employer, 31-1-307
    spouse, consent, 31-1-306
    violations, 31-1-309, 31-1-310
    voided assignment, 31-1-309, 31-1-310
Wastewater treatment works revolving loan program, Title 75, chapter 5, part 11
Water conservancy district directors, authority, 85-9-405
Water development, for, See **WATER USE, Projects and works; Renewable resource grant and loan program**
Water quality districts, 7-13-4517
Workers' compensation state fund reserves, from, 39-71-2321, 39-71-2354, 39-71-2355, 39-71-2503

LOBBYING AND LOBBYISTS
Applicability of provisions, 5-7-101
Business disclosure statements, 2-2-106
Citizens, actions by, 5-7-305
Commissioner, See **Political practices, commissioner of**
Definitions, 5-7-102
Docket, 5-7-102
    contents and preparation, 5-7-201
    lobbyist and principal, names entered, 5-7-201, 5-7-203, 5-7-301
    public record, 5-7-202
    registration, practice without — prohibited, 5-7-301
    termination of lobbyist's employment entry, 5-7-203
    updating, 5-7-204
Elected officials, 5-7-102
    business disclosure statements, filing, 2-2-106
Ethics commission members, prohibited, 2-2-138, 2-2-143
Exemptions from provisions, 5-7-102
Fines, 5-7-103, 5-7-305
Hearings, 5-7-305
Inspection of applications and reports, 5-7-108
Legislature, report to, 5-7-207
License of lobbyist
    application, fee, and waiver, 5-7-103, 5-7-108
    discrimination in issuance prohibited, 49-3-204
    expiration or termination, 5-7-103
    practice without, prohibited, 5-7-105, 5-7-301
    qualifications, 5-7-103
    revocation or suspension, 5-7-105, 5-7-305
Payments, 5-7-102
    failure to report or false statements, 5-7-209
    governmental responses, 5-7-211
    prohibited when, 5-7-209
    reimbursement, 5-7-210
    reports of
        audits, 5-7-212
        filing and contents, 5-7-208
Political practices, commissioner of, 5-7-102
    actions brought by, 5-7-108, 5-7-305
    business disclosure statements, forms and filing, 2-2-106
    docket
        maintained by, 5-7-102
        preparation, 5-7-201
        public record, 5-7-202
    elected officials, disclosure statements — filing, 2-2-106
    evidence, authority concerning, 5-7-212
    judgments filed with, 5-7-305
    legislature, report to, 5-7-207
    licenses, applications and fee, 5-7-103
    noncompliance, notice of, 5-7-108
    principals' payments, reports of
        audits, 5-7-212
        filing, 5-7-208
        retention period, 5-7-208
    rules by, 5-7-111

LOBBYING AND LOBBYISTS (Continued)
Political practices, commissioner of (Continued)

- subpoenas, issuance, 5-7-212
- violations, reporting, 5-7-212

Principals, 5-7-102
- docket
  - contents, 5-7-201
  - lobbyist's name entered on, 5-7-203
  - updating, 5-7-204
- lobbyists, employment prohibited when, 5-7-301
- payments, See **Payments**
- records, 5-7-212
- reports, 5-7-201, 5-7-207, 5-7-208, 5-7-210
  - failure to file or false statements, 5-7-209

Privileges suspended when, 5-7-105
Purpose of provisions, 5-7-101
Records, 5-7-212
Registered lobbyists, report of to legislature, 5-7-207
Registration of lobbyist, See **Docket**
Reinstatement of privileges, 5-7-105
Reports, 5-7-108, 5-7-201, 5-7-207 — 5-7-210
- failure to file, 5-7-103, 5-7-108

Rules, 5-7-111
Unprofessional conduct, 5-7-102, 5-7-302
Violations and penalties, 5-7-108, 5-7-305
- effect, 5-7-105
- principals' reports, failure to file or false statements, 5-7-209
- reporting, 5-7-212

LOCAL CITIZEN REVIEW BOARD PILOT PROGRAM ACT, Title 41, chapter 3, part 10
See **YOUTH COURT**

LOCAL GOVERNMENT
See also **CITIES AND TOWNS**; **COUNTIES**
Accounting methods, alternative
- adoption, 7-6-603
- definition, 7-6-602
- purpose of provisions, 7-6-601
- requirements, 7-6-604

Actions involving, See **CIVIL PROCEDURE**, **Governmental entities, actions involving**; **GOVERNMENT LIABILITY**, **Actions** entries
Administrative procedure and rules, applicability, 2-4-102
Alteration of existing form
- consolidation, city-county
  - ballot requirements, 7-3-188
  - election, requirements, 7-3-149
  - plan, petition requirements, 7-3-141, 7-3-143
- county merger
  - ballot requirements, 7-3-188
  - election, requirements, 7-3-149
  - petition requirements, 7-3-141, 7-3-144
  - recommendations for, 7-3-185
- definitions, 7-3-122
- disincorporation of municipality
  - certificate of and plan for, 7-3-145, 7-3-189
  - petition requirements, 7-3-141, 7-3-145
  - recommendations for, 7-3-185
- effective date, 7-3-156

LOCAL GOVERNMENT (Continued)
Alteration of existing form (Continued)

- election, 7-3-149
  - ballot requirements, 7-3-150, 7-3-151, 7-3-187, 7-3-188, 7-3-192
  - call for, 7-3-125
  - date, 7-3-186, 7-3-187, 7-3-192
  - moratorium, 7-3-155
  - officials, new — for, 7-3-160, 7-3-187
  - procedure, 7-3-124
  - recommendations, on, 7-3-192
  - suboptions, treatment, 7-3-151
- franchises, transfers, 7-3-143, 7-3-144
- governing body
  - approved plan, certification, 7-3-153
  - defined, 7-3-122
  - election, call for, 7-3-125, 7-3-149, 7-3-160
  - new, organization, 7-3-161
  - petition presented to, 7-3-125
  - transition
    - advisory plan for, 7-3-157
    - effect on, 7-3-158
- judicial review, 7-3-154
- moratorium, 7-3-155
- new form of government
  - adoption
    - applicability of provisions, 7-3-193
    - effect, 7-3-152
    - requirements, 7-3-149
  - officials, election, 7-3-160, 7-3-187
  - ordinances and resolutions, existing — effect on, 7-3-159
  - transition to, 7-3-157, 7-3-158, 7-3-193
- notices, 7-3-149
- officials
  - existing, provision for, 7-3-193
  - new, election, 7-3-160
  - transition provisions, 7-3-158
- petition, 7-3-123, 7-3-125
  - filing, 7-3-146
  - judicial review, for, 7-3-154
  - public availability, 7-3-147
  - recommendations contained in, 7-3-141
  - requirements, 7-3-142 — 7-3-145
  - study commission final report, contents, 7-3-187
- plan of government
  - approved, certification and filing, 7-3-153
  - existing, amendments to, 7-3-141, 7-3-142
  - invalidity of adoption when, 7-3-154
  - judicial review, 7-3-154
  - new, adoption — effect, 7-3-152
  - official plan, 7-3-153
  - petition requirements, 7-3-142
  - recommendations for, 7-3-141, 7-3-142
- purpose of provisions, 7-3-121
- recommendations for
  - election on, 7-3-147, 7-3-148, 7-3-192
  - permissible, 7-3-141
  - publication of summary, 7-3-148

LOCAL GOVERNMENT (Continued)
Alteration of existing form (Continued)
  recommendations for (Continued)
    study commissions, by, 7-3-185, 7-3-186
    suboptions, limitations, 7-3-151
  records administrator
    approved plan filed with, 7-3-153
    defined, 7-3-122
    election notices, preparation, 7-3-149
    petition filed with, 7-3-146
  study commissions, See **Study commissions**
  suboptions, treatment, 7-3-151, 7-3-192
  transition provisions
    advisory plan, 7-3-157, 7-3-193
    general, 7-3-157
    personnel, affecting, 7-3-158
Alternative forms, Title 7, chapter 3, See also specific form
  adoption, 7-3-102, 7-3-193; Const., XI, 3
  amendment, 7-3-103, 7-3-104, 7-3-185; Const., XI, 3
  change in
    effect, 7-3-106
    limitation, 7-3-104
  constitution, provision for, Const., XI, 3
    compliance, 7-3-101
  council-mayor form, 7-1-114, 7-3-113
  county manager form, 7-1-114, 7-3-112, 7-4-2211
  elected county official form, 7-1-114, 7-3-111
    change in form, limitation, 7-3-104
  municipal commission-manager form, 7-3-114
  municipal council-mayor form, 7-1-114, 7-3-113
  plan of government, official, 7-3-105
  recommendations for, 7-3-185, 7-3-187, 7-3-192, See also **Study commissions**
  statutory basis, 7-3-111 — 7-3-114
Amendment, 7-3-185
Anticipation notes, Title 7, chapter 6, part 11, See **Notes, tax and revenue anticipation**
Archives of records, 22-3-202, 22-3-203
Asbestos-related occupations or projects, See **ASBESTOS**
Audits, Title 2, chapter 7, part 5
Bankruptcy
  court decrees, compliance, 7-7-133
  declaration, procedure, 7-7-132
  definitions, 7-7-131
  state and state agencies, role, 7-7-134
Boards, districts, or commissions
  establishment, 7-1-201
  duties, assumption by county commissioners, 7-1-203
  new or existing, creation or transition, 7-1-202
Buildings and building codes, energy efficiency measures not to burden, 50-60-801, See **BUILDINGS AND BUILDING REGULATIONS**
Business improvement districts, Title 7, chapter 12, part 11, See **BUSINESS IMPROVEMENT DISTRICTS**
Charter form, Title 7, chapter 3, part 7, See **CHARTER FORM OF GOVERNMENT**
City-county consolidation, Title 7, chapter 3, parts 11 — 13, See **CITY-COUNTY CONSOLIDATION, OPTION ONE; CITY-COUNTY CONSOLIDATION, OPTION TWO**
Claims, See **GOVERNMENT LIABILITY, Actions** entries; **Claims**
Closure of state governmental facilities, requirements, 39-2-1001 — 39-2-1004
Codes, technical, 7-5-107, 7-5-108

LOCAL GOVERNMENT (Continued)

Commission-chairman form, Title 7, chapter 3, part 5, See **COMMISSION-CHAIRMAN FORM OF GOVERNMENT**
Commission-executive form, Title 7, chapter 3, part 2, See **COMMISSION-EXECUTIVE FORM OF GOVERNMENT**
Commission form, Title 7, chapter 3, part 4, See **COMMISSION FORM OF GOVERNMENT**; See also **MUNICIPAL COMMISSION GOVERNMENT**
Commission-manager form, Title 7, chapter 3, parts 3, 43, and 44, See **COMMISSION-MANAGER FORM OF GOVERNMENT**; See also **MUNICIPAL COMMISSION-MANAGER GOVERNMENT**
Commission-mayor form, Title 7, chapter 3, part 2, See **COMMISSION-EXECUTIVE FORM OF GOVERNMENT**
Community service corps program, Title 90, chapter 14, part 1
  advisory council, representation, 90-14-104
Consolidation, Title 7, chapter 3, parts 11 — 13, See **CITY-COUNTY CONSOLIDATION, OPTION ONE; CITY-COUNTY CONSOLIDATION, OPTION TWO**
Correctional facilities, regional, Title 53, chapter 30, part 5
Corrections facilities or programs, community, Title 53, chapter 30, part 3
Council-executive form, Title 7, chapter 3, part 2, See **COMMISSION-EXECUTIVE FORM OF GOVERNMENT**
Council-manager form, Title 7, chapter 3, part 3, See **COMMISSION-MANAGER FORM OF GOVERNMENT**; See also **MUNICIPAL COMMISSION-MANAGER GOVERNMENT**
Council-mayor form, 7-1-114, 7-3-113, See also **COMMISSION-EXECUTIVE FORM OF GOVERNMENT**
County commissioner districts, nonapplicability of provisions when, 7-4-2102
County manager form
  county offices, nonapplicability of provisions, 7-4-2211
  self-government powers, local government with — mandatory provisions, 7-1-114
  statutory basis, 7-3-112
County merger, See **Alteration of existing form**
County official form, See **Elected county official form**
Definitions, 7-5-101, 7-5-108, 7-6-602, 7-6-1101, 7-7-131
Detention centers, See **DETENTION CENTERS**
Discriminatory practices, See **DISCRIMINATION**, generally
Disincorporation of municipality, See **Alteration of existing form**
Drug Abuse Resistance Education (D.A.R.E.) Program, 15-30-158; Title 44, chapter 2, part 7
Duties imposed by state, new, 1-2-112, 1-2-115, 7-5-201
Elected county official form
  self-government powers, local government with — mandatory provisions, 7-1-114
  statutory basis, 7-3-111
Elections, 13-1-104, 13-1-107, 13-1-301, 13-1-302, 13-1-401
  alteration of existing form, See **Alteration of existing form**
  alternative forms, for, 7-3-103, 7-3-104; Const., XI, 3
  initiative and referendum, See **Initiative and referendum**
  review of government and establishing study commissions
    ballot, form, 7-3-175
    majority vote required, 7-3-175
    petition or resolution for, 7-3-173, 7-3-175, 7-3-177
    procedures, 7-3-174
  study commission members, 7-3-176
Emergency hazardous material incidents, response authorities, 10-3-1208, 10-3-1209, 10-3-1216
English, official and primary language, 1-1-510
Establishment by law, Const., XI, 1
Existing form, alteration, See **Alteration of existing form**
Fair Practices, Code of, Title 49, chapter 3, See **DISCRIMINATION**, **Government, state and local**
Federal Mandates Act, Title 2, chapter 1, part 4

LOCAL GOVERNMENT (Continued)

Financial reports, Title 2, chapter 7, part 5
Fiscal impact
  bill restriction, 1-2-114
  estimate required, 5-4-210
Forage, noxious weed seed free provisions, 7-22-2126; Title 80, chapter 7, part 9, See **WEEDS AND WEED CONTROL**
Fraud, waste, or abuse of resources — reporting and recovery of money, 5-13-311, 5-13-312
Governing body
  alteration of existing form, See **Alteration of existing form**
  alternative form, amendment proposed by, 7-3-103
  codes
    ordinances, approval of recodification, 7-5-107
    technical, filing and public availability, 7-5-108
  detention centers, See **DETENTION CENTERS**
  initiative and referendum
    ordinances, effect of enactment or repeal by, 7-5-137
    petition, actions on, 7-5-133, 7-5-135
    resolution for, 7-5-132
    special election called by, 7-5-136
  ordinances and resolutions
    adoption, 7-5-103, 7-5-121
    emergency, 7-5-104, 7-5-108
    form prescribed by, 7-5-103, 7-5-121
    initiative and referendum for, 7-5-132
    recodification, approval, 7-5-107
    reenactment or repeal not allowed when, 7-5-137
    review of government and establishing study commission, for, 7-3-173
    signing, 7-5-103, 7-5-121
    study commissions, composition, 7-3-177
  review of government and establishing study commission
    election, resolution or call for, 7-3-173
    petition, submission to, 7-3-173
  study commissions
    appointment of members, 7-3-176 — 7-3-178
    budget, submission and approval, 7-3-184
    organizational meeting set by, 7-3-179
    reports submitted to, 7-3-190
    veto, to override or confirm, 7-5-106, 7-5-121
Governmental facilities, state — closure or retrenchment requirements, 39-2-1001 — 39-2-1004
Ground water assessment, Title 85, chapter 2, part 9, See **WATER USE, Ground water**
Hazardous wastes, Title 75, chapter 10, See **HAZARDOUS WASTES**
Incentive Awards Advisory Council, 7-4-503, 7-4-504, 7-4-506
Incentive awards program for employees, 7-4-501, 7-4-502
  advisory council, 7-4-503, 7-4-504, 7-4-506
  awards, 7-4-505, 7-4-506
  governing body, powers and duties, 7-4-503 — 7-4-506
Indian Affairs, Committee on — duties concerning, 5-19-108
Infrastructure projects, financing, 17-5-701, 17-5-703, 17-6-316; Title 90, chapter 6, part 7
Initiative and referendum
  electors, submission to, 7-5-133, 7-5-136
  notices, writing required, 7-5-134, 7-5-136
  ordinances, effect of repeal or enactment by, 7-5-137
  petition, 7-5-132
    action on, 7-5-133
    approval or rejection, 7-5-132, 7-5-134

LOCAL GOVERNMENT (Continued)
Initiative and referendum (Continued)
  petition (Continued)
    submission and verification procedures, 7-3-103
    validity and constitutionality, determination, 7-5-135
  resolution for, 7-5-132, 7-5-137
  right of, 7-5-131
  statement of purpose and implication, 7-5-134
Job investment program, Title 17, chapter 6, part 5
Loans to
  airport improvement and development, 67-1-305 — 67-1-307
  economic development, to build infrastructure for location or creation of business, 17-6-316
Megalandfill siting, Title 75, chapter 10, part 9, See **MEGALANDFILL SITING**
Montana State University Local Government Center, purpose and funding, 20-25-237
Municipal commission form, Title 7, chapter 3, part 42, See **COMMISSION FORM OF GOVERNMENT**; See also **MUNICIPAL COMMISSION GOVERNMENT**
Municipal commission-manager form, Title 7, chapter 3, parts 43 and 44, See **COMMISSION-MANAGER FORM OF GOVERNMENT**; See also **MUNICIPAL COMMISSION-MANAGER GOVERNMENT**
Municipal council-mayor form, 7-1-114, 7-3-113, See **COMMISSION-EXECUTIVE FORM OF GOVERNMENT**
Notes, tax and revenue anticipation
  authority for issuance and sale, 7-6-1102
    cumulative, 7-6-1116
  debt limitations of local government, nonapplicability, 7-6-1115
  definitions, 7-6-1101
  form, terms, and conditions, 7-6-1103
  investment of proceeds, 7-6-1102
  issuance and sale, 7-6-1102, 7-6-1103, 20-9-212
  notice of sale required when, 7-6-1103
  payment, 7-6-1112
  principal and interest, 7-6-1102, 7-6-1112
  proceeds, 7-6-1102
  purchase by board of investments, 17-5-1606, 17-5-1608, 17-5-1611
  refunding, 7-6-1105
  renewal, 7-6-1105
  sale, 7-6-1102, 7-6-1103, 17-5-1611, 20-9-212
  security, 7-6-1111
Oil and gas severance tax, 15-36-325
Optional forms, See **Alternative forms**
Ordinances and resolutions
  adoption, 7-5-103, 7-5-108, 7-5-121
    procedures, 7-5-102
  alteration of existing form, 7-3-157, 7-3-159
  alternative forms
    amendment, 7-3-103
    change in, effect, 7-3-106
    commissions established by
      county manager form, 7-3-112
      municipal council-mayor, 7-3-113
      municipal commission-manager form, 7-3-114
  amendment, 7-5-131, 7-5-132, 7-5-136
  codes, adoption by reference, 7-5-107, 7-5-108
  codification, 7-5-103, 7-5-107
  effective date, 7-5-104 — 7-5-106, 7-5-123, 7-5-132
  emergency, 7-5-104, 7-5-108, 7-5-132
  filing or posting, 7-5-103
  fine for violations, 7-5-109, 7-5-4207

LOCAL GOVERNMENT (Continued)
Ordinances and resolutions (Continued)

- form, 7-5-103, 7-5-121
- initiative and referendum
  - effect, 7-5-137
  - proposed by, 7-3-1223, 7-5-131
    - petition, 7-3-1230, 7-3-1231, 7-3-1223, 7-3-1227 — 7-3-1229, 7-5-131, 7-5-132, 7-5-136
- publication, 7-5-107, 7-5-136
- recodification, 7-5-107
- register of ordinances, 7-5-103, 7-5-107
- repeal, 7-5-108, 7-5-131, 7-5-132, 7-5-136, 7-5-137
- review of government and establishing study commission, election for, 7-3-173, 7-3-175, 7-3-177
- self-government consolidated units, operational provisions and procedures, 7-5-201
- signing, 7-5-103, 7-5-121
- study commissions, composition, 7-3-177
- submission, form, 7-5-103, 7-5-121
- veto procedures, 7-5-106, 7-5-122
- violations, penalty, 7-5-109, 7-5-4207

Paddlefish roe as caviar, donation and sale program — representation on advisory committee, 87-4-601
Petitions
- alteration of existing form, See **Alteration of existing form**
- alternative forms, amendment, 7-3-103
- initiative and referendum, See **Initiative and referendum**
- review of government and establishing study commission, election for, 7-3-173, 7-3-175, 7-3-177

Petroleum storage tank releases, cleanup, Title 75, chapter 11, part 3, See **HAZARDOUS WASTES**
Prison industries training program services and products, use, 53-30-131, 53-30-133
Railbed, abandoned — acquisition of ownership or easement, 60-11-111, 60-11-112
Records, archives, 22-3-202, 22-3-203, See also **PUBLIC RECORDS**
Referendum, See **Initiative and referendum**
Residential energy efficiency, Title 50, chapter 60, part 8, See also **BUILDINGS AND BUILDING REGULATIONS**
Resolutions, See **Ordinances and resolutions**
Revenue anticipation notes, See **Notes, tax and revenue anticipation**
Review, Const., XI, 9, See also **Study commissions**
- election for, See **Elections**, review of government and establishing study commission
- purpose of provisions, 7-3-171
- required, Const., XI, 9

Self-government consolidated units, operation, 7-5-201, See **CHARTER FORM OF GOVERNMENT**
Shooting ranges, protection, 76-9-101 — 76-9-105
Small business licensing coordination, Title 30, chapter 16
Solid waste management, state plan — development, 75-10-807
State governmental facilities, closure or retrenchment — requirements, 39-2-1001 — 39-2-1004
State mandates to local governments, 1-2-112, 7-5-201
State program costs, shifting to — prohibited, 1-2-116
Strong mayor form, Title 7, chapter 3, part 41
Student loan program, guaranteed — information concerning delinquent loans, 20-26-1111
Study commissions, Const., XI, 9, See also **Review**
- advisory boards and committees, establishment, 7-3-183
- advisory plan for transition to new government, 7-3-193
- alternative form of government, submission, 7-3-1101, 7-3-1102
- appointment to, 7-3-176 — 7-3-178
- appropriations for, 7-3-184
- candidates, procedures and qualifications, 7-3-176
- community forums to be held, 7-3-182
- compensation of members or staff, 7-3-178, 7-3-183
- composition, 7-3-177
- conduct of business, 7-3-181

LOCAL GOVERNMENT (Continued)
Study commissions (Continued)

- consolidation proposals or plans, submission, 7-3-1101, 7-3-1102
- contracts, 7-3-183
- cooperative studies, 7-3-180, 7-3-185, 7-3-188
- election of members, 7-3-176
- establishment, 7-3-173, See **Elections**, review of government and establishing study commission
- expenses of members or staff, 7-3-178, 7-3-183
- federal funds, application and acceptance, 7-3-184
- final report, 7-3-186, 7-3-187
  - special requirements, 7-3-188, 7-3-189
- financial administration, 7-3-181, 7-3-184
- hearings, 7-3-182, 7-3-186
- information, dissemination, 7-3-182, 7-3-183, 7-3-186
- in-kind services, 7-3-184
- meetings, 7-3-181, 7-3-182
- organization, 7-3-179, 7-3-181
- powers, 7-3-183
- presiding officer, 7-3-179
  - certification of documents, 7-3-193
  - information requested by, 7-3-183
- purpose, 7-3-172, 7-3-182
- quorum, 7-3-181
- recommendations, 7-3-180, 7-3-193
  - election on, 7-3-192
  - legal effect, 7-3-181
  - publication, 7-3-191
  - public discussion, 7-3-182
  - scope, 7-3-185, 7-3-190
- records, 7-3-181, 7-3-187
- reports, 7-3-180
  - final, 7-3-186 — 7-3-189, 7-3-192
  - minority, 7-3-187
  - supplemental, 7-3-190
  - tentative, 7-3-186
- rules, adoption, 7-3-181
- staff, 7-3-183, 7-3-184
- state funds, application and acceptance, 7-3-184
- summary of findings and recommendations, publication, 7-3-191
- tax levy to fund, 7-3-184
- term of members, 7-3-178
- timetable, 7-3-186
- town meeting form of government, agenda for initial meeting, 7-3-605

Tax and revenue anticipation notes, See **Notes, tax and revenue anticipation**
Town meeting form, Title 7, chapter 3, part 6, See **TOWN MEETING FORM OF GOVERNMENT**
Transloading facility, demonstration truck/train — grant for, 7-14-120
Underground storage tanks and installers, Title 75, chapter 11, part 2, See **HAZARDOUS WASTES**
Upper Clark Fork River Basin Steering Committee, representation on, 85-2-338
Voter review, See **Review**
Water pollution, clean-up orders issued to, 75-5-601
Water quality districts, aid, 7-13-4517
Wastewater treatment works revolving loan program, Title 75, chapter 5, part 11, See **WATER QUALITY**
Weapons

- concealed, carrying in government buildings, 45-8-328
- regulation, restrictions, 7-1-111, 45-8-351

Wildlife habitat, acquisition policy — impact analysis, 87-1-241

LOCAL GOVERNMENT (Continued)

Youth correctional facilities, industries programs — goods and services from, 52-5-120, 52-5-121

LOCAL MANAGEMENT OF HISTORIC SITES AND BUILDINGS ACT, Title 22, chapter 3, part 6
  See also **ANTIQUITIES**; **HISTORICAL SOCIETY**

LOITERING
City or town council, powers, 7-32-4304
County market master, duty, 7-21-3322
Highway patrol officers, cause for disciplinary action, 44-1-612
Mentally ill persons, jail alternatives, 53-21-138

LONG ARM STATUTES, Title 25, chapter 20, M.R.Civ.P., Rules 4B, 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
  See also **CIVIL PROCEDURE, Jurisdiction of persons**
Employment agency violations, 39-5-406
Foreign corporations, 35-18-107
Motorists, nonresident, 25-3-601
Subdivisions out-of-state, in-state sales, 76-4-1250
Utilities, foreign rural cooperatives, 35-18-107

LONG-RANGE BUILDING PROGRAM, Title 17, chapter 5, part 4; Title 17, chapter 7, part 2
  See **BONDS AND BOND ISSUES**; **CAPITOL AND OTHER STATE BUILDINGS**

LONG-TERM CARE FACILITIES
  See also **HEALTH CARE FACILITIES**; **HOSPITAL DISTRICTS**, generally; **NURSING HOMES**
Abuse, neglect, or exploitation of patients, 52-3-811
Bill of rights for residents, 50-5-1101 — 50-5-1107, See **Residents' rights**
Bingo games, live — tax and permit fee exemption when, 23-5-406
Blood, furnishing or transfusing — liability, 50-33-102, 50-33-103
Bones, furnishing declared service, 50-33-102
Certificate of need, 50-5-101, 50-5-301, See **HEALTH CARE FACILITIES, Certificate of need**
Community-based services as alternative, 53-6-101, 53-6-401, 53-6-402
Construction of facility, Title 50, chapter 5, parts 1 — 4, See **HEALTH CARE FACILITIES, Construction, alteration, or expansion**
Definitions, 50-5-101, 50-5-301, 50-5-1103, 52-3-602, 52-3-803, 53-6-401
Developmental disabilities, persons with — report of abuse, neglect, or exploitation required, 52-3-811, See **DEVELOPMENTAL DISABILITIES, Abuse, neglect, or exploitation**
Development projects, Title 90, chapter 5, part 1
Disabled persons' parking spaces, permits, 49-4-310
Elderly persons — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Federal aid, See **HEALTH CARE FACILITIES, State medical facility plan**
Fire protection and safety regulations, 50-61-103, See **FIRES AND FIRE PROTECTION**, generally
Health maintenance organization providers, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**
Injunction, 52-3-605
Insurance, long-term care, 33-1-208, 33-20-127, 33-20-128, 33-22-1107
Insurance producers, prohibited relations, 33-17-1107
Intermediate developmental disability care, 50-5-101, 50-5-301, 50-5-302
Keno games, live — tax and permit fee exemption when, 23-5-406
Licensing of facility, 49-3-204, 50-5-101, 50-5-201, 50-5-1107, See also **HEALTH CARE FACILITIES**
Long-term care preadmission screening and resident review, 53-6-401, 53-6-402
Long-Term Care Residents' Bill of Rights, 50-5-1101 — 50-5-1107
Medicaid, See also **PUBLIC ASSISTANCE, Medicaid**
  supplemental payments prohibited, 52-1-104, 53-6-101
  waiver program, 53-6-401, 53-6-402
Negligence in furnishing or performing services for blood or blood products, 50-33-103

LONG-TERM CARE FACILITIES (Continued)

Nutrition services exemption from licensing requirements when, 37-25-304
Ombudsman Services, Office of Legal and Long-Term Care
  abuse, neglect, or exploitation report to, 52-3-811, 52-3-813, 52-3-815
  access to facilities, 52-3-604, 52-3-605
  definitions, 52-3-602
  duties, 52-3-603, 52-3-604
  establishment, 52-3-603
  purpose of provisions, 52-3-601
Operation generally, 50-5-101, 50-5-103
Organs, furnishing declared service, 50-33-102
Parking permits, 49-4-310
Penalties for violation of ombudsman's access to facility provisions, 52-3-605
Personal care facilities, 50-5-101
Preadmission screening and resident review, 53-6-401, 53-6-402
Public assistance, optional county indigent assistance, 53-2-802, 53-2-804
Reform, 53-6-601 — 53-6-603
Residents' rights, 50-5-1103
  abuse, neglect, or exploitation — freedom from and reporting, 50-5-1104
  acknowledgment, statement of rights, 50-5-1105
  administrator of facility
    implementation of rights, 50-5-1104
    statement of rights, duties, 50-5-1105
  advisory councils, resident, 50-5-1104
  advocate for, 52-3-601 — 52-3-605
  authorized representative, 50-5-1103
    notification when, 50-5-1104
    rights and responsibilities devolve to, when, 50-5-1106
    statement of rights, acknowledgment, 50-5-1105
  citation of Montana long-term care residents' bill of rights, 50-5-1101
  definitions, 50-5-1103
  enforcement, 50-5-1107
  enumerated, 50-5-1104
  federal rights, adoption by reference, 50-5-1104
  grievances, provision for, 50-5-1104, 52-3-604
  incompetency of resident, effect, 50-5-1106
  involuntary transfer or discharge, advance notice, 50-5-1104
  legal services, 52-3-601 — 52-3-605
  legislative findings, 50-5-1102
  ombudsman, 50-5-1103, 52-3-602
    abuse, neglect, or exploitation — reports to, 50-5-1104
    access to facilities, 52-3-604, 52-3-605
    duties, 52-3-603, 52-3-604
    services, office of, 52-3-601 — 52-3-605
  protection, 52-3-603
  purpose, 50-5-1102
  statement of rights, 50-5-1105
Senior citizens — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS**, **Abuse, neglect, or exploitation**
Silicosis benefits, representative payee for, 39-73-111
Tax
  exemption when, 15-6-201; Const., VIII, 5
  income tax credit for qualifying elderly care expenses, 15-30-128
Tissues, furnishing declared service, 50-33-102
Utilization reviews, exemption when, 33-32-105

LONG-TERM CARE INSURANCE ACT, Title 33, chapter 22, part 11
  See **INSURANCE, DISABILITY**

LOTTERIES, 7-1-112, 23-5-112, 23-5-151, 23-7-103; Const., III, 9; Title 23, chapter 7
  See **GAMBLING**, **Lotteries generally**; **LOTTERY, STATE**

LOTTERY, STATE
Administration, 23-7-102, 23-7-211, 23-7-212
Advertising, 23-7-211, 23-7-305, 23-7-310
Agents, See **Ticket or chance sales agents**
Appropriations, 23-7-301, 23-7-402
Assignment not allowed
  prizes, right to, 23-7-311
  ticket or chance sales agents, licenses, 23-7-301
Audits, 23-7-110, 23-7-302, 23-7-310, 23-7-410 — 23-7-412
Authorization, 23-7-102; Const., III, 9
Chances, See **Tickets or chances**
Citation of Montana State Lottery Act of 1985, 23-7-101
Commission, 23-7-103, 23-7-201, 23-7-202
  audit reports to, 23-7-410, 23-7-411
  bond requirements, 23-7-211, 23-7-301
  conflict of interest, 23-7-307
  contracts, 23-7-211, 23-7-307
  director, 23-7-202, 23-7-211
  drawings for prizes, conduct and restriction, 23-7-202, 23-7-311
  felony and gambling-related convictions, effect, 23-7-110, 23-7-306
  fingerprints, requirements and submission to, 23-7-306, 23-7-310
  gaming suppliers, 23-7-202, 23-7-307, 23-7-310
  ineligibility for position on, 23-7-110, 23-7-306
  meetings, 23-7-202
  prizes, 15-30-247, 23-7-202, 23-7-311
  rules, 23-7-202, 23-7-211, 23-7-301, 23-7-310, 23-7-311
  sales, 23-7-110, 23-7-301, 23-7-302
  ticket or chance sales agents, 23-7-301
  tickets or chances, 23-7-110, 23-7-202, 23-7-301, 23-7-302
Confidentiality of audit findings when, 23-7-412
Conflict of interest, 23-7-110, 23-7-307, 23-7-310
Constitutional provision, compliance, 23-7-102
Construction of provisions, 23-7-102
Consultant services, 23-7-211, 23-7-212, 23-7-310
Contractors, See **Gaming suppliers**
Contracts, 23-7-110, 23-7-211, 23-7-307, 23-7-310
  state procurement provisions, inapplicability when, 18-4-132
Daily numbers games, 23-7-103
Definitions, 23-7-103
Director, 23-7-103, 23-7-210, 23-7-211
  audit reports to, 23-7-410, 23-7-411
  bond requirements, 23-7-211, 23-7-301
  commission, meetings with, 23-7-202
  conflict of interest, 23-7-307
  contracts, 23-7-211, 23-7-307
  felony and gambling-related convictions, effect, 23-7-110, 23-7-306
  fingerprints required when, 23-7-306
  gaming suppliers, financial interest in — prohibited, 23-7-307
  ineligibility for position as, 23-7-110, 23-7-306

LOTTERY, STATE (Continued)
Director (Continued)

odds, disclosure, 23-7-305
operating expenses, 23-7-202, 23-7-402, 23-7-411
security, assistant director for, 23-7-211, 23-7-212
security of lottery, maintenance, 23-7-211, 23-7-212
study of lotteries, continuing, 23-7-202
supervision, 23-7-202
ticket or chance sales agents, 23-7-211, 23-7-301, 23-7-401
tickets or chances, sale to or purchase by — prohibited, 23-7-110, 23-7-302
violations, reporting, 23-7-212
Drawings for prizes, 23-7-202, 23-7-311, 23-7-411
Employees
audits of security, 23-7-411
background, examination, 23-7-212
conflict of interest, 23-7-110, 23-7-307
drawings for prizes, who may select tickets and examination of equipment, 23-7-311
employment, 23-7-110, 23-7-211, 23-7-306
felony or gambling-related convictions, effect, 23-7-110, 23-7-306
fingerprints required when, 23-7-306
gaming supplier, financial interest in — prohibited, 23-7-110, 23-7-307
ticket or chance sales agents, of — sales by, not required when, 23-7-110, 23-7-301
tickets or chances, sale to or purchase by — prohibited, 23-7-110, 23-7-302
Equipment, 23-7-110, 23-7-211, 23-7-310, 23-7-311, See also **Gaming suppliers**
Establishment, 23-7-202
Fines for violations, 23-7-110
Fingerprint requirements, 23-7-306, 23-7-310
Gambling, forms prohibited or permitted by state law — restrictions on state lottery, 23-7-102, 23-7-103
Games
allowances and prohibitions, 23-7-102
audits of security, 23-7-411
contracts for design and installation, 23-7-211
determination of type and form, 23-7-202
"lottery game" defined, 23-7-103
odds, disclosure, 23-7-305
reports, 23-7-202
Gaming suppliers
audits of security, 23-7-411
background, examination, 23-7-212
contracts, 23-7-110, 23-7-202, 23-7-211, 23-7-310
disclosure requirements, 23-7-110, 23-7-310
financial interest in or by, prohibited, 23-7-110, 23-7-307, 23-7-310
fingerprint requirements, 23-7-310
ticket or chance sales agents, financial interest in — prohibited, 23-7-110, 23-7-310
tickets or chances, sale to or purchase by — prohibited, 23-7-302
Gift enterprise, nonapplicability of provisions, 23-5-112
Hearings, 23-7-301
Inspections, 23-7-301
Instant winner games, 23-7-103
Interstate games, 23-7-202
Investigations, 23-7-301, 23-7-302
Licenses, See **Ticket or chance sales agents**
Materials, 23-7-110, 23-7-211, 23-7-310
Meetings, 23-7-202
Minors, 23-7-110, 23-7-301, 23-7-302
Multistate games, 23-7-202
Odds, disclosure, 23-7-305

LOTTERY, STATE (Continued)

Operating expenses, 23-7-202, 23-7-402, 23-7-411
Operation, 23-7-202, 23-7-211, 23-7-212
Penalties for violations, 23-7-110
Prizes
  audits of security, 23-7-411
  child support, lien on winnings for, 23-7-312
  distribution, 23-7-103
  drawings for, 23-7-202, 23-7-311, 23-7-411
  fraudulent winning, 23-7-110, 23-7-411
  improper influence in winning, 23-7-110
  income tax withholding, 15-30-246, 15-30-247
  number and size, determination, 23-7-202, 23-7-311
  odds, disclosure, 23-7-305
  payment, 23-7-202, 23-7-311, 23-7-401, 23-7-402, 23-7-411
  public drawings, 23-7-202, 23-7-311, 23-7-411
  reports, 23-7-202
  revenue for, 23-7-402
  right to, unassignable, 23-7-311
  unclaimed, 23-7-311, 23-7-401, 23-7-411
Profitability, study for, 23-7-202
Prohibitions or restrictions
  commission, on, 23-7-110, 23-7-202, 23-7-311
  director, on, 23-7-210
  drawings for prizes, who may select tickets, 23-7-311
  employees, on, 23-7-311
  games played, 23-7-102, 23-7-103
  gaming suppliers, financial interest in or by, 23-7-110, 23-7-307, 23-7-310
  minors, sales to or by or purchases by, 23-7-110, 23-7-301, 23-7-302
  sales, 23-7-110, 23-7-301, 23-7-302
Promotion, contracts for, 23-7-211, 23-7-310
Public drawings, 23-7-202, 23-7-311, 23-7-411
Purchase of tickets or chances, 23-7-102, 23-7-110, 23-7-302
Purpose of provisions, 23-7-102
Reports, 23-7-202
Restrictions, See **Prohibitions or restrictions**
Retailers, See **Ticket or chance sales agents**
Revenue, 23-7-202, 23-7-301, 23-7-401, 23-7-402
Rules, 23-7-202, 23-7-211, 23-7-301, 23-7-310, 23-7-311
Salaries, 23-7-210, 23-7-212
Sales of tickets or chances
  credit, on — prohibited, 23-7-302
  minors, 23-7-110, 23-7-301, 23-7-302
  places for, 23-7-301, 23-7-305
  restrictions, 23-7-110, 23-7-302
  revenue, disposition, 23-7-202, 23-7-301, 23-7-401, 23-7-402
  sales agents, by, 23-7-301
Security, 23-7-211, 23-7-212, 23-7-301, 23-7-411, 23-7-412
Security, assistant director for, 23-7-211, 23-7-212
  conflict of interest, 23-7-110, 23-7-307
  felony or gambling-related convictions, effect, 23-7-110, 23-7-306
  fingerprints required when, 23-7-306
  gaming supplier, financial interest in — prohibited, 23-7-307
  ineligibility for position as, 23-7-110, 23-7-306
  statewide classification and pay plans, 2-18-103
Security Division, 23-7-212

LOTTERY, STATE (Continued)

Short title, 23-7-101
Slot machines, operation not allowed, 23-7-102, 23-7-103
Spending authority, 23-7-402
Sports pool games, 23-7-103
State lottery fund, 23-7-311, 23-7-401, 23-7-402, 23-7-410, 23-7-411
Suppliers, gaming, See **Gaming suppliers**
Supplies, contracts for, 23-7-211, 23-7-310
Ticket or chance sales agents
    accounts, 23-7-110, 23-7-301
    audits of security, 23-7-411
    background, examination, 23-7-212, 23-7-301
    bond requirements, 23-7-301
    bonuses, 23-7-202
    commissions, 23-7-202, 23-7-301, 23-7-401, 23-7-402
    conflict of interest, 23-7-110, 23-7-307, 23-7-310
    electronic funds transfer, payment to lottery by, 23-7-301
    employees, sales by — not required when, 23-7-110, 23-7-301
    fee, license, 23-7-301, 23-7-401
    felony or gambling-related convictions, effect, 23-7-110, 23-7-306
    fingerprints required when, 23-7-306
    gaming suppliers, financial interest in or by — prohibited, 23-7-110, 23-7-307, 23-7-310
    hearings, 23-7-301
    incentives, 23-7-202
    incremental sales, 23-7-301
    ineligibility for position as, 23-7-110, 23-7-301, 23-7-306
    inspections, 23-7-301
    licenses, 23-7-211, 23-7-301, 23-7-401
    payments to lottery, how made, 23-7-301, 23-7-401
    places of sale, 23-7-301, 23-7-305
    prizes, payment, 23-7-311, 23-7-401
    records, 23-7-110, 23-7-301
    violations, 23-7-301
Tickets or chances
    audit of security, 23-7-411
    contracts for sale of, 23-7-211
    counterfeiting, audit of security against, 23-7-411
    credit, purchase by — prohibited, 23-7-302
    elected officials' names not to appear on, 23-7-302
    price, 23-7-202, 23-7-302
    purchase, 23-7-102, 23-7-110, 23-7-302
    sales, 23-7-110, 23-7-202, 23-7-301, 23-7-302, 23-7-401, 23-7-402, 23-7-411
    vending machines or electronic devices, 23-7-302, 23-7-311
Unclaimed prizes, 23-7-311, 23-7-411
Violations, 23-7-110, 23-7-202, 23-7-212, 23-7-301
Weekly winner games, 23-7-103

LOWER INCOME, PERSONS OF
    See also **INDIGENT PERSONS**
Alcoholism
    commitment, 53-24-302
    treatment, 41-3-1103, 53-24-108
Community service corps program, Title 90, chapter 14, part 1
County indigent programs, optional, 53-2-801 — 53-2-804
Fish and game violations, hunger as defense, 87-3-129
Home weatherization programs, Title 90, chapter 4, part 2

LOWER INCOME, PERSONS OF (Continued)

Housing authorities, See **HOUSING AUTHORITIES, COUNTY; HOUSING AUTHORITIES, MUNICIPAL**
Housing developments, Title 90, chapter 6, part 1
Human Resource Development Councils, See **HUMAN RESOURCE DEVELOPMENT COUNCILS**
Hunger as defense to fish and game violations, 87-3-129
Maternal and child health services, Title 50, chapter 19, part 3
Mentally ill persons, commitment proceedings, 53-21-116, 53-21-118
MIAMI project, Title 50, chapter 19, part 3
Microbusiness development services, 17-6-407, 17-6-411
Mortgage loans, reverse annuity, Title 90, chapter 6, part 5
Public assistance, eligibility requirements, 53-2-211, 53-4-249, 53-4-605, 53-6-131, See also **PUBLIC ASSISTANCE**
Real estate broker and salesmen licensing provisions, nonapplicability, 37-51-103
Rural housing projects, See **HOUSING AUTHORITIES, COUNTY**
Self-sufficiency trust account, special account for, 53-18-105
Telephone assistance program, Title 69, chapter 3, part 10

M

MACHINE GUN ACT, UNIFORM, 45-8-301 — 45-8-309
See **WEAPONS, Machine guns**

MAJOR FACILITY SITING ACT, Title 75, chapter 20
See **FACILITY SITING**

MALICIOUS PROSECUTION
Governmental liability, 2-9-101, See **GOVERNMENT LIABILITY**
Justice's court, no jurisdiction, 3-10-301

MALPRACTICE
Attorneys at law, 27-2-206, 37-61-301
Barbers, barbershop owners, or barber schools and colleges — cause for refusal, suspension, or revocation of license, 37-30-502
Cosmetologists or manicurists — cause for refusal, suspension, or revocation of license, 37-31-331
Electrologists — cause for refusal, suspension, or revocation of license, 37-32-310
Insurance, See **INSURANCE, CASUALTY, Professional liability**
Legal, 27-2-206, 37-61-301
Medical, See **MALPRACTICE, CHIROPRACTIC; MALPRACTICE, MEDICAL**
Naturopathic physicians, 37-26-404, 37-26-408
Professional corporations, 35-4-403 — 35-4-405

MALPRACTICE, CHIROPRACTIC
See also **MALPRACTICE, MEDICAL; TORTS**, generally
Citation of Montana Chiropractic Legal Panel Act, 27-12-101
Definitions, 27-12-103
Evidence
- decision on, 27-12-602
- documentary, 27-12-308, 27-12-502
- hearings, 27-12-502, 27-12-503
- privilege, effect of waiver for review panel, 27-12-302, 27-12-306
- records, 27-12-702
- review panel decision and deliberations inadmissible, 27-12-703
- statements of fact by chiropractic physicians, 27-12-502

Health maintenance organization enrollees, claims made by, 33-31-303

MALPRACTICE, CHIROPRACTIC (Continued)

Health service corporations, contractees — nonliability, 33-30-304
Insurance, See **INSURANCE, CASUALTY, Professional liability**
Montana Chiropractic Association, duties of executive director, 27-12-201, 27-12-304, 27-12-402, 27-12-404
Professional corporations, liability, 35-4-403 — 35-4-405
Purpose of Montana Chiropractic Legal Panel Act, 27-12-102
Review by panel, 27-12-301, 27-12-702, See also **REMEDIES**; **SPECIAL PROCEEDINGS**
  action prior to decision of panel prohibited, 27-12-301
  administration, 27-12-205, 27-12-206
  answer by chiropractic physician, 27-12-306
  application of claimant, 27-12-301 — 27-12-306, 27-12-402
  assessment on chiropractic physicians, 27-12-206
  audits, 27-12-207
  commencement of claim, 27-12-301
  counsel, 27-12-301, 27-12-306, 27-12-501 — 27-12-503, 27-12-605
  court action prior to decision of panel prohibited, 27-12-301
  decision, 27-12-301, 27-12-602 — 27-12-606, 27-12-702, 27-12-703
  director of panel, 27-12-103, 27-12-201 — 27-12-203
    applications, duties, 27-12-301, 27-12-304, 27-12-305, 27-12-402
    assessment, powers and duties, 27-12-206, 27-12-207
    counsel, appearance — entry, 27-12-306
    evidence, documentary — furnished to panel members, 27-12-308
    excuse of panel member by, 27-12-404
    expert consultants, cooperation in obtaining, 27-12-307
    funding, administration, 27-12-206
    hearing, duties, 27-12-501
    records maintained by, 27-12-702
    rulemaking authority, 27-12-204, 27-12-205
  evidence, 27-12-302, 27-12-306, 27-12-308, 27-12-502, 27-12-503, 27-12-602, 27-12-702, 27-12-703
  expert consultants, 27-12-307
  fees, 27-12-204, 27-12-206
  forms, 27-12-205
  funding, 27-12-206, 27-12-207
  hearing, 27-12-202, 27-12-308, 27-12-501 — 27-12-503, 27-12-601
  jurisdiction of panel, 27-12-105, 27-12-205, 27-12-602
  multiple defendants, 27-12-403
  panel, 27-12-103, 27-12-104, 27-12-205, 27-12-401, 27-12-403
    affidavit for disqualification, 27-12-404
    chairman, 27-12-601, 27-12-604
    evidence, documentary — furnished to, 27-12-308
    facilities, 27-12-202, 27-12-501
    formation, 27-12-401 — 27-12-404
    funding, 27-12-206, 27-12-207
    immunity from liability, 27-12-106
    jurisdiction, 27-12-105, 27-12-205, 27-12-602
    multiple defendants, when, 27-12-403
    notice of hearing, 27-12-501
    offices, 27-12-202
    records, 27-12-202, 27-12-702
    salaries, 27-12-201 — 27-12-203
    scope of authority, 27-12-105, 27-12-205, 27-12-602, 27-12-606
    settlement agreements, approval, 27-12-606
    staff, 27-12-202
    subpoenas, issuance, 27-12-205
    travel expenses, 27-12-203

MALPRACTICE, CHIROPRACTIC (Continued)
Review by panel (Continued)

- privileged information, 27-12-302, 27-12-306, 27-12-603, 27-12-702, 27-12-703
- records, 27-12-202, 27-12-702
- rules, 27-12-204, 27-12-205, 27-12-303
- scope of review, 27-12-105, 27-12-205
- service on chiropractic physician, 27-12-305
- settlement agreements, 27-12-606
- statute of limitation, effect on, 27-12-702
- witnesses, 27-12-106, 27-12-302, 27-12-502, 27-12-503

Settlement agreements, in review proceedings, 27-12-606
Statutes of limitations, 27-2-205, 27-12-702

MALPRACTICE, MEDICAL
See also **MALPRACTICE, CHIROPRACTIC**; **TORTS**, generally
Acupuncturists, cause for disciplinary action, 37-13-311
Blood and blood products, liability for furnishing and transfusions, 50-33-102, 50-33-103
Blood banks, liability concerning, 50-33-104
Citation of Montana Medical Legal Panel Act, 27-6-101
Damages

- future, periodic payment, 25-9-412
- noneconomic, limitations, 25-9-411

Definitions, 27-6-103
Dentists, cause for disciplinary action, 37-4-321
Dimethyl sulfoxide (DMSO), use, 50-42-105
Drug products, liability of prescriber, 37-7-509
Emergency care, liability, 27-1-714
Evidence

- decision on, 27-6-602
- documentary, 27-6-308, 27-6-502
- hearings, 27-6-502, 27-6-503
- privilege, effect of waiver for review panel, 27-6-302, 27-6-306
- professional review committees, 37-2-201
- records, 27-6-703
- review panel decision and deliberations inadmissible, 27-6-704, 37-2-201
- statements of fact by providers, 27-6-502

Good samaritan provisions, 27-1-714, 41-1-405
Health maintenance organization enrollees, claims made by, 33-31-303
Health service corporations, contractees — nonliability, 33-30-304
Insurance, See **INSURANCE, CASUALTY, Professional liability**
Laetrile, use, 50-41-104, 50-41-105
Minors, emergency care to, 41-1-405 — 41-1-407
Optometrists, cause for revocation or suspension of certificate, 37-1-131, 37-10-311, 39-71-316
Physicians, malpractice as unprofessional conduct, 37-3-322
Podiatrists, malpractice as unprofessional conduct, 37-6-310
Professional corporations, liability, 35-4-403 — 35-4-405
Provider's professional society or association

- application of claimant, copy to, 27-6-304, 27-6-402
- members of panel, selection, 27-6-402, 27-6-404

Purpose of Montana Medical Legal Panel Act, 27-6-102
Review by panel, 27-6-301, 27-6-701, 27-6-702, See also generally **REMEDIES**; **SPECIAL PROCEEDINGS**

- action prior to decision of panel prohibited, 27-6-301, 27-6-701, 27-6-702
- administration, 27-6-205, 27-6-206
- answer by provider, 27-6-306
- applicability of laws, 27-6-105
- application of claimant, 27-6-301 — 27-6-306, 27-6-402

MALPRACTICE, MEDICAL (Continued)
Review by panel (Continued)

- assessment on providers, 27-6-206, 27-6-207
- audits, 27-6-206, 27-6-207
- commencement of claim, 27-6-301
- counsel, 27-6-301, 27-6-306, 27-6-501 — 27-6-503, 27-6-605
- decision, 27-6-301, 27-6-602 — 27-6-606, 27-6-701, 27-6-703, 27-6-704
- definitions, 27-6-103
- director of panel, 27-6-201 — 27-6-203
  - applications, duties, 27-6-301, 27-6-304, 27-6-305, 27-6-402
  - assessment, powers and duties, 27-6-206, 27-6-207
  - counsel, appearance — entry, 27-6-306
  - evidence, documentary — furnished to panel members, 27-6-308
  - excuse of panel member by, 27-6-404
  - expert consultants, cooperation in obtaining, 27-6-307
  - funding, administration by, 27-6-206
  - hearings, duties, 27-6-501
  - pretrial review fund, administration, 27-6-206
  - records maintained by, 27-6-703
  - rulemaking authority, 27-6-204
- evidence, 27-6-302, 27-6-306, 27-6-308, 27-6-502, 27-6-503, 27-6-602, 27-6-703, 27-6-704, 37-2-201
- expert consultants, 27-6-307
- fees, 27-6-204, 27-6-206, 27-6-307
- forms, 27-6-205
- funding, 27-6-206, 27-6-207
- hearing, 27-6-202, 27-6-308, 27-6-501 — 27-6-503, 27-6-601
- jurisdiction of panel, 27-6-105, 27-6-205, 27-6-602
- mediation, nonbinding, 27-6-604, 27-6-606
- multiple defendants, 27-6-403
- notice of hearing, 27-6-501
- panel, 27-6-103, 27-6-104, 27-6-205, 27-6-401 — 27-6-404
  - affidavit for disqualification, 27-6-404
  - chairman, 27-6-601, 27-6-604
  - evidence, documentary — furnished to, 27-6-308
  - facilities, 27-6-202, 27-6-501
  - funding, 27-6-206, 27-6-207
  - hearing, extension of time for holding, 27-6-501
  - immunity from liability, 27-6-106
  - jurisdiction, 27-6-105, 27-6-205, 27-6-602
  - multiple defendants, when, 27-6-403
  - notice of hearing, 27-6-501
  - offices, 27-6-202
  - records, 27-6-202, 27-6-703
  - report, annual, 27-6-206
  - salaries, 27-6-201 — 27-6-203
  - scope of authority, 27-6-105, 27-6-205, 27-6-602, 27-6-606
  - settlement agreements, approval, 27-6-606
  - staff, 27-6-202
  - subpoenas, issuance, 27-6-205
  - travel expenses, 27-6-203
- preexisting actions, 27-6-105
- pretrial review fund, 27-6-206
- privileged information, 27-6-302, 27-6-306, 27-6-603, 27-6-703, 27-6-704
- records, 27-6-202, 27-6-703
- rules, 27-6-204, 27-6-303
- scope of review, 27-6-105, 27-6-205
- service on provider, 27-6-305

MALPRACTICE, MEDICAL (Continued)
Review by panel (Continued)

settlement agreements, 27-6-606, 37-3-322
statute of limitation, effect on, 27-6-702
witnesses, 27-6-106, 27-6-302, 27-6-502, 27-6-503
Settlement, 27-6-606, 37-3-322
Statutes of limitations, 27-2-205, 27-6-702
Tissue banks, liability concerning, 50-33-104
Unprofessional conduct, as, 37-3-322, 37-6-310
Veterinarians — cause for refusal, suspension, or revocation of license, 37-18-311

MAMMOGRAPHY EXAMINATIONS, 33-22-132, 33-31-102, 53-6-101

MANDAMUS, WRIT OF
See also **WRITS**
Affidavit, 27-26-201
Alternative writ, 27-26-203, 27-26-204, 27-26-302
Answer, 27-26-302, 27-26-304, 27-26-307
Appeals, 27-26-103; Title 25, chapter 21, M.R.App.P., Rule 7
Applicability of laws, 27-26-103, 27-27-104
Application for writ, 27-26-201, 27-26-202
Availability generally, 27-26-102
Cities and towns
refunding revenue bondholders, enforcement of rights, 7-7-4633
revenue bond provisions, enforcement, 7-7-4429
City or town councils, to compel sufficient tax levy for bond issues, 7-7-4266
Content, 27-26-203
Costs, 27-26-402, 27-26-403
County Commissioners, Board of — to fix and make levy for school debt service fund deficiency, 20-9-439
County general obligation bonds, to compel sufficient tax levy for, 7-7-2266
Damages, 27-26-303, 27-26-402, 27-26-403
Default not permitted, 27-26-401
Defense, 27-26-304, 27-26-403
Denomination, 27-26-101
Enforcement, 27-26-206
Execution for costs and damages, 27-26-402
Facility siting requirements or rules, to enforce, 75-20-404
Fine, 27-26-206
Forest fire hazard reduction or management, enforcement, 76-13-410
Form, 27-26-203
Good faith, defense made in, 27-26-403
Grazing district fees, collection, 76-16-106
Health care facility certificate of need application, for decision, 50-5-302
Health Facility Authority bonds, to enforce, 90-7-304
Hearing, 27-26-301, 27-26-307
Housing authority obligees, remedies, 7-15-4529
Industrial development project bonds, enforcement of payment, 90-5-105
Insurance, commissioner of — action for, 33-1-318
Insurance holding company system determinations, enforcement, 33-2-1123
Irrigation district revenue bonds, resolutions for issuance — enforcement, 85-7-1431
Issue of fact or law, 27-26-303, 27-26-307
Judgment, 27-26-401, 27-26-402; Title 25, chapter 21, M.R.App.P., Rule 7
Jurisdiction
district court, 3-5-302, 3-5-311, 27-26-102; Const., VII, 4
supreme court, 3-2-202, 27-26-102; Const., VII, 2
Jury trial, 27-26-303, 27-26-306
Mandate, writ of — denomination as, 27-26-101
Megalandfill siting requirements or rules, to enforce, 75-10-940

MANDAMUS, WRIT OF (Continued)

Milk price control violations, remedy, 81-23-406
Mining
  metal mine reclamation, enforcement, 82-4-354
  strip and underground mines, enforcement compelled
    reclamation violations, 82-4-252
    siting violations, 82-4-142
Name, 27-26-101
New trial, 27-26-103, 27-26-305, 27-26-306
Notice, 27-26-202, 27-26-204, 27-26-306
Parking commission obligees, enforcement of rights, 7-14-4664
Penalty for noncompliance, 27-26-206
Peremptory writ, 27-26-203, 27-26-204
Public officers, liability, 27-26-403
Recall petition, failure or refusal of officer to file, 2-16-615
Response to answer, 27-26-304
Return, 27-26-301
Securities violations, 30-10-305
Service, 27-26-205
Show cause, 27-26-203
Special improvement district bondholders, enforcement of rights, 7-12-4251
State procurement provisions, nonapplicability, 18-4-131
Stay of proceedings not allowed when, Title 25, chapter 21, M.R.App.P., Rule 7
Supreme court, proceedings in, Title 25, chapter 21, M.R.App.P., Rule 17, See also **SUPREME COURT, Original proceedings in**; **Writs**
Timeshare sales violations, 37-53-505
Trial, 27-26-303, 27-26-306
Utility provisions, compliance, 69-3-110
Water conservation revenue bonds, enforcement of bondholders' or trustees' rights, 85-1-309

MARRIAGE
  See also **HUSBAND AND WIFE**
Abuse, See **ABUSE**; **ASSAULT AND BATTERY, Partner or family member assault**
Acknowledgments
  declaration of marriage, 40-1-311, 40-1-324, 40-2-312
  settlement contracts, 40-2-312
Adoption proceedings, consideration, 40-8-114, 49-1-102, 49-2-308, 49-3-204, 49-3-205
Age of consent, 40-1-202, 40-1-203
Annulment, See **Declaration of invalidity**
Antenuptial contract, See **Contract, antenuptial or postnuptial**
Application for license, See **Licenses**
Application of laws
  contract laws, applicability, 40-1-106
  premarital agreements, 40-2-602
  purpose, effectuation, 40-1-101, 40-1-102
  uniformity with other states, 40-1-102
  validity of marriage contract, 40-1-104
Authentication, See **Declaration of marriage**
Authority to solemnize, 40-1-301
Bigamy
  invalidity, ground for, 40-1-402
  unlawful, 40-1-401, 45-5-611, 45-5-612
Birth of children, legitimacy
  after marriage, 40-6-201
  invalid or prohibited marriages, born of, 40-1-401, 40-1-402
  prior to marriage, when born, 40-1-107, 40-6-203

MARRIAGE (Continued)

Blood tests, See **Licenses**, serological test
Breach of promise, 27-1-602, See also **REMEDIES, Abolished causes of action**
Ceremony, performance of, Title 40, chapter 1, part 3, See **Solemnization**
Certificate of marriage, See also **Licenses**; **Registration**; **VITAL STATISTICS**
  certified copies, 50-15-109, 50-15-111, 50-15-114, 50-15-121, 50-15-122
  contents, 40-1-107, 50-15-109
  evidence, 40-1-322, 50-15-109
  fees, 50-15-111, 50-15-301
  filing, 50-15-109
  form for and completion, 40-1-107, 40-1-301
  hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
  index, 7-4-2619
  information, duty to provide, 50-15-108
  issuance when, 40-1-202
    judicial approval required when, 40-1-213
  penalty for nonregistration or failure to return, 40-1-321
  recording, 40-4-108, 50-15-301
  report concerning, 50-15-301
  violations, 40-1-321, 50-15-114
Children, legitimacy
  after marriage, 40-6-201
  invalid or prohibited marriages, born of, 40-1-401, 40-1-402
  prior to marriage, when born, 40-6-203
Clerk of district court, duties respecting, See **CLERK OF THE DISTRICT COURT**
Cohabitation, defined, 45-2-101, See **COHABITATION**
Common-law marriages
  presumption of marriage, 26-1-602
  validity, 40-1-403
Community property, disposition at death, Title 72, chapter 9, part 1, See **ESTATES AND PROBATE**
Conciliation of controversies, Title 40, chapter 3, See **CONCILIATION**
Confidentiality of premarital examination, penalty for violations, 40-1-208
Consanguinity
  information required when, 40-1-107
  invalidity, ground for, 40-1-402
  prohibited marriages, 40-1-401
  unlawful marriages, 40-1-401, 45-1-205, 45-5-507
Consent
  age of, 40-1-202, 40-1-203, 40-1-213
  form for, 40-1-107
  incapacity to give, 40-1-402
  minors, required for, 40-1-203
  parent or guardian, required of, 40-1-203, 40-1-213, 72-5-103, 72-5-231
  parties, required of, 40-1-103
  serological test, 40-1-203
  validity of marriage, subject to, 40-1-402
Construction
  marriage laws, 40-1-101, 40-1-102
  premarital agreement law, 40-2-602
Consummation, validity of marriage subject to, 40-1-402
Contract, antenuptial or postnuptial, 40-2-303
  estates and probate, waiver of rights, 72-2-224
  premarital agreements, See **Premarital agreements**
  property distribution, 40-2-303, 40-2-311, 40-2-312, 40-2-314, 40-2-315
  settlement contracts, 40-2-311, 40-2-312, 40-2-314, 40-2-315
  statute of frauds, 28-2-903, 40-2-312

MARRIAGE (Continued)

Contract of marriage
  alteration by contract, 40-2-303
  applicability of laws, 40-1-106
  civil contract, marriage as, 40-1-103
  obligations, mutual, 40-2-101
  presumption, 26-1-602
  statute of frauds, 28-2-903
  validity, 40-1-103, 40-1-104
Contract restraining marriage void, 28-2-706, 70-1-404
Contract to marry
  breach of contract generally, 27-1-603
  breach of promise, action abolished, 27-1-602, See also **REMEDIES, Abolished causes of action**
  specific performance unavailable, 27-1-412
Contract upon consideration of marriage, writing required, 28-2-903
Counselors
  conciliation court, appointment for, 40-3-124, 40-3-125
  minors, prerequisite for marriage, 40-1-213
Cousins, first — marriage prohibited, 40-1-401
Debts, Title 40, chapter 2, part 2, See **HUSBAND AND WIFE**
Declaration of invalidity, 50-15-101
  acknowledgment, 40-1-311, 40-1-324
  basis for declaration, 40-1-402
  certificates, 50-15-303
    certified copies, 50-15-109, 50-15-111, 50-15-114, 50-15-121, 50-15-122
    contents, evidence, and filing, 50-15-109
    fees, 50-15-111
    violations, 50-15-114
  children, legitimacy when born of invalid marriage, 40-1-401, 40-1-402
  conciliation proceedings
    effect, 40-3-111, 40-3-127
    petition filed when, 40-3-121
  decree
    grounds for and effective date, 40-1-402
    report to department of health and environmental sciences, 50-15-302
  disability insurance, continued coverage for spouse, See **INSURANCE, DISABILITY, Individual family members continuity of coverage**
  dissolution of marriage provisions, applicability, 40-1-402
  effective date of decree, 40-1-402
  estates and probate, effect on, 72-2-224, 72-2-812, 72-2-814
  exemptions, 40-1-403
  fees and costs, 40-4-110
  grounds for, 40-1-402
  information, duty to provide, 50-15-108
  name of wife, former name restored, 40-4-108
  paternity
    action joined when, 40-6-109
    presumption when, 40-6-105
  premarital agreement, enforcement, 40-2-609
  proceedings
    conciliation proceedings, effect, 40-3-127
    "decree" includes "judgment", 40-1-105
    pleadings, how denominated, 40-1-105
    rules of civil procedure, applicability, 40-1-105
    service of process, 25-3-504, 25-3-505
  prohibited marriages, 40-1-401

MARRIAGE (Continued)
Declaration of invalidity (Continued)

property settlement, 40-4-202
putative spouse, rights regarding, 40-1-404
recording, 50-15-109, 50-15-111, 50-15-114, 50-15-121, 50-15-122, 50-15-303, See also **VITAL STATISTICS**
regulation by state, 40-1-103
report concerning, 50-15-302
rules of civil procedure, applicability, 40-1-105, 40-4-103
statute of limitation, 40-1-402
unknown parties defendant, 25-3-504, 25-3-505, Title 25, chapter 20, M.R.Civ.P., Rule 4D
vital statistics, 50-15-109, 50-15-111, 50-15-114, 50-15-121, 50-15-122, 50-15-303, See also **VITAL STATISTICS**
Declaration of marriage, See also **Registration**; **Solemnization**
contents, 40-1-311
drafting of, persons authorized, 40-1-312
filing and fee, 25-1-201, 40-1-311, 52-6-105
fine for violations, 40-1-313
proof of solemnization when record nonexistent
acknowledgment and filing, 40-1-324
contents, 40-1-323
requirements, 40-1-311
validity, 40-1-403
violation of provisions, 40-1-313
Discrimination due to marital status, See **DISCRIMINATION**
Displaced homemakers, Title 39, chapter 7, part 3, See **DISPLACED HOMEMAKERS**
Dissolution of marriage, Title 40, chapter 4, See **DISSOLUTION OF MARRIAGE**
Divorce, Title 40, chapter 4, See **DISSOLUTION OF MARRIAGE**
Duress as ground for invalidity, 40-1-402
Estates and probate, 72-2-224, 72-2-812, 72-2-814
Evidence of marriage, 26-1-602, 40-1-322, 40-1-324, 50-15-109
hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rules 803, 804
Family law mediation, Title 40, chapter 4, part 3
Family Policy Act, 40-7-101, 40-7-102
Fees
certificates, 50-15-111, 50-15-301
declaration of marriage, 25-1-201
licenses, 25-1-201, 40-1-202, 40-1-311, 50-15-301, 52-6-105
Force as ground for invalidity, 40-1-402
Foreign marriages, validity, 40-1-104
Fraud as ground for invalidity, 40-1-402
Guardians of minors, consent by, 40-1-203, 40-1-213, 72-5-103, 72-5-231
test errors expunged when, 40-1-204
reports, rules for, 40-1-206
serological test approved by, 40-1-206
Husband and wife relationship, Title 40, chapter 2, See **HUSBAND AND WIFE**
Illegal marriages, 40-1-401
Incapacity as ground for invalidity, 40-1-402
Incestuous marriage
invalidity, ground for, 40-1-402
unlawful, 40-1-401, 45-1-205, 45-5-507
Information, duty to provide, 50-15-108
Interpretation, 40-1-103
Invalid marriages, 40-1-401, See also **Declaration of invalidity**
Kinship prohibitions, 40-1-401, See also **Consanguinity**
Legal separation of spouses, Title 40, chapter 4, See **DISSOLUTION OF MARRIAGE**, **Separation agreement**

MARRIAGE (Continued)

Licenses, Title 40, chapter 1, part 2
- age, proof required, 40-1-202, 40-1-203
- application
  - collateral information required, 40-1-202, 40-1-203
  - form and contents, 40-1-107, 40-1-201
  - nonresidents, 40-1-201
- authorization for solemnization, 40-1-201
- birth certificate required, 40-1-203
- confidentiality, penalty for violations, 40-1-208
- county where license must be obtained, 40-1-201
- discrimination in issuance prohibited, 49-3-204
- effective period, 40-1-212
- expenses, administrative, 40-1-209
- fee, 25-1-201, 40-1-202, 40-1-311, 50-15-301, 52-6-105
- fine for violations, 40-1-208
- form for, 40-1-107
- identification to establish age, as, 45-8-206
- issuance, 40-1-202
  - judicial approval required when, 40-1-202, 40-1-213
  - nonresident requirements, 40-1-201, 40-1-205
  - prohibited when, 40-1-210
- liquor or drugs, applicant under influence of — issuance prohibited, 40-1-210
- medical certificate requirements, 40-1-202, 40-1-203
  - contents and form, 40-1-204
  - military personnel or nonresidents, acceptable when, 40-1-205
- minors
  - consent requirements, 40-1-203, 40-1-213
  - judicial approval and counseling required when, 40-1-202, 40-1-203, 40-1-213
- penalties for violations, 40-1-208
- place to obtain, 40-1-201
- premarital examination requirements, 40-1-202, 40-1-203
  - declaration of marriage without solemnization, required for, 40-1-311
  - free examination when, 40-1-207
  - laboratories, approval and reports, 40-1-206
- required for solemnization, 40-1-201
- serological test requirements, 40-1-203 — 40-1-206
- solemnization, license as authorization for, 40-1-107
- time limitation, 40-1-212
- violations and penalty, 40-1-208

Liquor or drugs, applicant under influence of
- invalidity, ground for, 40-1-402
- license, issuance prohibited, 40-1-210

Medical certificate required, See **Licenses**

Mental capacity, validity of marriage subject to, 40-1-402

Minors, See also **Children**
- contract restraining, 28-2-706, 70-1-404
- counseling requirements, 40-1-213
- guardianship, termination, 72-5-233
- invalidity, ground for, See **Declaration of invalidity**
- judicial approval required when, 40-1-202, 40-1-203, 40-1-213
- parental authority ceases when, 40-6-234
- parents or guardian, consent required, 40-1-203, 40-1-213, 40-1-402, 72-5-103, 72-5-231
  - lack of, effect, 40-1-402
- premarital examinations, 40-1-203
- settlement contracts, 40-2-311, 40-2-312, 40-2-314, 40-2-315

MARRIAGE (Continued)

Montana Family Policy Act, 40-7-101, 40-7-102
Nonresidents, requirements, 40-1-201, 40-1-205
Obligations, 40-2-101
Out-of-state marriages, validity, 40-1-104
Parental consent required when, 40-1-203, 40-1-213, 40-1-402
    delegation of power prohibited, 72-5-103
    lack of, effect, 40-1-402
Paternity, presumption when, 40-6-105, 40-6-128
Performance of, Title 40, chapter 1, part 3, See **Solemnization**
Perpetuities, statutory rule against, 72-2-1005
Postmarital agreements, statutory rule against perpetuities, 72-2-1005
Premarital agreements
    amendment, 40-2-607
    application and construction of provisions, 40-2-602
    citation of uniform premarital agreement act, 40-2-601
    content, 40-2-605
    definitions, 40-2-603
    effective when, 40-2-603, 40-2-606
    enforceability, 40-2-608
        consideration, without, 40-2-604, 40-2-607
        when marriage void, 40-2-609
    formalities, 40-2-604
    perpetuities, statutory rule against, 72-2-1005
    revocation, 40-2-607
    statute of limitation, 40-2-610
Premarital examination, See **Licenses**
Prenuptial or postnuptial agreements or contracts, 40-2-303; See **Contract, antenuptial or postnuptial**
Presumption, 26-1-602, 40-1-322
Proceedings, 40-1-105
Prohibited marriages, 40-1-401
    proof marriage not prohibited, required when, 40-1-202
Proof of solemnization, See **Declaration of marriage**
Property of husband or wife, Title 40, chapter 2, part 2, See **HUSBAND AND WIFE**
Proxy, authorization and procedures, 40-1-213, 40-1-301
Purpose of marriage laws, 40-1-101
Putative spouse, status and rights, 40-1-404
Reconciliation of spouses, Title 40, chapter 3, See **CONCILIATION**
Recording, See **Certificate of marriage**; **Declaration of invalidity**, certificates; See also **VITAL STATISTICS**
Registration, See also **Declaration of marriage**; **Solemnization**
    certificate and copy as presumptive evidence of marriage, 40-1-322
    penalty for nonregistration, 40-1-321
Relationship, Title 40, chapter 2, See also **HUSBAND AND WIFE**
    alteration by contract, 40-2-303
    defined or interpreted, 40-1-103
Relatives, See **Incestuous marriage**
Remarriage following dissolution, 40-4-108
Reports
    certificates of marriage, 50-15-301
    laboratory, 40-1-203, 40-1-205 — 40-1-209
Restraint by contract void, 28-2-706, 70-1-404
Retirement system benefits, alternate payees, 19-2-907
Ritual, 40-1-301
Rules of Civil Procedure, applicability, 40-1-105
Separation, Title 40, chapter 4, See **DISSOLUTION OF MARRIAGE**

MARRIAGE (Continued)

Serological test, See **Licenses**
Settlement contracts, 40-2-311, 40-2-312, 40-2-314, 40-2-315
Siblings — marriage of, prohibited, 40-1-401
Solemnization, See also **Declaration of marriage**; **Registration**
  authorization for, 40-1-201
  formal procedures, 40-1-301
  license required, 40-1-201
  officiator, lack of authority — effect, 40-1-301
  penalty for not filing certificate of marriage, 40-1-321
  proxy, authorization and procedures, 40-1-213, 40-1-301
Termination of marriage, Title 40, chapter 4, See **DISSOLUTION OF MARRIAGE**
Uniformity in application of laws, 40-1-102
Uniform Marriage and Divorce Act, Title 40, chapters 1 and 4, See **DISSOLUTION OF MARRIAGE**; **MARRIAGE**
Uniform Premarital Agreement Act, Title 40, chapter 2, part 6
Unlawful marriages, 40-1-401, 45-1-205, 45-5-507, 45-5-611, 45-5-612
Validity
  common-law marriages, 40-1-403
  declaration of marriage, 40-1-403
  invalidity, grounds for, 40-1-402
  person solemnizing, lack of authority, 40-1-301
  prior marriage contracts, 40-1-104
  putative spouses, 40-1-404
  regulation, state — determined by, 40-1-103
Vital statistics, See **Certificate of marriage**; **Declaration of invalidity**, certificates; See also Title 50, chapter 15, part 3, **VITAL STATISTICS**
Voidable, 40-1-401, 40-1-402, See also **Declaration of invalidity**
Workers' compensation, exclusion for employer's spouse, 39-71-401

MASTER AND SERVANT
  See **LABOR AND EMPLOYMENT**, **Personal services contracts**; See also **LABOR AND EMPLOYMENT**, generally

MATERNITY LEAVE, 49-2-310, 49-2-311

MATURE DEFENSIVE DRIVING ACT, 33-16-203, 33-16-221 — 33-16-225

MAUSOLEUMS AND COLUMBARIUMS
  See also **CEMETERIES**
Action from property damage or destruction, 35-21-705
Annual reports, 35-21-612, 35-21-618, 35-21-619
Applicability of laws, 35-21-103, 35-21-202, 35-21-403, 35-21-408
Citation of Mausoleum-Columbarium Act, 35-21-101
City-county consolidated government, authority of director of public works, 7-3-1331
Construction, 35-21-707, 35-21-708, 35-21-710 — 35-21-712
Contract, power to, 35-21-202
Cremation, Title 37, chapter 19, part 7, See also **CREMATORIUMS AND CREMATORY OPERATORS**
  records, 35-21-502
Definitions, 35-21-102, 35-21-614 — 35-21-616
Desecration, 35-21-701 — 35-21-702
Directors, board of, 35-21-102, 35-21-205, 35-21-206, 35-21-404, 35-21-609, 35-21-624
Dissolution, 35-21-406
Endowment care, 35-21-601, 35-21-605 — 35-21-607, 35-21-614, 35-21-622
Endowment care fund, 35-21-601, 35-21-605
  annual report, 35-21-612

MAUSOLEUMS AND COLUMBARIUMS (Continued)
Endowment care fund (Continued)

- charitable contributions, 35-21-614, 35-21-623
- gifts, 35-21-613, 35-21-614, 35-21-622
- income, use, 35-21-603
- investment, 35-21-601, 35-21-603, 35-21-604, 35-21-609, 35-21-618
- loan of fund, 35-21-624, 35-21-625
- principal inviolable, 35-21-602
- trustees, 35-21-608
  - bank or trust company as, 35-21-610
  - compensation, 35-21-611
  - directors of authority as, 35-21-609
  - funds held in name of, 35-21-601
  - loan of funds to, prohibited, 35-21-624, 35-21-625
  - merchandise trust, trustees for, 35-21-626

Endowment care mausoleum-columbarium, 35-21-615, 35-21-617 — 35-21-619, 35-21-621
Exemptions from provisions, 35-21-103
Highways through property, 35-21-409
Incorporation, 35-21-201, 35-21-204
Indebtedness, right to incur, 35-21-202
Interference with funerals or interment, 35-21-704
Interments, regulation, 35-21-212, See also **Right of interment**
Landscaping, 35-21-211, 35-21-622, 35-21-704
Liabilities

- interment, authorization for — person signing, 35-21-302
- interment costs, 35-21-301
- mausoleum-columbarium authority, 35-21-303, 35-21-304
- vandalism, 35-21-704, 35-21-705

Loan of funds, 35-21-624, 35-21-625
Merchandise trust fund, 35-21-626
Monuments, markers, and structures — regulation, 35-21-209, 35-21-210
Motor vehicles, gross vehicle weight fee exemption, 61-10-214
Nonendowment care mausoleum-columbarium, 35-21-616, 35-21-620, 35-21-621
Notices

- dedication of property for interment purposes, 35-21-405
  - removal, 35-21-410, 35-21-411
- multiple owners, designation of representative, 35-21-432
- removal of remains, application for, 35-21-306

Peace officer, person in charge has authority of, 35-21-216
Personal conduct, regulation, 35-21-213
Plants and shrubs, 35-21-211, 35-21-622, 35-21-704
Plots, 35-21-102

- descent upon death of owner, 35-21-421, 35-21-423
- endowment care, See **Endowment care** entries
- family plot, 35-21-424 — 35-21-426
- inalienable when, 35-21-424
- indivisible, separate conveyed plots, 35-21-414
- interments, regulation, 35-21-212, See **Right of interment**
- joint tenancy, 35-21-429 — 35-21-431
- multiple owners, 35-21-432
- property rights of owner, 35-21-418, 35-21-423
- records, 35-21-501 — 35-21-503
- rules for, 35-21-214, 35-21-412
- sale, 35-21-307, 35-21-412, 35-21-413, 35-21-415, 35-21-416, 35-21-428

Powers of corporation, 35-21-202 — 35-21-204
Preexisting corporations, 35-21-103, 35-21-203, 35-21-407

MAUSOLEUMS AND COLUMBARIUMS (Continued)

Property, See also **Plots**
  acquisition, 35-21-217
  damage, 35-21-704 — 35-21-706
  dedication
    completion, 35-21-403
    effect, 35-21-406, 35-21-409
    encumbrance subordinate to, 35-21-407
    filing, 35-21-402
    notice, as, 35-21-405
    perpetuities, does not violate, 35-21-408
    removal, 35-21-410, 35-21-411
    sale of plots, 35-21-412
  encumbrance, 35-21-202, 35-21-407
  endowment care, See **Endowment care** entries
  gift, 35-21-217, 35-21-622
  inheritance tax exemption, 35-21-422
  plat or map, 35-21-401 — 35-21-405, 35-21-412
  resurvey, 35-21-404
  use limited, 35-21-208
Purposes of corporation
Railroads through property, 35-21-409
Records, 35-21-501 — 35-21-503
Remains, 35-21-102, 35-21-404, 35-21-703
  disposition, 35-21-301 — 35-21-304, 35-21-417
  removal, 35-21-305 — 35-21-307, 35-21-410, 35-21-421, 35-21-701, 35-21-702, 50-15-405
Right of interment
  affidavits, 35-21-423, 35-21-431
  family plot, 35-21-425, 35-21-426
  joint tenants, 35-21-429 — 35-21-431
  multiple owners, 35-21-432
  records, 35-21-501 — 35-21-503
  rules for, 35-21-214
  spouse, 35-21-419, 35-21-420
  termination, 35-21-427
  vested right, limitation, 35-21-433
Roads through property, 35-21-409
Rules, 35-21-207, 35-21-214, 35-21-216, 35-21-412, 35-21-706
  publication, 35-21-215
Secretary, 35-21-609
Sexton, 35-21-216
Short title, 35-21-101
Special care funds, 35-21-601, 35-21-624, 35-21-625
Statute of limitation on actions against, 35-21-304
Streets through property, 35-21-409
Taxation
  inheritance tax exemption, 35-21-422
  property tax exemptions, 15-6-201, 35-21-403; Const., VIII, 5
Trusts, 35-21-622, 35-21-624 — 35-21-626, See also specific fund
Utilities, installation through property, 35-21-409
Vandalism, 35-21-704, 35-21-705
Violations, 35-21-713
  construction violations, 35-21-712
  disposition of remains with particular authority, commission or rebate for, 35-21-417
  endowment care, violations generally, 35-21-621
  incorporation, operation without, 35-21-201

MAUSOLEUMS AND COLUMBARIUMS (Continued)
Violations (Continued)

  loan of funds, illegal, 35-21-625
  plots, sale
    commission or rebate, for, 35-21-416
    resale or profit, for, 35-21-415
  property, damage or destruction, 35-21-704, 35-21-705
  remains
    attachment or detention, 35-21-703
    mutilation or unauthorized removal, 35-21-702
    sale or dissection, for, 35-21-701

MAXIMS OF JURISPRUDENCE, Title 1, chapter 3
  See **LAW**

MAYORS
  See also **CITY OFFICERS**; **PUBLIC OFFICERS OR EMPLOYEES**
Absence, 7-3-4221
Administrative
  assistants, 7-3-4101, 7-3-4102
  powers, 7-5-4102
Annexation
  approval, 7-2-4201
  map or plat, approval, 7-2-4203
Appraisers, appointment when, 7-14-4201
Attachment of property, service on mayor, 27-18-406
Bond, official, — statement for release of surety filed with, 2-9-523, See also **SURETY BONDS**, **City officers and employees**; **Official bonds**
Bonds, signing, 7-7-4255, 7-12-4203, 7-12-4342, 7-31-112
Books and accounts, inspection by, 7-6-4105
Budget
  commerce, department of — notification of failure to receive, 7-6-4233
  estimates, 7-6-4221
  preparation, 7-2-4101
Budget and finance director, powers relating to, 7-3-4101, 7-3-4102
Business improvement districts, appointing authority, 7-12-1103, See **BUSINESS IMPROVEMENT DISTRICTS**
Bylaws, approval, 7-5-4201
Chief executive officer of city or town, mayor as, 7-4-4114, See also **CITIES AND TOWNS**, **Chief executive**
Citizens, powers relating to, 7-4-4303, 7-4-4304
City attorney, powers relating to, 7-4-4602, 7-4-4604
City courts, substitute justice or judge — mayor may call when, 3-11-203
City, governed by, 7-3-4205, See also **MUNICIPAL COMMISSION GOVERNMENT**, **Mayor**
City marshal, appointment, 7-4-4103, 7-32-301, 7-32-302
City officers and personnel
  appointment, 7-3-4101, 7-4-4101 — 7-4-4103, 7-4-4303
  powers relating to, 7-3-4101, 7-4-4303
City or town councils
  meetings called by, when, 7-5-4102, 7-5-4122
  powers regarding, 7-3-4252, 7-5-4102
  presiding officer, 7-3-4221, 7-5-4102
Claims, warrants for, 7-6-4302
Commission-chairman form of government, Title 7, chapter 3, part 5, See **COMMISSION-CHAIRMAN FORM OF GOVERNMENT**
Commission-executive form of government, Title 7, chapter 3, part 2, See **COMMISSION-EXECUTIVE FORM OF GOVERNMENT**

MAYORS (Continued)

Commission form of government, Title 7, chapter 3, parts 4 and 42, See **COMMISSION FORM OF GOVERNMENT**: **MUNICIPAL COMMISSION GOVERNMENT**
Commission-manager form of government, Title 7, chapter 3, parts 3, 43, and 44, See **COMMISSION-MANAGER FORM OF GOVERNMENT; MUNICIPAL COMMISSION-MANAGER GOVERNMENT**
Compensation, 7-3-4255, 7-3-4321
Conflict of interest, 7-5-4109
Contracts, conflict of interest, 7-5-4109
Council-mayor form of government, 7-1-114, 7-3-113
County water and/or sewer district board of directors, appointments to, 7-13-2232, 7-13-2234, 7-13-2235, 7-13-2259 — 7-13-2261
Defined, 7-14-4602, 7-15-4206, 7-15-4402, 7-32-4153, 76-1-103
Departments and divisions, control, 7-3-4101, 7-3-4221, 7-3-4254
Designation, 7-3-4319
Disasters or emergencies, See **EMERGENCIES AND EMERGENCY POWERS**
Election of, 7-2-4107, 7-3-4213 — 7-3-4215, 7-4-4101 — 7-4-4103
Elections
  certificate, transmittal, 7-3-4309
  proclamation, 7-3-4209, 7-3-4213, 7-3-4306, 7-3-4310
Executive officer of city or town, as, 7-4-4114
Executive powers, 7-5-4102
Extraterritorial powers, 7-4-4306
Financial statements, duties, 7-5-4102
Fines and forfeitures, remittance, 7-4-4305
Fire departments, chiefs of
  appointment, 7-33-4106, 7-33-4122
  suspension, 7-33-4123
Firefighters, powers relating to, 7-33-4106, 7-33-4122, 7-33-4123
Franchises, granting, 7-5-4321, 7-5-4322
Highway patrol officers' assistance, mayor may request when, 44-1-1001
Housing authorities
  commissioners
    appointment, 7-15-4406, 7-15-4431
    charges, filing, 7-15-4437
    proceedings, filing, 7-15-4438
    removal, 7-15-4436
    term of office, designation, 7-15-4432
  dissolution, certification of resolution, 7-15-4423
  reports to, 7-15-4467
Interlocal cooperation commission, appointment of members, 7-11-207
Libraries, appointment of board of trustees, 22-1-308
Marriage, solemnization by, 40-1-301
Meetings called by, 7-3-4220, 7-3-4322, 7-5-4102, 7-5-4122
Militia, power to call, 7-4-4303, 7-4-4304
Municipal council-mayor form of government, 7-1-114, 7-3-113
New cities and towns, election for, 7-2-4107
Oath, 7-3-4217
  administering, 7-5-4102
Official bonds, statement for release of surety filed with, 2-9-523, See also **SURETY BONDS, City officers and employees; Official bonds**
Ordinances and resolutions, See **CITIES AND TOWNS, Ordinances and resolutions**
Pardons, power to grant, 7-4-4305
Park Commissioners, Board of, 7-16-4202, 7-16-4203
Parking commission members, appointment and removal, 7-14-4609, 7-14-4611
Peace officers, qualifications for appointment, 7-32-303

MAYORS (Continued)

Planning boards
  members, appointment, 76-1-221, 76-1-223
  vacancies filled by, 76-1-204
Police
  appointment, 7-32-301, 7-32-303, 7-32-4103, 7-32-4108
    revocation, 7-32-4113
  chief of, salary increase, 7-4-4202
  definition of mayor, 7-32-4153
  department, supervision, 7-32-4103
  disciplinary orders, 7-32-4155, 7-32-4160, 7-32-4164
    appeals, 7-32-4156
      decision of police commission, order for enforcement, 7-32-4161
  examinations, approval of rules for, 7-32-4154
  gifts to, approval for retention by officer, 19-19-304
  police commission, appointment of members, 7-32-4151
  reinstatement, submission of recommendation for, 7-32-4110
  rules regarding, 7-32-4103
  suspension or removal, 7-32-4103
  temporary employment of persons doing police work, 7-32-4109
Police retirement fund board of trustees, member of, 19-19-201
Posses, organizing, 7-32-304, 7-32-2112
Powers, 7-3-4251, 7-3-4320, 7-4-4303, 7-5-4102
  administrative and executive, 7-5-4102
  extraterritorial, 7-4-4306
  pardons, to grant, 7-4-4305
Property
  attachment, service on mayor, 27-18-406
  bids by, when, 7-5-4102
  real, execution of conveyances, 7-3-4368
Public water supply systems, complaints regarding pollution of, 75-6-104
Qualifications, 7-4-4301
Recall, 7-3-4319; Title 2, chapter 16, part 6, See also **RECALL**
Reorganization
  certificate of adoption, 7-3-4309
  election for
    adoption, certificate, 7-3-4212
    proclamation, 7-3-4209
Role, 7-3-4320
Salary, 7-3-4255, 7-3-4321
Seal of city or town, custody, 7-5-4102
Service of process on, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
Smoke abatement bonds, signing, 7-31-112
Special improvement districts, signatures required when, 7-12-4176, 7-12-4203
Street grade changes, appointment of appraisers, 7-14-4201
Street lighting districts, signatures required when, 7-12-4328, 7-12-4342
Street parking improvement districts, abandonment — authorization, 7-12-4501
Strong mayor form of government, 7-3-4101, 7-3-4102
Succession of officials, emergency, 10-3-604 — 10-3-606
Tax sales, refund on voided sale, 15-17-326
Term of office, 7-3-4214, 7-3-4216, 7-3-4316, 7-4-4302
Tie votes, decision on, 7-5-4102
Urban renewal agency board of commissioners, appointment, 7-15-4234
Vacancy in office, 7-3-4218, 7-3-4221, 7-3-4319, 7-4-4301
Voting rights, 7-3-4205, 7-3-4251, 7-5-4102

MAYORS (Continued)

Warrants
  drawn by, 7-6-4104, 7-6-4108, 7-6-4302
  signing, 7-5-4102, 7-12-4203, 7-12-4342
Winter work committee
  appointment, 7-16-4302, 7-16-4303
  minutes, filed with, 7-16-4309

MEAT AND MEAT PRODUCTS
Additives, 81-9-217
Adulterated products, 50-31-202, 81-9-220, 81-9-231, 81-9-234
Advertising, 81-9-220
  beef patty mix, 50-31-208
Applicability of federal laws, 81-9-219
Artificial flavorings or colorings, 81-9-217
Branding, 81-9-217, 81-9-220, 81-9-227, 81-9-228, 81-9-234
Buffalo or bison, wild — disposal, 81-2-120
Butchering livestock or poultry for personal use, exemption, 81-9-111, 81-9-112, 81-9-218
Butchers, See **Establishments**; **Official establishments**
Buying unlawful when, 81-9-234
Chief meat inspector, 81-9-217, See also **Inspections**; **Inspectors**
  appeals to, 81-9-231
  appointment, 81-9-226
  enforcement by, 81-9-226
  health and environmental sciences, department of — cooperation with, 81-9-233
  inspection service, application information required by, 81-9-227
  inspection stamps, jurisdiction, 81-9-228
  inspectors
    appointment, recommendation for, 81-9-226
    assignment, 81-9-229
  laboratory
    pathogenic examinations, for, 81-9-230
    state, consultations with, 81-9-233
  official establishments
    appeals from, 81-9-231
    time for slaughtering or processing meat, arrangements, 81-9-229
  records, availability to, 81-9-220
  rules, recommendations for, 81-9-220
  supervision by, 81-9-226
Citation of Meat and Poultry Inspection Act, 81-9-216
City
  ordinances regarding, 81-2-105
  regulation, 7-21-4202
Condemnation of
  carcasses, 81-9-231, 81-9-234
  perishables, 50-31-510
Containers, 81-9-217, 81-9-218, 81-9-220
Contamination, 81-9-217
Counterfeit certificates, stamps, or labels, 81-9-234
Custom slaughtering, exemption, 81-9-218
Deceptive practices, 81-9-217, 81-9-234
Definitions, 50-31-103, 81-9-217
Destruction of adulterated or diseased livestock, poultry, or products, 81-9-220, 81-9-231
Diseased carcasses or animals, 81-9-231, 81-9-234, See also **LIVESTOCK, Disease control**
Donated food, liability when unfit for human consumption, 27-1-716
Enforcement of provisions, 81-9-116, 81-9-226

MEAT AND MEAT PRODUCTS (Continued)

Equine carcasses or products, regulation, 81-9-232, 81-9-234
Establishments
  appeals, 81-9-235
  bills of sale, 81-9-112
  carcasses
    marking, 81-9-112
    seizure and sale, 81-9-116
    uninspected, purchase unlawful, 81-9-115
    violations, reporting, 81-9-114
  city ordinances, 81-2-105
  consignment permits, validity and filing, 81-3-203
  custom slaughtering provision, 81-9-218
  enforcement, 81-9-116
  fees, 81-3-205, 81-9-113, 81-9-201
  hamburger, regulation, See **Hamburger**
  hide dealers and buyers, applicability of provisions, 81-9-401
  hides, 81-9-111, 81-9-112, 81-9-115
  imported livestock, 81-2-703
  inspections and inspectors, See also **Inspections**; **Inspectors**
    board, refusal to inspect, 81-9-220
    city ordinances, 81-2-105
    expenses, payment, 81-2-109
    fees, 81-3-205, 81-9-113
    food establishment provisions, exclusion, 50-50-102
    hides, 81-9-111, 81-9-112
    officers' authority, 81-9-116
    official establishment applicants, facilities and equipment, 81-9-227
    premises, 81-9-116, 81-9-227
    records, 81-9-112
    rules, 81-2-102
    uninspected hides, carcasses, or meat, 81-9-115
    violations, reporting, 81-9-114
  inspection service, application for and granting, 81-9-227
  licenses, 50-31-205, 81-9-201, See also **FOOD AND FOOD PRODUCTS**, **Permits for manufacturing, processing, and packing**; **FOOD ESTABLISHMENTS**
    discrimination in issuance prohibited, 49-3-204
    exceptions, 81-9-202
    fees, 81-9-201
    food establishment provisions, exclusion when, 50-50-102
    refusal, 81-9-220
    suspension or revocation, 81-9-114, 81-9-201, 81-9-235
  location, city regulation, 7-21-4204
  market consignment permits, validity and filing, 81-3-203
  meat held in violation, seizure and sale, 81-9-116
  minors' employment prohibited, 41-2-106, 41-2-107
  official, See **Official establishments**
  permits for operation when, 50-31-205, See **FOOD AND FOOD PRODUCTS**, **Permits for manufacturing, processing, and packing**
  records, 81-9-112, 81-9-118
  sanitary conditions, 81-2-102
    custom slaughtering, 81-9-218
    inspection expenses, 81-2-109
    license revocation when, 81-9-201
  supervision, 81-2-102
  transportation permits, validity and filing, 81-3-203

MEAT AND MEAT PRODUCTS (Continued)
Establishments (Continued)

- violations, See **Violations**

Exemptions, 81-9-218, 81-9-234
False advertising, 81-9-220
False or misleading labeling, 81-9-217
False statements or representations, 81-9-234
Falsification of records, 81-9-118
Farmers' markets, Title 7, chapter 21, part 33, See **PRODUCE**
Federal laws, 81-2-102, 81-9-217, 81-9-219
Fines for violations, 50-31-506, 81-9-118, 81-9-234
Food, Drug, and Cosmetic Act, 81-9-217; Title 50, chapter 31
Food establishments, 50-50-102, See **FOOD ESTABLISHMENTS**
Forgery of stamps, marks, or certificates, 81-9-234
Fraud, 81-9-234
Frozen food lockers, 50-50-401 — 50-50-403
Game animals or birds

- frozen food lockers, tagging or declaration requirements, 50-50-401
- game farm animal carcasses or products, regulation, 81-9-232
- meat from, donated to public entities when, 87-1-226, 87-1-512
- possession or sale for commercial purposes, 87-4-416, 87-4-701, 87-4-705, 87-4-911

Hamburger, 50-31-103

- fines, 50-31-506
- labeling and sale restrictions, 50-31-208
- violations, 50-31-506, 50-31-508

Hearings, 81-9-235, 81-9-236
Hides

- dealers, Title 81, chapter 9, part 4
- inspection, 81-9-111, 81-9-112
- unlawful purchase, 81-9-115

Horse carcasses or products, regulation, 81-9-232, 81-9-234
Ingredients, 50-31-208, 81-9-217, 81-9-220
Injunction of violations, 50-31-508, 81-9-236
Inspections, See also **Chief meat inspector**; **Inspectors**

- antemortem, 81-3-203, 81-3-211, 81-9-112, 81-9-220, 81-9-226, 81-9-230
- certificate of, 81-9-112
  - hides and carcasses, 81-9-111 — 81-9-113
  - receipt for bill of sale, 81-9-112
- city ordinances, 81-2-105
- establishments
  - board's refusal to inspect, 81-9-220
  - hides and carcasses, 81-9-111 — 81-9-114
  - official establishment applicants, facilities and equipment, 81-9-227
  - premises, 81-9-116, 81-9-227
- expenses, 81-2-109
- fees, 81-3-205, 81-9-113
- hides, 81-9-111 — 81-9-113
- identification as "Montana inspected and passed", 81-9-220
- official legend required on containers, 81-9-217
- postmortem, 81-9-220, 81-9-226, 81-9-230
- preparation of products, 81-9-217, 81-9-220, 81-9-232, 81-9-234
- reinspections, 81-9-220
- seizure when, 81-3-204
- slaughter
  - equines, game farm animals, or rabbits, 81-9-232, 81-9-234
  - livestock or poultry, 81-9-217, 81-9-229, 81-9-230, 81-9-234
- violations, 81-3-211

MEAT AND MEAT PRODUCTS (Continued)

Inspection service
  application for, 81-9-227
  renewal, suspension, or revocation, 81-9-233, 81-9-235
Inspection stamps, 81-9-228, 81-9-234
Inspector, See **Chief meat inspector**
Inspectors, See also **Chief meat inspector**; **Inspections**
  appointment, 81-9-226
  assignment, 81-9-226, 81-9-229
  authority, 81-9-116
  condemnation of carcasses, 81-9-231
  conflict of interest, 81-9-226
  expenses, 81-3-205, 81-9-113
  fees, 81-9-113
  hides, 81-9-111 — 81-9-113
  laboratory for pathogenic examinations, 81-9-230
  marking of carcasses, 81-9-112
  nepotism, 81-9-226
  records, availability to, 81-9-220
  seizure of meat, sale, 81-9-116
Investigations, 81-9-220
Labeling, 50-31-208, 81-9-217, 81-9-218, 81-9-220, 81-9-227, 81-9-228, 81-9-234
"Livestock" defined, 81-9-217
Markets, Title 7, chapter 21, part 33, See **Establishments**; **Official establishments**; **PRODUCE**
Marking, 81-9-112, 81-9-217, 81-9-218, 81-9-220, 81-9-227, 81-9-228, 81-9-234
Meat and Poultry Inspection Act, 81-9-216 — 81-9-220, 81-9-226 — 81-9-236
Misbranded meat, 81-9-217, 81-9-234
"Montana inspected and passed" stamp, 81-9-220, 81-9-228
Noncompliance with provisions, 81-9-235
Official establishments, 81-9-217
  appeals, 81-9-231, 81-9-235
  approval, 81-9-227
  establishment number
    assignation, 81-9-227
    containers, required on, 81-9-217
    renewal, suspension, or revocation, 81-9-235
  inspections, See **Inspections**
  inspection service, 81-9-227, 81-9-233
  inspection stamps, 81-9-228, 81-9-234
  inspectors
    assignment to, 81-9-226, 81-9-229
    condemnation of carcasses, 81-9-231
  minors' employment prohibited, 41-2-106, 41-2-107
  notice to, hearings, 81-9-235
  preparation of products, 81-9-217, 81-9-220, 81-9-232, 81-9-234
  quarantines, 81-9-220
  sanitation requirements, 81-9-220
    enforcement, 81-9-226
    minimum requirements, failure to meet, 81-9-233
  segregation
    equines, game farm animals, or rabbits, 81-9-232
    livestock or poultry, 81-9-220, 81-9-230
  slaughter
    equines, game farm animals, or rabbits, 81-9-232, 81-9-234
    livestock or poultry, 81-9-217, 81-9-229, 81-9-230, 81-9-234
Organic foods, 50-31-222, 50-31-223

MEAT AND MEAT PRODUCTS (Continued)

Packinghouses, See **Establishments; Official establishments**
Penalties for violations, 81-9-118, 81-9-234
Pesticide chemicals, 81-9-217
"Poultry" defined, 81-9-217
Preparation of products, 81-9-217, 81-9-218, 81-9-232, 81-9-234
Rabbit carcasses or products, regulation, 81-9-232
Records, 81-9-112, 81-9-118, 81-9-220, 81-9-234
Rendering or disposal plants, exemption, 81-9-218
Rulemaking authority, 81-2-102, 81-9-201, 81-9-217, 81-9-220, 81-9-232, 81-9-234, 81-9-235
Sales
    city or town regulation, 7-21-4202
    custom slaughtering, exemption provision, 81-9-218
    game animals or birds, See **Game animals or birds**
    hamburger, restrictions, 50-31-208
    meat held in violation, seizure and sale, 81-9-116
    unlawful when, 81-9-234
Samples for analysis or testing, 81-2-102
Sanitation requirements, See **Establishments; Official establishments**
Seizure of meat held in violation, 81-9-116
Slaughter
    equines, game farm animals, or rabbits, 81-9-232, 81-9-234
    livestock or poultry, 81-9-217, 81-9-229, 81-9-230, 81-9-234
    personal or household use, for — exemption, 81-9-111, 81-9-112, 81-9-218
Slaughterhouses, Title 81, chapter 9, part 2, See **Establishments; Official establishments**
Standards, 81-2-102, 81-9-220
State meat inspection program
    administration assistance, 81-9-233
    installation, 81-2-102
    supervision and enforcement, 81-9-226
State meat inspection service, 81-9-227, 81-9-233, 81-9-235
Statistics concerning, 81-2-102
Supervision of provisions, 81-2-102, 81-9-226
Transportation
    permits, validity and filing, 81-3-203
    unlawful when, 81-9-234
Unfair practices, 81-9-217, 81-9-234
Unfit for human food, 81-9-217, 81-9-234
    donated food, liability when, 27-1-716
Uninspected
    purchase unlawful, 81-9-115
    sale or transportation unlawful, 81-9-234
Unlawful practices, 81-9-234
Unsanitary conditions, 81-2-109, 81-9-201, 81-9-217
U.S. Department of Agriculture
    inspection stamp, state stamps not to conflict with, 81-9-228
    rule requirements, consistency with, 81-9-220
U.S. secretary of agriculture
    consultations, 81-9-217
    cooperating agency, 81-9-233
Vending, See **Sales**
Veterinary meat inspectors, 81-9-226, See **Inspectors**
Violations
    establishments
        generally, 81-9-118, 81-9-234
        hides, noninspection and nonidentification, 81-9-111

MEAT AND MEAT PRODUCTS (Continued)
Violations (Continued)
  establishments (Continued)
    license, failure to have, 81-9-201
    records, falsification, 81-9-118
    reporting of violations and failure to, 81-9-114
    uninspected hides or carcasses, purchase, 81-9-115
  hamburger labeling, 50-31-506
  injunction to restrain, 50-31-508, 81-9-236
  inspections, antemortem — failure to have, 81-3-211
Weights, measures, or numerical counts, 30-12-401, 81-9-217, 81-9-220
Wild animals
  game farm animal carcasses or products, regulation, 81-9-232
  meat donated to public entities when, 87-1-226, 87-1-512

MEDAL OF VALOR, MONTANA, 1-1-515

MEDIA CONFIDENTIALITY ACT, 26-1-901 — 26-1-903
  See **EVIDENCE, Privileges**

MEDIATION
Agriculture, producers and distributors — controversies, 80-11-103
Collective bargaining for public employees, 39-31-307, 39-31-309, 39-34-101
Disabilities, children with — surrogate parents, 20-7-462
Family law, Title 40, chapter 4, part 3, See **FAMILY LAW MEDIATION**
Human skeletal remains and burial site materials, treatment and disposition — disputes, 22-3-804, 22-3-805
Partnership business, winding up — disputes, 35-10-609
Water mediators, 85-5-110, 85-5-111
Workers' compensation disputes, Title 39, chapter 71, part 24, See **WORKERS' COMPENSATION, Mediation of disputes**

MEDICAID, Title 53, chapter 6
  See **PUBLIC ASSISTANCE**

MEDICAL CARE SAVINGS ACCOUNT ACT OF 1995, Title 15, chapter 61
  See **TAXATION, GENERAL PROVISIONS**

MEDICAL EXAMINERS, BOARD OF, 2-15-1841; Title 37, chapter 3, part 2
  See **PHYSICIANS AND SURGEONS**

MEDICAL EXAMINER, STATE
  See **FORENSIC SCIENCE**

MEDICAL LEGAL PANEL ACT, Title 27, chapter 6
  See **MALPRACTICE, MEDICAL, Review by panel**

MEDICAL RECORDS
  See **HEALTH CARE INFORMATION**

MEDICARE
  See **SOCIAL SECURITY**

MEDICARE SUPPLEMENT INSURANCE MINIMUM STANDARDS ACT, Title 33, chapter 22, part 9
  See **INSURANCE, DISABILITY, Medicare supplement insurance**

MEDICINE AND MEDICAL CARE
Abortion, Title 50, chapter 20, See **ABORTION**
Acupuncture, Title 37, chapter 13
Adoption
  care, cost of services, 40-8-135, 40-8-136
  history of child and parent, 40-8-109

MEDICINE AND MEDICAL CARE (Continued)
Adoption (Continued)

subsidy, hard-to-place children, 52-2-509
Adult foster care homes, standards and limitations, 50-5-101, 50-5-215, 50-5-216
Adult protective service teams, membership, 52-3-805
AIDS, Title 50, chapter 16, part 10, See **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Alcohol abuse and dependence, See **CHEMICAL DEPENDENCY**
Alcoholic beverages administered for medicinal purposes or medicines containing, 16-1-202 — 16-1-204, 16-6-305
Ambulances, See **EMERGENCY MEDICAL SERVICES**
Anatomical gifts, Title 72, chapter 17
Anesthesiologists or anesthetists, 37-4-511
Audiology, Title 37, chapter 15
Autopsies, See **FORENSIC SCIENCE**
Birth
  abortion, Title 50, chapter 20
  certificates, Title 50, chapter 15
Blood and bones, See **BLOOD, TISSUE, ORGANS, AND BONES**
Bottled water, health claims prohibited, 50-31-237
Brain injury, traumatic, 53-6-501, 53-6-502
Cardiopulmonary resuscitation, do not resuscitate, 50-10-101 — 50-10-107
Casualty insurance, Title 33, chapter 23, part 3, See **INSURANCE, CASUALTY**
Chemical dependency, See **CHEMICAL DEPENDENCY**
Child protective teams, 41-3-108
Chiropody, Title 37, chapter 6
Chiropractic, Title 27, chapter 12; Title 37, chapter 12, **MALPRACTICE, CHIROPRACTIC**
Clinical laboratory science practitioners, Title 37, chapter 34
Clinics
  AIDS testing and counseling, 50-16-1003, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
  health care information, See **HEALTH CARE INFORMATION**
  medicaid, payment for services, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
  mental health, Title 53, chapter 21, See **MENTAL ILLNESS OR INCAPACITY, Mental health facilities**
  minors, consent for health services, 41-1-402
"Commercial medical waste incinerator" defined, 75-2-231
Communicable diseases, reporting, 37-2-301, 50-18-106, See also **DISEASES**
Consumer report cards, 50-4-312
Convalescent homes and hospitals, See **HEALTH CARE FACILITIES; NURSING HOMES**
Coroner, See **COUNTY CORONER**; **FORENSIC SCIENCE, Medical examiner, state**
CPR, do not resuscitate, 50-10-101 — 50-10-107
Crime victims
  compensation benefits, 53-9-123, 53-9-128
  services, 46-24-201
Damages
  future, periodic payments to judgment creditors, 25-9-401 — 25-9-406, 25-9-412
  noneconomic, limitations, 25-9-411
Dentistry, Title 37, chapter 4
Denturitry and denturists, nonapplicability of provisions, 37-29-302
Detention center inmates, 7-32-2222, 7-32-2246
Developmental disabilities, persons with, Title 53, chapter 20, See **DEVELOPMENTAL DISABILITIES, Medical treatment**
Dialysis, 33-31-301, 50-5-101, 50-44-101, 50-44-102
Dimethyl sulfoxide (DMSO), authorization and use, 50-42-102
Disability insurance, insured's selection of practitioner, 33-22-111
Diseases, See **DISEASES**
Do not resuscitate identification, 50-10-101 — 50-10-107

MEDICINE AND MEDICAL CARE (Continued)

Doctors, Title 37, chapter 3, See **PHYSICIANS AND SURGEONS**
Drug abuse and dependence, See **CHEMICAL DEPENDENCY**
Drugs and controlled substances, See **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES**
Emergency services, Title 50, chapter 6, See **EMERGENCY MEDICAL SERVICES**
Employment, preemployment physicals, 39-2-301, 39-72-404
Equipment, tax classification, 15-6-138
Estates, claim against — priority, 72-3-807
  small estates, 72-3-1103, 72-3-1104
Ethics, Title 27, chapters 6 and 12; Title 37, chapter 12, See **MALPRACTICE, CHIROPRACTIC; MALPRACTICE, MEDICAL**
Facilities, Title 50, chapter 5, parts 1 — 4, 11, See **HEALTH CARE FACILITIES**; specific facility
Family practice training program, 50-5-601 — 50-5-603, 50-5-611
Forensic medicine, See **FORENSIC SCIENCE**
Genetics program, voluntary statewide, 33-2-712, 33-2-713, 50-19-211
Guardianship, See **GUARDIANS AND GUARDIANSHIP**
Gunshot wounds, reporting, 37-2-302, 37-2-303
Hazardous chemicals, chemical identity provided in treatment of exposed person, 50-78-205
Hazardous waste management, Title 75, chapter 10, part 10
Healing arts, practice of, 37-3-103
Health Care Information Act, Uniform, Title 50, chapter 16, part 5
Health maintenance organizations, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS**
Health service corporations, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**
Hearing clinicians, clinics, therapists, therapy, or centers, Title 37, chapter 15
HIV and HIV-related condition, Title 50, chapter 16, part 10, See **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Home arrestees, conditions and responsibilities, 46-18-1003, 46-18-1005
Home health care, insurance coverage for, 33-1-208, 33-22-1001 — 33-22-1003, See also **INSURANCE, DISABILITY**
Hospices and hospitals, Title 50, chapter 5, parts 1 — 4, See **HEALTH CARE FACILITIES**
Infectious waste management, Title 75, chapter 10, part 10, See **HAZARDOUS WASTES**
Insurance
  disability, insured's selection of practitioner, 33-22-111
  information and privacy protection act, Title 33, chapter 19, See **INSURANCE, Information and privacy protection**
  liability, Title 33, chapter 23, part 3, See **INSURANCE, CASUALTY**
  medical-surgical care, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**
Kidney disease, 33-31-301, 50-5-101, 50-44-101, 50-44-102
Laboratories, See **LABORATORIES**
Laetrile, authorization and use, 50-41-101 — 50-41-107
Liability, See **INSURANCE, CASUALTY, Professional liability; MALPRACTICE, CHIROPRACTIC; MALPRACTICE, MEDICAL**
Lien for services, Title 71, chapter 3, part 11
Living wills, Title 50, chapter 9, parts 1 and 2, See **LIVING WILLS**
Local Citizen Review Board, membership requirements, 41-3-1003
Long-term care insurance, 33-1-208, 33-20-127, 33-20-128; Title 33, chapter 22, part 11, See **INSURANCE, DISABILITY**
Malpractice, See **INSURANCE, CASUALTY, Professional liability; MALPRACTICE, CHIROPRACTIC; MALPRACTICE, MEDICAL**
Medical examiner, See **COUNTY CORONER; FORENSIC SCIENCE**
Medical records, See **CONFIDENTIAL AND PRIVILEGED COMMUNICATIONS; HEALTH CARE FACILITIES, Records; HEALTH CARE INFORMATION; INSURANCE, Information and privacy protection; PHYSICIANS AND SURGEONS, Records**
Medicare, Title 19, chapter 1, See **SOCIAL SECURITY**
Mental health corporation board, representation, 53-21-204

MEDICINE AND MEDICAL CARE (Continued)

Mentally ill persons, Title 53, chapter 21, See **MENTAL ILLNESS OR INCAPACITY, Medical treatment**
Metabolic testing of newborns, Title 50, chapter 19, part 2, See **BIRTH**
Midwives, Title 37, chapter 27
Minors, See **MINORS, Medical care**
Multiple sclerosis, medication for, 50-43-101 — 50-43-108
Naturopathic medicine, practice of, Title 37, chapter 26
Newborn infants, See **BIRTH**; **MINORS**
9-1-1 emergency telephone system, Title 10, chapter 4, parts 1 — 3
Nursing, Title 37, chapter 8
Nursing homes, See **NURSING HOMES**
Obscene material, public display or dissemination to minors — nonapplicability of provisions when, 45-8-206
Occupational disease benefits, 39-72-704, See also **LABOR AND EMPLOYMENT, Health safeguards**; **OCCUPATIONAL DISEASE**
Optometry, Title 37, chapter 10
Organs or organ donations, Title 72, chapter 17, See also **BLOOD, TISSUE, ORGANS, AND BONES**
Osteopathy not practice of, 37-5-102
Paramedical specialists, 37-3-103
Payment for services
    health maintenance organizations, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**
    late payment, charge for — exclusion, 31-1-501
    medicaid or public assistance recipients, Title 53, chapter 6, See **PUBLIC ASSISTANCE**
    medicare, Title 19, chapter 1, See **SOCIAL SECURITY**
    sexual intercourse without consent, examination of victim, 46-15-411
Peer review, 50-16-504, See also **Professional review committees**
Personal injury claims, See **PERSONAL INJURY**
Pharmacies, Title 37, chapter 7
Phenylketonuria (PKU)
    insurance coverage for treatment, 33-22-131, 33-31-102
    midwives, client screening procedures, 37-27-312
    testing for, 50-19-211
Physical therapy, Title 37, chapter 11
Physician assistants-certified, Title 37, chapter 20
Physicians, Title 37, chapter 3
Podiatry, Title 37, chapter 6
Power of attorney, authority relating to medical care, 72-31-201, 72-31-233
Practice of medicine, 37-3-102
    drug product selection not, 37-7-508
    health maintenance organizations, exemption from provisions, 33-31-111
    midwifery, direct-entry — practice not, 37-27-104
    nurses, applicability of provisions, 37-8-103
    respiratory care, not, 37-28-201
Preemployment physicals, 39-2-301
Prenatal care, Title 50, chapter 19, See **PREGNANCY**
Professional liability, See **INSURANCE, CASUALTY**; **MALPRACTICE, CHIROPRACTIC**; **MALPRACTICE, MEDICAL**
Professional review committees
    access to information, 50-16-202
    confidentiality, 50-16-203 — 50-16-205
    "data" defined, 50-16-201
    inadmissibility, 50-16-205
    information, disclosure and use, 50-16-529, 50-16-542
    legal panel review proceedings, 27-12-302, 27-12-306

MEDICINE AND MEDICAL CARE (Continued)
Professional review committees (Continued)

  nonliability, 37-2-201
  publication and use of information, 50-16-204
  reporting of incompetence or unprofessional conduct, 37-3-401 — 37-3-405
Prosthetic devices, See **PROSTHETIC DEVICES**
Psychiatry, See **PSYCHIATRY AND PSYCHIATRISTS**
Psychology, Title 37, chapter 17
Public assistance recipients, Title 53, chapter 6, See **PUBLIC ASSISTANCE, Medical care**
Purpose of provisions, 37-3-101
Radiation therapy, Title 75, chapter 3
Radiology, Title 37, chapter 14
Records, See **CONFIDENTIAL AND PRIVILEGED COMMUNICATIONS; HEALTH CARE FACILITIES, Records; HEALTH CARE INFORMATION; INSURANCE, Information and privacy protection; PHYSICIANS AND SURGEONS, Records**
Renal disease treatment program, 50-44-101, 50-44-102
Research and development projects, 90-3-102
Research facility grants, 90-3-901
Resort tax, nonapplicability, 7-6-4461
Respiratory care practitioners, Title 37, chapter 28
Rural physician incentive program, 20-26-1501 — 20-26-1503
Sexually transmitted diseases, See **DISEASES**
Silicosis, Title 39, chapter 73, See **SILICOSIS**
Speech-language pathology, Title 37, chapter 15
Stab wounds, reporting, 37-2-302, 37-2-303
Stalking offenders, payment of victim's costs, 45-5-220
Sterilization, Title 50, chapter 5, part 5
Surgeons, Title 37, chapter 3, See **PHYSICIANS AND SURGEONS**
Terminally ill persons, withholding or withdrawal of life-sustaining treatment, Title 50, chapter 9, parts 1 and 2, See **LIVING WILLS**
Tissue banks, 50-33-104
Transplants, Title 72, chapter 17, See also **BLOOD, TISSUE, ORGANS, AND BONES**
Trauma care, See **EMERGENCY MEDICAL SERVICES**
Traumatic brain injury, 53-6-501, 53-6-502
Tuberculosis, Title 50, chapter 17, See **DISEASES**
Tumor registration, Title 50, chapter 15, part 7
Uniform Health Care Information Act, Title 50, chapter 16, part 5, See **HEALTH CARE INFORMATION**
Utilization review, See **Professional review committees**
Veterinary medicine, Title 37, chapter 18
Waste management, Title 75, chapter 10, part 10
Welfare recipients, Title 53, chapter 6, See **PUBLIC ASSISTANCE, Medical care**
Western Regional Higher Education Compact, Title 20, chapter 25, part 8, See **HIGHER EDUCATION**
Workers' compensation, Title 39, chapter 71
X-rays, Title 37, chapter 14; Title 75, chapter 3
Youth correctional facilities, examination required prior to commitment, 52-5-108

MEETINGS OR LAWFUL ASSEMBLIES
Disturbing or disrupting, 45-8-101
Freedom of assembly, Const., II, 6
Health officer may prohibit, 50-2-118
Open meetings, Const., II, 9; Title 2, chapter 3, part 2, See **OPEN OR PUBLIC MEETINGS**

MEGALANDFILL SITING
Actions
  public officer's or employee's failure to enforce provisions, mandamus, 75-10-940
  violations, recovery of penalty or injunction to restrain, 75-10-943
  water supply, damage to — recovery of damages, 75-10-941

MEGALANDFILL SITING (Continued)

- **Administration of provisions**, 75-10-902, 75-10-921
- **Administrative procedure**, applicability, 75-10-928, 75-10-942
- **Administrative remedies**, 75-10-921
- **Alternate locations**, application requirements, 75-10-918
- **Alternatives to proposed facilities**, 75-10-935
- **Appeals**
  - amendment to certificate, from departmental determinations, 75-10-925
  - decisions, from, 75-10-942
  - order, stay or suspension when, 75-10-944
- **Applicant**, 75-10-950, See also **Application**
  - appeals, 75-10-942
  - bond required when, 75-10-951
  - burden of proof in proceedings, 75-10-928
  - compliance statement, 75-10-935
  - contracts for information or departmental services, 75-10-908, 75-10-921
  - environmental impact statement, 75-10-921
  - filing fees, 75-10-906, 75-10-908, 75-10-910, 75-10-919, 75-10-921, 75-10-945
  - financial assurance requirements, 75-10-950 — 75-10-954
  - long-range plan, 75-10-913
  - party to proceedings, 75-10-927
  - supplemental material submitted when, 75-10-919
  - wildlife habitat loss, mitigation, 75-10-929
- **Application**, 75-10-903, See also **Applicant**
  - amendment, 75-10-919
  - contents, 75-10-906, 75-10-907, 75-10-918, 75-10-923
  - costs of processing, 75-10-921
  - decision concerning, 75-10-929, See also **Decisions**
    - judicial review, 75-10-942
  - deficiencies, 75-10-922
  - denial, 75-10-929
  - evaluation, factors considered, 75-10-906, 75-10-920
  - false statements, 75-10-923, 75-10-939, 75-10-943
  - filing, 75-10-906, 75-10-914, 75-10-918
    - fees, 75-10-910, 75-10-921, 75-10-945
    - information prior to, 75-10-908
    - long-range plan required prior to, 75-10-913
  - form, 75-10-918
    - failure to file in, 75-10-923
  - granting, 75-10-929
  - hearing, 75-10-925
  - license, for, 75-10-933, 75-10-935, 75-10-942, 75-10-950, 75-10-951
  - long-range plan required, 75-10-913
  - new, required when, 75-10-919
  - notice and proof of, 75-10-906, 75-10-918
  - prehearing conference, 75-10-926
  - public inspection, 75-10-918
  - receipt of, procedures following, 75-10-922
  - rules, 75-10-903, 75-10-906, 75-10-907, 75-10-923
  - service of copies, proof of, 75-10-906, 75-10-918
  - voiding when, 75-10-923
- **Approval of facilities**, recommendation for, 75-10-926
- **Bond**
  - injunction or restraining order without, 75-10-943
  - surety bond required when, 75-10-945, 75-10-951
    - forfeiture, 75-10-952 — 75-10-954

MEGALANDFILL SITING (Continued)

Certificate of site acceptability, 75-10-903
    amendment, 75-10-919, 75-10-925
    applicant or application, See **Applicant**; **Application**
    compliance, 75-10-935, 75-10-938, 75-10-943
    conditions
        compliance statement, 75-10-935
        imposition, 75-10-929, 75-10-930
        noncompliance, 75-10-939
    decision concerning, 75-10-929, See also **Decisions**
    denial, 75-10-929
    injunction to enforce, 75-10-943
    issuance, 75-10-903, 75-10-914, 75-10-916
    modification, 75-10-929, 75-10-930
    noncompliance, 75-10-938, 75-10-939, 75-10-943
    required, 75-10-902, 75-10-916, 75-10-943
    transferability, 75-10-917
Certification proceedings
    burden of proof, 75-10-928
    decision, 75-10-929, See also **Decisions**
    evidence, witnesses, and testimony, 75-10-924, 75-10-926
    findings necessary for certification, 75-10-922, 75-10-928, 75-10-929
    hearings, 75-10-924
        examiner to conduct, 75-10-926
        record of, 75-10-928
    licensing process concurrent with, 75-10-933
    parties to, 75-10-927
    procedures governing, 75-10-928
    record, 75-10-928, 75-10-929
    rules, 75-10-906, 75-10-928
    statement of intent to participate, 75-10-927
Change in facility or location, amendment to certificate, 75-10-925
Citation of Megalandfill Siting Act, 75-10-901
Civil action or penalty, 75-10-943
Closure of facility, natural resources damaged or impaired by, 75-10-951 — 75-10-954
Compliance with provisions, 75-10-935, 75-10-938, 75-10-943
Conditions
    amendment to certificate, 75-10-925
    certificate, 75-10-929, 75-10-930
        compliance, 75-10-935
        noncompliance, 75-10-939
    financial assurance, 75-10-951
    license, 75-10-933, 75-10-934, 75-10-951
Conservation districts, reclamation work, 75-10-953
Construction, 75-10-903
    application, evaluation — considerations, 75-10-920
    certificate of site acceptability required, 75-10-902, 75-10-916, 75-10-943
    conformance with license, 75-10-933
    natural resources damaged or impaired by, 75-10-951 — 75-10-954
    proposed facilities, study, 75-10-914
Contempt when, 75-10-940
Contracts
    information or departmental services, 75-10-908, 75-10-921
    reclamation work, 75-10-953
County governing bodies
    application, copy to, 75-10-918

MEGALANDFILL SITING (Continued)
County governing bodies (Continued)

  long-range plan filed with, 75-10-913
  party to proceedings, 75-10-927
Damages
  natural resources, to, 75-10-951 — 75-10-954
  order, delay in enforcement, 75-10-945
  water supply, to, 75-10-941
Decisions
  application for certificate, granting or denying, 75-10-929
  certificate, 75-10-921, 75-10-929
  financial assurance requirement, release, 75-10-951
  judicial review, 75-10-942
  license, granting or denying, 75-10-933, 75-10-935
  parties to proceeding involving issuance, 75-10-927
  rendered when, 75-10-929
Definitions, 75-10-903, 75-10-950
Denial of facilities, recommendation for, 75-10-927
"Dispose" or "disposal" defined, 75-10-903
Economic factors, See **Environmental, social, and economic factors**
Enforcement, 75-10-902
  actions for, 75-10-943
  order, delay — damages, 75-10-945
  residents, by, 75-10-940
Entry on land, departmental right when, 75-10-953
Environmental impact statements
  fee, filing — credit against, 75-10-921
  proposed facility, report on — inclusion, 75-10-922
Environmental protection agencies, involvement, 75-10-913
Environmental Quality Council
  application, copy to, 75-10-918
  long-range plan filed with, 75-10-913
  party to proceedings, 75-10-927
Environmental, social, and economic factors
  application, evaluation — considerations, 75-10-906, 75-10-920
  certification, findings necessary for, 75-10-929
  license, statement included, 75-10-935
  proposed change in facilities or location, 75-10-925
  proposed facilities, study, 75-10-914, 75-10-918
Evidence
  amendment to certificate, burden of proof concerning proposed changes, 75-10-925
  certification proceedings, 75-10-924, 75-10-926, 75-10-928
False statements, 75-10-923, 75-10-939, 75-10-940, 75-10-943
Federal
  agencies
    application, copy to, 75-10-918
    objections to facilities, 75-10-935
    parties to proceedings, 75-10-927
    reclamation, cooperative projects, 75-10-953
  environmental impact statements, 75-10-921
  regulations, consideration, 75-10-920
  studies and reports, use, 75-10-922
Financial assurance requirements, 75-10-950 — 75-10-954
Fines, 75-10-943, 75-10-954
  disposition, 75-10-910, 75-10-954
Grants, gifts, and funds, 75-10-909
Hazardous waste, illegal dumping, 75-10-920

MEGALANDFILL SITING (Continued)

Information
    amendments, for, 75-10-919
    application, requirements, 75-10-918, 75-10-919, 75-10-921
    contracts for, 75-10-908, 75-10-921
    false, 75-10-943
    financial assurance requirement, relevant to decision to release, 75-10-951
    long-range plan, additional — for, 75-10-913
    proposed facilities, study, 75-10-914, 75-10-918
Injunction, 75-10-943, 75-10-953
Inspection of land, departmental right when, 75-10-953
Judicial remedies, 75-10-921
Judicial review of decisions, 75-10-942
Land use
    evaluation of application, considerations, 75-10-920
    planning agencies
        application, copy to, 75-10-918
        involvement, 75-10-913
        parties to proceedings, 75-10-927
License to operate
    application, 75-10-933, 75-10-935, 75-10-950, 75-10-951, See also **Application**
    bond requirements, 75-10-951
        forfeiture when, 75-10-952
    certification process, licensing process concurrent with, 75-10-933
    compliance, statement of — inclusion, 75-10-935
    conditions, 75-10-933, 75-10-934, 75-10-951
    decision concerning, 75-10-933, 75-10-935
        judicial review, 75-10-942
    denial, 75-10-933
    environmental evaluation statement, inclusion, 75-10-935
    financial assurance requirements, 75-10-950 — 75-10-954
    hearing, 75-10-939
    issuance, 75-10-914, 75-10-933, 75-10-935
    modifications, 75-10-933, 75-10-934
    monitoring, plan for — inclusion, 75-10-935
    required, 75-10-221, 75-10-902, 75-10-933, 75-10-935, 75-10-943, 75-10-950
    revocation or suspension, 75-10-939
    rules, 75-10-907
    transferability, 75-10-934
Local government
    executive officers
        application, copy to, 75-10-918
        party to proceedings, 75-10-927
Local laws or regulations, application, 75-10-929
Location
    certification hearing, 75-10-924
    change, proposed, 75-10-925
    facility
        application, contents, 75-10-918
        certificate of site acceptability required, 75-10-902
        certification, findings necessary for, 75-10-929
        long-range plan, contents, 75-10-913
        modification, 75-10-930
Long-range plan, 75-10-913, 75-10-914, 75-10-943
Maintenance of facility, 75-10-933, 75-10-943
Mandamus, action of, 75-10-940

MEGALANDFILL SITING (Continued)

Megalandfill reclamation account, 75-10-954
Modifications
  bond terms and conditions, 75-10-951
  certificate, contained in, 75-10-929, 75-10-930
  license, contained in, 75-10-933, 75-10-934
Monitoring, 75-10-907, 75-10-935, 75-10-938
Natural resources, damaged or impaired, 75-10-951 — 75-10-954
Noncompliance with provisions, 75-10-938, 75-10-939, 75-10-943
Nonprofit organizations, parties to proceedings, 75-10-927
Objections to facilities, 75-10-926, 75-10-935
Operation of facility
  application, evaluation — considerations, 75-10-920
  certificate required, 75-10-943
  license required, 75-10-902, 75-10-933, 75-10-943
  monitoring, 75-10-938
  natural resources damaged or impaired by, 75-10-951 — 75-10-954
  water supply, damage to — recovery of damages, 75-10-940
Operator, financial assurance requirements, 75-10-951 — 75-10-954
Opinions
  certification proceedings, 75-10-929
  license, decision on — issuance with, 75-10-935
  parties to proceeding involving issuance, 75-10-927
Penalties, 75-10-940, 75-10-943, 75-10-954
  disposition, 75-10-910, 75-10-954
Planning boards, 75-10-918, 75-10-927
Prehearing conference and order, 75-10-926
Proposed change in facilities or location, 75-10-925
Proposed facilities
  alternatives, 75-10-935
  certification, findings necessary for, 75-10-929
  long-range plan, identified in — study, 75-10-914
  study, evaluation, and report, 75-10-922, 75-10-924
Public officers or employees, failure to enforce provisions, 75-10-940
Purpose of provisions, 75-10-902
Reclamation account, megalandfill, 75-10-954
Reclamation of natural resources, 75-10-950 — 75-10-954
Residents
  enforcement by, 75-10-940
  modification of location, notice, 75-10-930
  parties to proceedings, 75-10-927
Restraining orders, 75-10-943
Social factors, See **Environmental, social, and economic factors**
Solid waste management, 75-10-903
  certification, findings necessary for, 75-10-929
  district
    application, copy to, 75-10-918
    party to proceedings, 75-10-927
  facilities, existing — modification and upgrading, 75-10-903
  plans, consideration, 75-10-920
Solid waste management account, deposits to and use, 75-10-910, 75-10-921, 75-10-943
Surety bond required when, 75-10-945, 75-10-951
Taxes, disposition, 75-10-910
Transfer facilities, 75-10-920
Violations, 75-10-939
  fines, 75-10-943

MEGALANDFILL SITING (Continued)
Violations (Continued)

  injunction or restraining order, 75-10-943
  license, revocation or suspension for, 75-10-939
  penalties, 75-10-910, 75-10-940, 75-10-943
  rules, of, 75-10-939, 75-10-943
Water quality, evaluation of application — considerations, 75-10-920
Water supply, damage to — recovery of damages, 75-10-941
Wildlife habitat loss, mitigation, 75-10-929
Witnesses, certification proceedings, 75-10-924, 75-10-926

MENACE, 28-2-403
Animal fights, causing — unlawful, 45-8-210
Beavers or muskrats, menace to irrigation projects or ponds, 87-3-501
Coal mines, standing water which might cause flooding, 50-73-203
Compulsion, as defense to criminal offense, 45-2-212
Contracts, See **CONTRACTS, Consent**
Denturists, conditions at place of business, 37-29-311
Developmental disabilities, persons with — exploitation, 52-3-803
Drug and alcohol abuse, protection from, 20-25-601
Dwelling accommodations, unsafe or unsanitary, 7-15-2101, 7-15-4102, 7-15-4401
Economic insecurity, 39-51-102
Elderly persons, exploitation, 52-3-803
Fences, wire — fallen or sagging, 81-4-105
Forests
  lands, insect pests or diseases, 76-13-302, 76-13-303
  timber, slash, or brush to constitute fire menace, 76-13-102
Horses, abandoned and running at large, 81-4-502
Insect pests or diseases, 76-13-302, 76-13-303, 80-7-114
Labor and employment, unsafe conditions, 50-71-327
Livestock
  garbage feeders, violations and restraining orders, 81-2-507
  rendering or disposal plants, violations and restraining orders, 81-9-303
Milk and milk products, unfair trade practices, 81-23-102
Threat, defined as, 45-2-101
Urban renewal, blighted areas, 7-15-4202, 7-15-4206

MENTAL DISABILITIES BOARD OF VISITORS, Title 53, chapter 20, part 1
  See **DEVELOPMENTAL DISABILITIES**; **MENTAL ILLNESS OR INCAPACITY**

MENTAL ILLNESS OR INCAPACITY
  See also **DEVELOPMENTAL DISABILITIES**; **DISABLED PERSONS**
Abuse or neglect
  emergency protective services, 52-3-804
  evidence of, gathering and submission, 52-3-815
  protection and advocacy system, investigation and reports, 53-21-169
Actions
  capacity as party, Title 25, chapter 20, M.R.Civ.P., Rules 17(c), 25(b)
  commitment, fact inadmissible when, 53-21-190
  default judgment against, Title 25, chapter 20, M.R.Civ.P., Rule 55(b)
  depositions when, Title 25, chapter 20, M.R.Civ.P., Rule 27(a)
  justice's court, representation, 25-31-602
  mental examinations, See **CIVIL PROCEDURE, Discovery**, physical and mental examinations
  service of process, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
  statutes of limitations, 27-2-401, 70-19-413
Admission to mental health facility, See **Commitment**
Adoption of, children, See **ADOPTION OF CHILDREN, Hard-to-place children**

MENTAL ILLNESS OR INCAPACITY (Continued)

Advisory council for emotionally disturbed children, membership, 53-21-202
Aftercare, See **Release from detention or commitment**
Agency, applicability of laws, 28-10-104, 28-10-704
AIDS testing, consent, 50-16-1003, 50-16-1007
Alcoholic beverages
  intoxication by, exclusion from definition of mental disorder, 53-21-102
  supplying to patient in institution unlawful, 53-1-103
Alternatives to commitment, placement, 53-21-127, 53-21-128, 53-21-133, 53-21-182
Appeal from commitment proceedings, 53-21-114, 53-21-131
Arsonist, written notice of release from state hospital, 53-1-104
Boats, operation prohibited when, 23-2-523
Brain injury, traumatic, 53-6-501, 53-6-502
Children, See **Minors**; **Parents, spouse, or next of kin of respondent**
Child support, payment past 18 years of age — extension when, 40-5-201
Claims by or against, See **Actions**
Clinics, See **Mental health facilities**
Clothing, provisions regarding, 53-21-115, 53-21-142, 53-21-187
Commitment, Title 53, chapter 21, part 1
  alcoholism, for, Title 53, chapter 24, part 3, See **CHEMICAL DEPENDENCY**, **Commitment**
  alternative placement, 53-21-127, 53-21-128, 53-21-133, 53-21-139, 53-21-182
  appeals, 53-21-114, 53-21-131
  conditions not grounds for, 53-21-102, 53-21-120
  conservatorship based on, 53-21-141, See also **Conservatorship**
  costs, 53-21-113, 53-21-116, 53-21-120, 53-21-128, 53-21-132, 53-21-133
  counsel, right to, 53-21-115 — 53-21-117, 53-21-119, 53-21-122, 53-21-126, See also **Counsel**
  criminal defendants, Title 46, chapter 14, parts 2 and 3, See **CRIMINAL PROCEDURE**, **Mental disease or defect of defendant**
  detention pending proceedings
    costs, 53-21-132
    emergency situations, 53-21-129
    nonresidents, 53-21-134
    requirements, generally, 53-21-120, 53-21-124
    voluntary admission, upon, 53-21-111, 53-21-112
  detention to enforce medication order, 53-21-127
  discharge, See **Release from detention or commitment**
  discrimination based on prohibited, 53-21-189
  dismissals, 53-21-122, 53-21-123, 53-21-127, 53-21-128, 53-21-136, 53-21-137
  due process ensured, 53-21-101
  emergency situations, 53-21-129
  evidence, 53-21-115, 53-21-126, 53-21-141, 53-21-190
  examination of respondent, 53-21-123
    commitment, following, 53-21-163
    cost, 53-21-132
    detention pending hearing, during, 53-21-124
    emergency situations, 53-21-129
    evidence in subsequent hearings, inadmissible as, 53-21-190
    legal rights or disability, effect, 53-21-141
    reexamination, 53-21-163
  extension of time of admission, 53-21-128, 53-21-141
  federal facilities, commitment to, 53-21-133
  friend of respondent, See **Friend of respondent**
  guardian's rights, See **Guardians**
  health care information, disclosure, 50-16-535, 50-16-542
  hearings
    detention, 53-21-124

MENTAL ILLNESS OR INCAPACITY (Continued)
Commitment (Continued)
    hearings (Continued)
        extension of commitment period, 53-21-128
        initial, 53-21-122
        petition, on, 53-21-125, 53-21-126
        posttrial disposition, 53-21-127
        respondent rights regarding, 53-21-115, 53-21-116, 53-21-119
        supplemental, 53-21-136, 53-21-137
    jury trial, 53-21-120, 53-21-125, 53-21-126, 53-21-128
    least restrictive environment, 53-21-101, 53-21-120, 53-21-124, 53-21-127
    legal disability resulting from, 53-21-141; Const., XII, 3
    medical record information, disclosure, 50-16-535, 50-16-542
    medication, involuntary administration, 53-21-104, 53-21-127
    minors, 50-16-542, 53-21-112, 53-21-119, 53-21-130
    Montana state hospital, See **Montana State Hospital**
    nonresidents, temporary receipt in state facility, 53-21-134
    notice
        detention, 53-21-124
        dismissal after initial hearing, 53-21-123
        hearings, 53-21-115
        minors, procedure and rights in event of conflict with parents on voluntary admission, 53-21-112
        petitions, 53-21-121, 53-21-128
        previous commitment inadmissible at subsequent hearings, 53-21-190
        rights, 53-21-112, 53-21-114, 53-21-121, 53-21-168
        transfer form other institution, 53-21-130
    order, 53-21-127, 53-21-141
        extension of conditions of release beyond expiration date, 53-21-197, 53-21-198
    out-of-state facility or friend, commitment to, 53-21-133
    parents' rights and responsibilities, See **Parents, spouse, or next of kin of respondent**
    petition, 53-21-121, 53-21-122, 53-21-129
    preexisting commitment, 53-21-141
    presence at hearing or trial, 53-21-115, 53-21-116, 53-21-119, 53-21-126
    professional person, See **Professional persons**
    records, 53-21-103, 53-21-127, 53-21-165, 53-21-166
    rehospitalization, 53-21-195 — 53-21-197
    release, See **Release from detention or commitment**
    representation, right to, 53-21-115 — 53-21-117, 53-21-119, 53-21-122, 53-21-126, See also **Counsel**
    rights of respondent, 53-21-143 — 53-21-148, See also **Rights**
        notice, 53-21-114, 53-21-122
        petition, statement on, 53-21-121
        procedural, 53-21-115 — 53-21-118
        to be informed of, 53-21-142
        waiver, 53-21-119, 53-21-126
    spouse's rights and responsibilities, See **Parents, spouse, or next of kin of respondent**
    transfers, 53-21-129, 53-21-130, 53-21-133, 53-21-134
    transportation of respondent, 7-32-2144, 53-21-113, 53-21-120, 53-21-132, 53-21-133
    treatment, consent not required when, 53-21-162
    trial, 53-21-120, 53-21-125, 53-21-126
    venue, 53-21-121, 53-21-126, 53-21-128 — 53-21-130
    voluntary, 53-21-111 — 53-21-113, 53-21-163, 53-21-190
    waiver of rights, 53-21-119, 53-21-126
Community homes for persons with severe disabilities, eligibility when, 53-19-110
Community mental health centers, Title 53, chapter 21, part 2, See also **Mental health facilities**; **Mental Health Nursing Care Center**
    duties of department of corrections, 53-21-202
    definitions, 53-21-201, 53-21-212
    funding, 53-21-202, 53-21-203, 53-21-204, 53-21-402

MENTAL ILLNESS OR INCAPACITY (Continued)
Community mental health centers (Continued)

- jail inmates, referral, 53-21-138
- joint review and inspection, 53-21-211 — 53-21-214
- medicaid, 53-6-101, See **PUBLIC ASSISTANCE**
- nursing homes, 53-21-401, 53-21-402
- preference given to, 53-21-101
- protection and advocacy system, 53-21-169
- regional mental health corporations, 53-21-203, 53-21-204
- services — availability, continuation, and fees, 53-21-204 — 53-21-206

Comprehensive plan for development of services, 53-21-202
Concealed weapon, permit to carry — ineligibility, 45-8-321
Confidentiality
- counselor-client privilege and exception, 27-1-1103, 37-23-301
- photographs, 53-21-144
- professional person and patient, communication between, 27-1-1103, 53-21-141
- protection and advocacy system information, 53-21-169
- records, 53-21-166
- social worker-client communications, 27-1-1103, 37-22-401
- trial, 53-21-126

Consent
- A.I.D.S. testing, 50-16-1003, 50-16-1007
- minors, required when, 53-21-112, 53-21-119, 53-21-506
- photographs, 53-21-144
- release of information, 37-23-301, 37-27-310
- research procedures, 53-21-147
- treatment, regarding, 53-21-142, 53-21-147, 53-21-148, 53-21-162

Conservatorship, See also **ESTATES AND PROBATE, Conservators and conservatorship**
- appointment proceedings, fact of commitment inadmissible when, 53-21-190
- commitment order, creation by, 53-21-141
- friend of respondent, as, 53-21-102
- records disclosure, consent, 53-21-166
- transfer from other institutions, notice to, 53-21-130

Contracts
- capacity of mentally ill person, 28-2-201 — 28-2-205, 28-2-512, 49-2-403
- employment agreement, termination by incapacity of parties, 39-2-501, 39-2-502
- nursing homes, with, 53-21-402
- regional mental health corporations, with, 53-21-203, 53-21-204

Contract security company license applicants, requirements, 37-60-303
Cooperation between governmental agencies, 53-21-202
Counsel
- alternative placement, request by, 53-21-182
- commitment
  - access to patient, facility, and records, 53-21-142
  - appointment, 53-21-112, 53-21-116, 53-21-122
  - dismissal, notice to, 53-21-123
  - examination of respondent, 53-21-123, 53-21-124
  - extension of commitment period, notice of petition, 53-21-128
  - jury trial, request by, 53-21-125
  - minors, rights regarding, 53-21-112, 53-21-119
  - petition, citation in and notice of, 53-21-121, 53-21-195
  - professional person, choice by counsel, 53-21-118
  - right to counsel, 53-21-104, 53-21-112, 53-21-115 — 53-21-117, 53-21-119, 53-21-126, 53-21-168
  - transfers from other institutions, notice to, 53-21-130
  - visitation rights, 53-21-142, 53-21-168
- conditional release, 53-21-195, 53-21-198
- medication, involuntary — notification, 53-21-127

MENTAL ILLNESS OR INCAPACITY (Continued)
Counsel (Continued)

  mental disabilities board of visitors, employment by, 53-21-104
  privileged communications, 53-21-166, See also **EVIDENCE, Privileges**
  records availability to, 53-21-165
  release, request by, 53-21-182
  research procedures, consultation on consent, 53-21-147
  transfers from other institutions, notice to, 53-21-130
  treatment, duties regarding, 53-21-137, 53-21-148, 53-21-163
Counselor-client privilege and exceptions, 27-1-1103, 37-23-301
County attorney, duties, 53-21-121 — 53-21-125, 53-21-129, 53-21-181, 53-21-195
Court, 53-21-102, See **DISTRICT COURT JURISDICTION, Mentally ill persons**
Crimes, victims of, See **CRIMES, Mental disease or defect of victim**
Criminal proceedings
  death penalty, suspension, 46-19-201, 46-19-202
  mental disease or defect of defendant, Title 46, chapter 14, parts 2 and 3
Crisis intervention programs, 53-21-138, 53-21-139
Damages, liability, 27-1-711
Day care for patients following release, 53-21-185
Detention, See **Commitment**
Developmental disabilities, Title 53, chapter 20, See also **DEVELOPMENTAL DISABILITIES**
  interstate compact on mental health, transfers under, 53-20-131
  transfers to or from developmental disabilities facility, 53-20-127, 53-20-130
Dignity to be ensured, 53-21-101, 53-21-142
Discharge plan, 53-21-162, 53-21-165, 53-21-180, See also **Release from detention or commitment**
Discriminatory practices, prohibited, 53-21-189, See **DISCRIMINATION, Disabled persons; Mentally ill persons**
District court jurisdiction, 53-21-102, See **DISTRICT COURT JURISDICTION, Mentally ill persons**
Drivers' licenses, ineligibility when, 61-5-105
Drugs
  right to be free from, 53-21-115, 53-21-145
  supplying to patients unlawful, 53-1-103
Due process to, 53-21-101, See also **Commitment**
Electors, disqualification, 13-1-111, 13-2-402, 13-13-301; Const., IV, 2
Emergency situations, 53-21-129
  community mental health center services, 53-21-201
  crisis intervention programs, 53-21-139
  defined, 53-21-102
  transfer from local facility when, 53-21-129
  treatment, consent not required, 53-21-162
  use of restraint or isolation when, 53-21-146
Emotionally disturbed
  advisory council, membership, 53-21-202
  children, 52-1-202, 52-2-101, See also **Minors**
  mental health corporation board, representation, 53-21-204
  policy concerning support services, 40-7-102
  protection and advocacy system, 53-21-169
Employment contract, termination by incapacity of employer or employee, 39-2-501, 39-2-502
Employment of patients, 53-21-167, 53-21-168
Escape from confinement, provisions regarding, 44-2-601, 53-1-102
Evaluation, 53-21-123
Examination, See **Commitment; CIVIL PROCEDURE, Discovery**, physical and mental examinations; **CRIMINAL PROCEDURE, Mental disease or defect of defendant**
Experimental research, See **Research**
Facilities, See **Mental health facilities**
Families achieving independence in Montana (FAIM) project, time limitation on assistance — exemption, 53-4-605, See also **PUBLIC ASSISTANCE**

MENTAL ILLNESS OR INCAPACITY (Continued)

Family Policy Act, 40-7-101, 40-7-102
Family, rights and responsibilities, See **Parents, spouse, or next of kin of respondent**
Federal facility, commitment to, 53-21-133
Fingerprinting prohibited, 53-21-143
Firearms, provisions regarding, 45-8-321, 45-8-351
Friend of respondent, commitment rights and responsibilities, Title 53, chapter 21, part 1
  application by, 53-21-182
  appointment, 53-21-122, 53-21-147, 53-21-148
  conditional release, 53-21-195, 53-21-198
  counsel, choice by, 53-21-117
  defined, 53-21-102
  notice to, when, 53-21-104, 53-21-128, 53-21-130, 53-21-137
  out-of-state, custody when, 53-21-133
  petition, citation in, 53-21-121, 53-21-195
  professional person, choice by, 53-21-118
  waiver of rights by, 53-21-119
Funding, 53-21-202, 53-21-203, 53-21-204, 53-21-402
Funds transfers, incapacity of sender, 30-4A-211
Gifts for mental health services, 53-21-202, 53-21-204
Grievances of patients, assistance by board of visitors, 53-21-104, 53-21-142
Guardians, Title 53, chapter 21, part 1, See also **GUARDIANS AND GUARDIANSHIP**, **Incapacitated persons**
  consent by, when, 37-23-301, 53-21-112, 53-21-144, 53-21-147, 53-21-162, 53-21-166
  justices' courts, representation, 25-31-602
  mental health nursing care center, admission, 53-21-413, 53-21-414
  notice to, when, 53-21-104, 53-21-130, 53-21-148
  transfers of respondent, 53-21-130
Health care
  defined, 50-4-504
  information, disclosure when, 50-16-535, 50-16-542, See also **HEALTH CARE INFORMATION**
HIV-related testing, consent, 50-16-1003, 50-16-1007
Home arrestees, conditions, 46-18-1003
Hospitals
  children's psychiatric, special education for children placed in, 20-7-403, 20-7-419, 20-7-420, 20-7-435, 20-7-436
  inpatient mental health care, 50-5-301
  jail inmates, transfer to, 53-21-138
Incapacity, effect
  conservation district supervisors, 76-15-312
  definitions, 45-2-101, 52-3-803, 53-24-103, 72-1-103, 72-5-101
  highway patrol officers, cause for disciplinary action, 44-1-612
  licensees, professional or occupational — grounds for action against, See specific profession or occupation
  limited partnerships, 35-12-802, 35-12-902, 35-12-1105
  securities dealer, 30-10-201
Independent living, definitions, 53-7-101, 53-7-301, 53-19-102
Information duties of department of corrections and human services, 53-21-202
Inspection of mental health facilities, 53-21-104, 53-21-202, 53-21-211 — 53-21-214
Institutional industries, Title 53, chapter 1, part 3
Institutionalization, See **Commitment**; **Mental health facilities**; **Treatment**
Insurance coverage for, See also **INSURANCE, DISABILITY**, **Mental illness, alcoholism, and drug addiction — coverage for**
  disability or life applications, discrimination prohibited, 33-18-206
  health maintenance organizations, 33-31-102, 33-31-301
  phenylketonuria (PKU), 33-22-131, 33-31-102

MENTAL ILLNESS OR INCAPACITY (Continued)

Interstate Compact on Mental Health, Title 53, chapter 22, part 1
Investigation — abuse, neglect, or injury, 53-21-169
Isolation, restrictions on use, 53-21-104, 53-21-146, 53-21-165
Jails
  detention prior to commitment, 53-21-120, 53-21-124
  inmates, screening and transfer, 53-21-138, 53-21-139
  intoxicated person in, temporary holding for serious mental illness screening, 53-21-102
Judicial determination, See **Commitment**
Jurisdiction
  district court, defined, 53-21-102, See **DISTRICT COURT JURISDICTION**
  justices' courts, 53-21-121 — 53-21-123
Labor by, See **Work programs**
Least restrictive environment for, 53-21-120, 53-21-124, 53-21-127, 53-21-135, 53-21-142, 53-21-162
Legal counsel, See **Counsel**
Legal disability, 53-21-141; Const., XII, 3, See also **Actions**; **Commitment**; **Rights**
Liability for wrongful acts, 27-1-711
Long-term care insurance, cancellation prohibited, 33-22-1114
Managed care program, different benefit packages, 53-6-704
Marriage
  dissolution, grounds abolished, 40-4-105
  invalidity, grounds for, 40-1-402
Medicaid
  benefits, recovery limitation, 53-6-171
  eligibility, 53-6-131
Medical record information, disclosure when, 50-16-535, 50-16-542, See also **HEALTH CARE INFORMATION**
Medical treatment, See also **Treatment**
  drug restrictions, 53-21-115, 53-21-145
  involuntary, 53-21-127
  nursing home location, effect, 53-21-401
  payment liability, 53-21-132
  prescriptions, 53-21-135
  photographs for, 53-21-144
  records, 53-21-165
  right to, 53-21-142
Mental health care services for older Montanans, 52-3-504
Mental health construction plan, 53-21-204
Mental health corporations, 53-21-203, 53-21-204, 53-21-206
Mental health counseling — students, interns, or residents — applicability of professional counseling provisions, 37-23-201
Mental health facilities, See also **HEALTH CARE FACILITIES**
  abuse, neglect, or injury in — investigation, 53-21-169
  admission or commitment, to, See **Commitment**
  certificate of need, 50-5-101, 50-5-301
  community homes for persons with severe disabilities, eligibility when, 53-19-110
  community residential facility, defined as, 76-2-411
  definitions, 50-5-101, 50-5-301, 53-21-102
  detention in, 53-21-120
  developmental disabilities residential facility, exclusion, 53-20-102
  discharge of patient, 53-21-142, 53-21-180
  employee as guardian or representative, ineligibility, 53-21-141
  escape or release from confinement, notification, 44-2-601
  evaluation, 53-21-202
  federal aid, 53-21-202
  fire safety, 50-5-103, 50-61-103, 53-21-142, See also **FIRES AND FIRE PROTECTION**

MENTAL ILLNESS OR INCAPACITY (Continued)
Mental health facilities (Continued)

- inspections, 53-21-104, 53-21-202
  - joint inspections with other agencies, 50-8-101, 50-8-102, 50-8-105
- investigation of abuse, neglect, or injury in, 53-21-169
- least restrictive environment, 53-21-101, 53-21-120, 53-21-124, 53-21-142
- licensing of facilities, 49-3-204, 50-5-101, 50-5-201
  - one-step licensing required, 50-8-101, 50-8-102
- mental disabilities board of visitors, employees as members prohibited, 2-15-211
- minors
  - establishment for, 41-3-1104
  - treatment of, immunity and responsibility, 41-1-407
  - youth court commitment, 41-5-523
- Montana state hospital, See **Montana State Hospital**
- negligence in treatment of minors, 41-1-407
- nursing care center, See **Mental Health Nursing Care Center**
- one-step licensing of facilities required, 50-8-101, 50-8-102
- out-of-state facility, transfer to, 53-21-133
- patients' rights, 53-21-142
- photographs of patients, 53-21-144
- protection and advocacy system, designation and authority, 53-21-169
- public assistance recipients, 53-2-610
- records, 53-21-142, 53-21-145, 53-21-165, 53-21-166
- reports, 53-21-104
- research, See **Research**
- rights of patients, 53-21-142, See **Rights**
- rulemaking authority, 50-5-103, 50-8-102, 50-8-105, 53-21-202
- safety standards, 50-5-103, 50-61-103, 53-21-142
- staff training, 53-21-161
- standards, 50-5-103, 53-21-202
- sterilization, refusal, Title 50, chapter 5, part 5
- transfers, 53-21-129, 53-21-133, 53-21-138
- treatment of patients, See **Treatment**
- youth correctional facility, release from for commitment to, 52-5-126

Mental Health Nursing Care Center, 53-21-414

- abandonment, discontinuance, or moving — consent required by legislature, 53-1-202
- admission and treatment, 53-21-411, 53-21-414
- alcoholic beverages or drugs, supplying to residents unlawful, 53-1-103
- consent required when, 53-21-413
- discharge or release from, 53-21-411, 53-21-413
- fire protection and safety regulations, 50-61-103, See **FIRES AND FIRE PROTECTION**
- location and function, 53-21-411
- payment for care, Title 53, chapter 1, part 4
- removal of resident without permission unlawful, 53-1-102
- research programs, participation of center in, 53-1-206
- revenue, disposition, 90-7-221
- rulemaking authority, 53-21-402, 53-21-413
- superintendent's authority, 53-1-204
- transfers from other state hospitals, 53-21-411, 53-21-413, 53-21-414
- work programs for residents, Title 53, chapter 1, part 3
  - public employees' retirement system, applicability, 19-3-403
  - unemployment insurance coverage exclusions, 39-51-204

Mental health plan, 53-21-202, 53-21-204
Mental health professionals, patient's violent behavior — duty to warn of and liability, 27-1-1101 — 27-1-1103
Mental health programs, See **Community mental health centers**
Mental health regions, 53-21-204

MENTAL ILLNESS OR INCAPACITY (Continued)

"Mentally ill", defined, 53-21-102
Mental retardation, Title 53, chapter 20, See **DEVELOPMENTAL DISABILITIES**
Minors, care for, See also **MINORS, Medical care**
  adoption of, See **ADOPTION OF CHILDREN, Hard-to-place children**
  community services, 53-21-201, See also **Community mental health centers**
  emergency care, 41-1-402, 41-1-405, 41-1-406
  emotionally disturbed children, 52-1-202, 52-2-101, 53-21-202
  health care information, access denied when, 50-16-542
  married minor, consent for treatment of spouse, 41-1-402
  mental health facilities, 41-1-407, 41-3-1104
  Montana state hospital, commitment prohibited when, 53-21-506
  policy concerning support services, 40-7-102
  psychiatric hospitals, special education for children placed in, 20-7-403, 20-7-419, 20-7-420, 20-7-435, 20-7-436
  residential treatment facilities, See **Residential treatment facilities**
  services, multiagency, 52-2-202, 52-2-211; Title 52, chapter 2, parts 2 and 3
  sexual offenses when minor a victim, mental health treatment for family members, 53-9-128
  transfer from other institution, notice to interested persons, 53-21-130
  voluntary commitment, 53-21-112
  waiver of rights, 53-21-119
  youth correctional facility
    commitment to, prohibited when, 41-5-523
    release from for commitment to mental health facility, 52-5-126
  youth court, commitment, 41-5-523
Montana State Hospital, Warm Springs facility, Title 53, chapter 21, part 6
  abandonment, discontinuance, or movement of facility — consent of legislature required, 53-1-202
  arsonist, written notice to department of justice of release, 53-1-104
  definitions, 53-21-102
  detention, in, 53-21-120
  funding, 53-20-214
  institutional industries, Title 53, chapter 1, part 3
  loan agreement for acquisition, construction, and equipment, 90-7-221
  minor's commitment prohibited when, 53-21-506
  patients
    alcoholic beverages or drugs, supplying to — unlawful, 53-1-103
    employment, 53-21-162, 53-21-167, 53-21-168
    escape or removal without permission, assistance unlawful, 53-1-102
    nonresident, 53-21-134
  payment for care, Title 53, chapter 1, part 4
  purpose of facility, 53-21-601
  removal of patient without permission unlawful, 53-1-102
  research programs, participation in, 53-1-206
  role and mission, clarification, 53-21-601
  superintendent
    authority, 53-1-204
    criminal defendants, mental disease or defect
      commitment to custody of, 46-19-202
      psychiatrist or psychologist to examine, designation, 46-14-202
  transfers to or from, 53-21-411, 53-21-413, 53-21-414
  transportation to, 7-32-2144
  voluntary commitment to, 53-21-111, 53-21-112
  youth, evaluation when, 41-5-523
Negotiable instruments
  defense of obligor, 30-3-305
  negotiation, effectiveness, 30-3-209

MENTAL ILLNESS OR INCAPACITY (Continued)

Next of kin, 53-21-102, See **Parents, spouse, or next of kin of respondent**
Nonresidents, commitment in Montana, 53-21-134
Nursing homes, 53-21-401, 53-21-402, See **Mental Health Nursing Care Center**; See also **NURSING HOMES**
Older Montanans, mental health care services, 52-3-504
Out-of-state, patients or treatment, 53-21-133, 53-21-134
Parent-child legal relationship termination, criteria, 41-3-609
Parents, spouse, or next of kin of respondent
  conditional release from commitment
    court-ordered alternative placement, 53-21-182
    extension of conditions, notice of petition and hearing, 53-21-198
    rehospitalization, petition filed by and citation in, 53-21-195
    support liability, 53-21-186
  custody of respondent when, 53-21-127, 53-21-128, 53-21-133, 53-21-182
  experimental or hazardous treatment, notice to, 53-21-147, 53-21-148
  friend of respondent defined as, 53-21-102
  mental health facility, notice of noncompliance, 53-21-104
  petition, citation in and notice to, 53-21-121, 53-21-195
  transfers to or from other institutions, notice to, 53-21-413, 53-21-414, 53-21-130, 53-21-133
  voluntary admission of minors, consent, 53-21-112
  waiver of rights of respondent, by, 53-21-119
Phenylketonuria (PKU)
  insurance coverage for treatment, 33-22-131, 33-31-102
  testing for, 50-19-211
Photographs, provisions regarding, 53-21-144
Physical restraints, restriction on use, 53-21-104, 53-21-146, 53-21-165
Physicians
  health insurance policies, 33-22-705
  medication orders by, 53-21-135, 53-21-145
  of, 37-3-322, 37-3-323, 37-3-401
  professional person, as, 27-1-1101, 53-21-102, See **Professional persons**
  visitation rights, 53-21-142
Prevention, 53-1-203, 53-21-202, 53-21-203
Privacy, right to, 53-21-126, 53-21-142
Professional counselor-client privilege and exceptions, 27-1-1103, 37-23-301
Professional persons, 53-21-102
  certification, 53-21-102, 53-21-105, 53-21-106
  child abuse and neglect, records and reporting requirements, 41-3-201, 41-3-203 — 41-3-207
  commitment
    alternative placement, petition by, 53-21-182
    appointment, 53-21-122
    choice by respondent, 53-21-115, 53-21-118, 53-21-124
    emergency evaluation by, 53-21-129
    examination by, 53-21-123, 53-21-124, 53-21-129
    extension of time, petition by, 53-21-128
    minors, 41-5-523
    privileged communications, 53-21-141, 53-21-166
    reexamination by, 53-21-163
    release duties, 53-21-181 — 53-21-183
    trial, presence at, 53-21-126
    voluntary, approval of application, 53-21-111
  community corrections boards, appointment to, 53-30-312
  developmental disabilities — report of abuse, neglect, or exploitation of persons with required, 52-3-811, See **DEVELOPMENTAL DISABILITIES**, **Abuse, neglect, or exploitation**

MENTAL ILLNESS OR INCAPACITY (Continued)
Professional persons (Continued)

- elderly persons — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
- emergency treatment, order for, 53-21-162
- liability, immunity, 27-1-1103
- mental health facility, notice of noncompliance, 53-21-104
- offices, certificate of need requirements — exception, 50-5-301
- partner or family member assault offenders, counseling, 45-5-206
- privileged communications, 53-21-141, 53-21-166
- qualifications, 53-21-106, 53-21-161
- records availability to, 53-21-165, 53-21-166
- release
  - alternative placement, petition for, 53-21-182
  - conditional release
    - extension of conditions, petition and hearing, 53-21-198
    - recommendations, 53-21-183
    - rehospitalization, petition filed by, 53-21-195
    - revocation based on testimony, 53-21-197
  - discharge plan, 53-21-162, 53-21-165, 53-21-180
  - order by, 53-21-181
  - temporary release for home visit, 53-21-183
- senior citizens — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
- supervision of staff, 53-21-161
- transfers of patients, notice requirements, 53-21-183
- treatment by, See also **Treatment**
  - hearings to prove compliance, notice to, 53-21-137
  - noncompliance by respondent, 53-21-136, 53-21-142
  - orders for, 53-21-135, 53-21-145, 53-21-146, 53-21-162
  - plan development, 53-21-135, 53-21-162
  - records availability to, 53-21-165, 53-21-166
  - reexamination by, 53-21-163
  - visitation rights, 53-21-142
- violent behavior of patients, duty to warn of and liability, 27-1-1101 — 27-1-1103
- youth placement committee, representation on, 41-5-525

Property
- partition proceedings, 70-29-113, 70-29-210, 70-29-328
- personal possessions, right to keep, 53-21-142
- protective proceedings, See **Conservatorship**; **ESTATES AND PROBATE, Conservators and conservatorship**
- recovery, statute of limitation, 70-19-413

Proprietary security organization license applicants, requirements, 37-60-303
Protection and advocacy system, designation and authority, 53-21-169
Protective proceedings, See **Conservatorship**; **Guardians**; **ESTATES AND PROBATE, Conservators and conservatorship**; **GUARDIANS AND GUARDIANSHIP, Incapacitated persons**
Psychiatric examination, See **Commitment**, examination of respondent; **CIVIL PROCEDURE, Discovery**, physical and mental examinations; **CRIMINAL PROCEDURE, Mental disease or defect of defendant**
Psychiatric services, inpatient — residential treatment facilities, 53-6-101
Psychology, practice of, 37-17-102, See **PSYCHOLOGY AND PSYCHOLOGISTS**
Public assistance, See **PUBLIC ASSISTANCE**
Public officers, 2-16-501, 2-16-603; Const., VI, 14
Punishment, prohibited when, 53-21-142, 53-21-145, 53-21-146
Purpose of provisions, 53-21-101
Records
- access to, 53-21-142

MENTAL ILLNESS OR INCAPACITY (Continued)
Records (Continued)

- confidentiality, 53-21-166
- court records, 53-21-103, 53-21-127
- health care information, disclosure, 50-16-535, 50-16-542
- medication, 53-21-145
- mental health facility patient records, 53-21-145, 53-21-165
- protection and advocacy system, discharge planning, 53-21-169
- regional mental health corporation board records, 53-21-204

Regional mental health services, 53-21-111, 53-21-203, 53-21-204, 53-21-206
Relatives, See **Parents, spouse, or next of kin of respondent**
Release from detention or commitment

- alternative placement, to, 53-21-182
- arsonist, written notice of release from state hospital, 53-1-104
- conditional release
    - clothing, 53-21-187
    - detention pending hearing, 53-21-196
    - extension of conditions, 53-21-197, 53-21-198
    - outpatient care as requirement, 53-21-183
    - rehospitalization, 53-21-195 — 53-21-197
    - revocation, 53-21-197
    - support following, 53-21-186
- court ordered, 53-21-182
- criminal offenders, provisions inapplicable, 53-21-184
- detention following request, 53-21-111, 53-21-112
- discharge plan, 53-21-162, 53-21-165, 53-21-180
- initial commitment period, following, 53-21-181
- leaving without permission, assistance to patient unlawful, 53-1-102
- minors
    - voluntary admission, upon, 53-21-112
    - youth court commitment, 41-5-523
- notice to
    - county welfare department, 53-21-188
    - court, 44-2-601, 53-21-181, 53-21-183
    - law enforcement officials, 44-2-601
- records to be sealed, 53-21-103, 53-21-166
- referral, right to, 53-21-181
- required when, 53-21-163, 53-21-181
- restoration of rights upon, 53-21-141, Const., XII, 3
- support of, 53-21-186, 53-21-188
- temporary release for home visit, 53-21-183
- transitional care, 53-21-185
- treatment, refusal to consent, 53-21-142
- voluntary admission, 53-21-111, 53-21-112
- written order, 53-21-181

Reports

- abuse, neglect, or exploitation, 52-3-811, 53-21-169
- emergency detention, 53-21-129
- examination of respondent, 53-21-123, 53-21-126, 53-21-128
- extension of commitment, to accompany request, 53-21-128
- mental disabilities board of visitors, to governor and legislature, 53-21-104
- regional mental health corporation boards, by, 53-21-204

Representation, See **Counsel**
Research

- approval by board of visitors, 53-21-104, 53-21-147
- community-centered plans, 53-21-202
- cooperation of state hospital and department of corrections and human services, 53-1-206

MENTAL ILLNESS OR INCAPACITY (Continued)
Research (Continued)

- records disclosure for, 53-21-166
- right not to be subjected to, 53-21-147

Residential treatment facilities, 50-5-101, See also **Mental health facilities**
- certificate of need, 50-5-101, 50-5-316
- inpatient psychiatric services, 53-6-101
- placement of youth in, 41-5-523

Restraints, restriction on use, 53-21-104, 53-21-146, 53-21-165
Retardation, Title 53, chapter 20, See **DEVELOPMENTAL DISABILITIES**
Rights
- appeal, 53-21-114
- basic rights while in facility, 53-21-142
- certain treatment procedures, protection from, 53-21-146, 53-21-148
- clothing, 53-21-115, 53-21-142, 53-21-195
- counsel, 53-21-115 — 53-21-117, 53-21-119, 53-21-168, 53-21-195
- cross-examination, 53-21-115, 53-21-195
- dignity, 53-21-101, 53-21-142
- drugs, rights regarding, 53-21-115, 53-21-145, 53-21-195
- evidence, rights regarding, 53-21-115, 53-21-195
- experimental research, protections, 53-21-147
- fingerprinted, not to be, 53-21-143
- hazardous treatment, not to be subjected to, 53-21-148
- legal rights not forfeited by commitment, 53-21-141; Const., XII, 3
- minors, 41-5-523
- notice of hearings, 53-21-115, 53-21-195
- notice of rights, 53-21-114, 53-21-122, 53-21-168
- petitions — statement in, viewing and copying, 53-21-115, 53-21-121, 53-21-195
- photographs, rights regarding, 53-21-144
- posting of, 53-21-168
- presence at hearings, 53-21-115, 53-21-116, 53-21-119, 53-21-195
- privacy, 53-21-142
- privileged communication, 53-21-141
- procedural, 53-21-115 — 53-21-119, 53-21-195
- professional person, choice, 53-21-115, 53-21-118, 53-21-195
- referral to other providers, 53-21-181
- representation, 53-21-115 — 53-21-117, 53-21-119, 53-21-168, 53-21-195
- research, protections, 53-21-147
- restoration of legal rights, 53-21-141; Const., XII, 3
- silence, to remain silent, 53-21-115, 53-21-195
- transfer, petition for hearing, 53-21-413, 53-21-414
- treatment, 53-21-119, 53-21-142, 53-21-168
- treatment plan, 53-21-162, 53-21-168
- visitation, 53-21-142, 53-21-162
- voluntary admission, upon, 53-21-111
- waiver, 53-21-119

Safety provisions for mental health facilities, 53-21-142
Seclusion, use of, 53-21-104, 53-21-146, 53-21-165
Self-sufficiency trusts, 53-18-101 — 53-18-105
Sexual offense when minor a victim, mental health treatment for family members, 53-9-128
Sheltered workshops, Title 18, chapter 5, part 1; Title 53, chapter 7, part 2
Snowmobiles, operation restrictions, 23-2-632
Social worker-client communications, 27-1-1103, 37-22-401
Spouse, See **Parents, spouse, or next of kin of respondent**
State hospital, 53-21-102, See **Montana State Hospital**
State mental health construction plan, 53-21-204
State mental health plan, 53-21-202, 53-21-204

MENTAL ILLNESS OR INCAPACITY (Continued)

Statute of limitation in actions involving, 27-2-401
Sterilization, refusal, Title 50, chapter 5, part 5
Support of person conditionally released, 53-21-186
Telephone, use provisions generally, 53-21-122, 53-21-123, 53-21-142
Torts, liability, 27-1-711
Training of staff, 53-21-161
Transfers
  conditional release, upon, 53-21-183
  correctional facility or detention center, pending commitment, 53-21-120
  federal facilities, to, 53-21-133
  funding, among various facilities, 53-20-214
  institutions, from other, 53-21-130
  interstate, 53-21-133, 53-22-105
  jail inmates, 53-21-138
  local facility when space unavailable, 53-21-129
  mental health nursing care center, to or from, 53-21-411
  nonresidents, to state facility, 53-21-134
  out-of-state facility or friend, to, 53-21-133
  outpatient care, to facility for, 53-21-183
Transitional care, 53-21-185
Transportation of respondent or patient, 7-32-2144, 53-21-113, 53-21-120, 53-21-132, 53-21-133
Traumatic brain injury, 53-6-501, 53-6-502
Treatment
  aged persons, in nursing homes, 53-21-401
  alternative placement, 53-21-127, 53-21-128, 53-21-182, 53-21-183, 53-21-198
  commitment, See **Commitment**
  compliance and order for, 53-21-136, 53-21-137
  conditional release, 53-21-183
  consent to, refusal — effect, 53-21-142
  court order, 53-21-127, 53-21-128, 53-21-182
  discharge plan, 53-21-180
  evidence, fact of treatment inadmissible in subsequent proceedings, 53-21-190
  extension of time, 53-21-128
  grievances by patient, 53-21-104
  guardian's authority, 72-5-321, 72-5-322
  hazardous procedures, protection from, 53-21-148
  hearings, 53-21-136, 53-21-137
  humane treatment to be ensured, 53-21-101, 53-21-104
  individualized plan, 53-21-104, 53-21-128, 53-21-135, 53-21-162, 53-21-165, 53-21-168, 53-21-197, 53-21-198
  inspection of treatment areas, 53-21-104
  insurance coverage for, See also **INSURANCE, DISABILITY**, **Mental illness, alcoholism, and drug addiction — coverage for**
    health maintenance organizations, 33-31-102, 33-31-301
  isolation, restricted use, 53-21-104, 53-21-146, 53-21-165
  labor as part of, 53-21-167
  least restricted environment, 53-21-127, 53-21-135, 53-21-162
  medical, See **Medical treatment**
  medication, 53-21-127, 53-21-135, 53-21-145
  mental health nursing care center, function, 53-21-411
  noncompliance, 53-21-136, 53-21-137, 53-21-142
  nursing homes, in, 53-21-401
  order for, 53-21-127, 53-21-182, 53-21-198
  out-of-state, 53-21-133, 53-21-134
  records, 53-21-142, 53-21-165

MENTAL ILLNESS OR INCAPACITY (Continued)
Treatment (Continued)

- reexamination, 53-21-163
- restraints, use restricted, 53-21-104, 53-21-146, 53-21-165
- review by
  - board of visitors, 53-21-104
  - professional person, 53-21-162
- restrictions, 53-21-142
- right to, 53-21-119, 53-21-142, 53-21-168, See also **Rights**
- screening, serious mental illness, 53-21-138
- senior citizens, in nursing homes, 53-21-401
- temporary release for home visit, 53-21-183
- transfers, See **Transfers**
- treatment plan, 53-21-104, 53-21-128, 53-21-135, 53-21-162, 53-21-165, 53-21-168, 53-21-197, 53-21-198
- utilization reviews, conduct, 33-32-201
- voluntary admission, See **Commitment**
- waiver of rights, 53-21-119
- work program as part of, 53-21-167

Trusts, self-sufficiency, 53-18-101 — 53-18-105
Violent behavior of patient, duty of professional person to warn of and liability, 27-1-1101 — 27-1-1103
Visitation rights, 53-21-142, 53-21-162
Vocational rehabilitation, Title 53, chapter 7, parts 1 and 2
Voluntary admission, See **Commitment**
Voters, disqualification, 13-1-111, 13-2-402, 13-13-301; Const., IV, 2
Waiver of rights, 53-21-119, 53-21-126
Weapons, prohibited when, 45-8-321, 45-8-351
Willful acts, liability, 27-1-711
Witnesses, as, Title 26, chapter 10, M.R.Ev., Rule 804
Work programs, 53-21-167

- institutional industries, Title 53, chapter 1, part 3
- public employees' retirement system, applicability, 19-3-403
- sheltered workshops, Title 18, chapter 5, part 1; Title 53, chapter 7, part 2
- statement of rules, provision to patient, 53-21-168
- treatment plan, as part of, 53-21-162
- unemployment insurance coverage exclusions, 39-51-204
- vocational rehabilitation, Title 53, chapter 7, parts 1 and 2

METROPOLITAN POLICE LAW, Title 7, chapter 32, part 41
See **POLICE**

METROPOLITAN SANITARY AND/OR STORM SEWER DISTRICTS, Title 7, chapter 13, part 1
See **SEWAGE DISPOSAL AND SEWER SYSTEMS**

MIAMI PROJECT AND MIAMI PROJECT ADVISORY COUNCIL, Title 50, chapter 19, part 3
See **PREGNANCY**

MICROBUSINESS DEVELOPMENT
Advisory council, 17-6-403, 17-6-411
Audits, 17-6-407
Certified microbusiness development corporations, 17-6-402, 17-6-403, 17-6-406 — 17-6-408, 17-6-411
Citation of Microbusiness Development Act, 17-6-401
Community lead organization, 17-6-403, 17-6-411
Definitions, 17-6-403
Fees, 17-6-407, 17-6-409
Grants, donations, or public or private income, 17-6-407, 17-6-409
Legislative findings, 17-6-402

MICROBUSINESS DEVELOPMENT (Continued)

Loans
    development loans, 17-6-402, 17-6-403, 17-6-406, 17-6-407
    guarantee fund, 17-6-407
    interest, 17-6-406, 17-6-407, 17-6-409
    microbusiness loans, 17-6-403, 17-6-406, 17-6-407
    revolving loan funds, 17-6-403, 17-6-406, 17-6-407, 17-6-411
Microbusiness Development Act, Title 17, chapter 6, part 4
Microbusiness development corporations, 17-6-403, 17-6-406, 17-6-408
Microbusiness development loan account, 17-6-406, 17-6-407
Microbusiness finance program, 17-6-403, 17-6-406, 17-6-407, 17-6-411
Microbusiness finance program administrative account, 17-6-407, 17-6-409
Multicounty service regions, 17-6-406 — 17-6-408
Purpose of provisions, 17-6-402
Qualified microbusiness, 17-6-403
Rules, 17-6-406, 17-6-407, 17-6-411
Services to microbusinesses, 17-6-406 — 17-6-408

MIDWIVES
Actions against, 37-27-310
Administration of provisions, 37-27-105
Affidavits, 37-27-105, 37-27-203, 37-27-205, 37-27-325
Alternative Health Care Board, 2-15-1840; Title 37, chapter 26
Apprentice, 37-27-103, 37-27-205
Apprenticeship requirements, 37-27-105, 37-27-201
Birth certificates
    filing, 37-27-321
    primary birth attendants
        continuous care, verification, 37-27-203
        signing as, 37-27-201
    registration, 50-15-221
Cardiopulmonary resuscitation certification required, 37-27-201
Citation of Direct-Entry Midwifery Licensing Act, 37-27-101
Client screening
    eligibility requirements, 37-27-105, 37-27-312
    procedures, 37-27-312
Clinical requirements, 37-27-105, 37-27-201
Communicable diseases, recognition, 37-27-201
Complaints, 37-27-105
Confidentiality, 37-27-310, 37-27-320
Consent
    disclosure of information, 37-27-310
    informed consent, 37-27-311
        forms, 37-27-105
Contempt, 37-27-325
Continuing education, 37-27-105
Continuous care
    defined, 37-27-103
    primary birth attendant, supporting documentation, 37-27-203
CPR certification required, 37-27-201
Death certificates, fetal — certification, 50-15-403
Direct-entry midwife, 37-27-103, 37-27-212
Disciplinary standards, 37-27-105
Disclosure of information, 37-27-310, 37-27-320
Drugs, prescription — dispensation or administration prohibited and exceptions, 37-3-103, 37-27-201, 37-27-302

MIDWIVES (Continued)

Educational requirements, 37-27-105, 37-27-201, 37-27-203
Emergency situations, recognition and management, 37-27-201
Enforcement, 37-27-105, 37-27-325
Ethical standards, 37-27-105
Exemptions from provisions, 37-27-104
Fees, 37-27-105, 37-27-205, 37-27-210
Fetal deaths, reporting, 46-4-114
Fines, 37-27-325
Health care providers' liability in emergency situations, 27-1-734, 37-27-311
Informed consent, 37-27-311
- forms, 37-27-105

Injunction, 37-27-212, 37-27-325
Investigations, 37-27-105
Licenses and licensing, Title 37, chapter 27, part 2
- applications, 37-27-105, 37-27-210
- apprentice, 37-27-205
- denial, suspension, or revocation, 37-27-320
- examinations, 37-27-105, 37-27-202, 37-27-203, 37-27-205, 37-27-210
  - exemption when, 37-27-203
- fees, 37-27-105, 37-27-203, 37-27-205, 37-27-210
- issuance, 37-27-105, 37-27-210
- oral interview, 37-27-203
- practice without, unlawful, 37-27-301, 37-27-325
- provisional, 37-27-105, 37-27-205
- qualifications, 37-27-201
- reciprocity, 37-27-105
- refusal to renew, 37-27-320
- renewal, 37-27-105, 37-27-205, 37-27-210, 37-27-320
- required, 37-27-301, 37-27-325
- validity, period of, 37-27-205

Medicine, practice of — applicability of licensing provisions, 37-3-103, 37-27-104
Minors, 37-27-310
Naturopathic physicians, provisional license to work with, 37-27-205
Nurse-midwifery
- birth certificates, filing or registration, 50-15-221
- consultations by clients, 37-27-315
- death certificates, fetal — certification, 50-15-403
- direct-entry midwifery
  - apprentice license, 37-27-205
  - effect of provisions, 37-27-104
  - license examinations, preparation, 37-27-202
  - licensing of nurse-midwife as, 37-27-203
- educational requirements, 37-8-202
- emergency care of patients by nurse, liability, 27-1-734, 37-27-311
- medicine, practice of — applicability of licensing provisions, 37-3-103
- prescription drugs, authority, 37-2-101, 37-7-401, 37-8-202

Operative procedures prohibited and exceptions, 37-27-303
Parents' rights regarding birth of baby, 37-27-102, 37-27-111
Paternity acknowledgment process at birth, 50-15-210
Penalties for violations, 37-27-325
Physician consultations by clients, 37-27-311, 37-27-315
Practice of direct-entry midwifery
- defined, 37-27-103
- license required, 37-27-301, 37-27-325, See **Licenses and licensing**

MIDWIVES (Continued)

Prescription drugs, dispensation or administration prohibited and exceptions, 37-3-103, 37-27-201, 37-27-302
Primary birth attendants
  experience as, requirements, 37-27-201
  supporting documentation requirements, 37-27-105, 37-27-203
Privileged communications, 37-27-310
Provisional licenses, 37-27-105, 37-27-205, See also **Licenses and licensing**
Purpose of provisions, 37-27-102
Reciprocity, 37-27-105
Records, 37-27-203
Reports, 37-27-320
  forms, 37-27-105
Rules, 37-27-105, 37-27-203, 37-27-325
Surgical procedures prohibited and exceptions, 37-27-303
Title, use restrictions, 37-27-212
Violations
  fines, 37-27-325
  injunction to restrain, 37-27-212, 37-27-325
  license, practice without, 37-27-301
  penalties, 37-27-325
Witnesses, 37-27-105

MILITARY AFFAIRS
  See also **EMERGENCIES AND EMERGENCY POWERS**; **VETERANS**
Abuse, neglect, or exploitation of the aged or persons with developmental disabilities — disclosure of records or reports, 52-3-813, 52-3-814
Adjutant general, 2-15-1201 — 2-15-1203; Const., VI, 8
Alcoholic beverage licenses for enlisted men's or officers' clubs, 16-4-110, 16-4-201, 16-4-209
Ammunition, blank — applicability of laws, 50-37-102
Archives, 10-1-102, 22-3-221
Armories, 10-1-108, 10-1-109, 10-1-612, 10-1-703
  fire protection and safety regulations, 50-61-103, See **FIRES AND FIRE PROTECTION**
  university system, facilities, 20-25-302
Arrest
  commanding officer, authority, 10-1-611, 10-1-612
  militia exempt when, 46-6-102
Artifacts, acquisition by historical society, 22-3-107
Bases, See **Reservations**
Boiler and steam engine operators' licenses
  experience, effect on licensing, 50-74-305
  renewal, effect, 50-74-313
Boxing matches or exhibitions, regulatory authority, 23-3-404, See **BOXING AND WRESTLING**
Call of military forces, Const., VI, 13
Child abuse records, confidentiality — disclosure exceptions, 41-3-205
Civil defense, See **EMERGENCIES AND EMERGENCY POWERS**
Civil disorder, prohibited activities and exceptions, 45-8-107 — 45-8-109
Civilian control of military forces, Const., II, 32
Commander-in-chief, governor as, 10-3-305; Const., VI, 13
Commanding officer, See **Officers**
Community service advisory council, representation, 90-14-104
Concealed weapon, permit to carry — ineligibility when, 45-8-321
Courts, 10-1-401
  administration of justice, 10-1-411
  civil authority, trial by, 10-1-408
  confinement of convicted persons, 10-1-405

MILITARY AFFAIRS (Continued)
Courts (Continued)

- fees — witness, reporter, and civil officer, 10-1-406, 10-1-407
- jurisdiction, 10-1-401, 10-1-403, 10-1-408
- persons subject to, 10-1-402
- process, execution, 10-1-404

Courts-martial, 10-1-205, 10-1-403, 10-1-408, 10-1-411
Criminal offenses
- assault or trespass, 10-1-612
- employment, depriving member of, 10-1-603, 10-1-615
- right-of-way, obstruction, 10-1-602
- sale or detention of military property, 10-1-613, 10-1-615
- uniform, unlawful wearing, 10-1-614, 10-1-615

Definitions, 10-1-101, 10-1-803
Dissolution of marriage, residence requirements, 40-4-104
Enlisted members, See also **Militia**
- bonuses for national guard, extension or reenlistment, See **National guard**
- oath of office, 10-1-302
- pay and allowances, 10-1-502
- retirement, 10-1-304
- roster, 10-1-102
- term of enlistment, 10-1-301
  - emergency extension, 10-1-303

Execution, exemption, 25-13-613
Federal laws, applicability, 10-1-102, 10-1-104, 10-1-105, 10-1-201, 10-1-202, 10-1-301 — 10-1-303, 10-1-401, 10-1-701 — 10-1-703
Federal military personnel, See **United States military personnel**
Firefighters
- exemption from duty, 7-33-2314, 7-33-2315
- retirement, service credits applicable, 19-13-403

Fireworks use, applicability of laws, 50-37-102
Game wardens' retirement, service credits applicable, 19-8-901
Governor, See **GOVERNOR, Military affairs**
Highway patrol officers
- entry into service, status of replacements, 44-1-404
- retirement, service credits applicable, 19-6-801, 19-6-803

Highways and streets, military use, 10-1-602, 10-3-107
Home guard, See also **Militia**
- armories and equipment, 10-1-703
- federal aid, requisitions for, 10-1-703
- militia, as part of, 10-1-103
- organization, 10-1-701, 10-1-702
- pay and allowances, 10-1-704

Importation of armed persons, 45-8-106; Const., II, 33
Jurisdiction over reservations, 2-1-204
Justice, administration, 10-1-411
Leave for military service, public employees, 10-1-604, See also **VETERANS, Reemployment**
- solicitation of sales when, 10-2-603

Machine gun manufacture, criminal provisions not to interfere, 45-8-307
Marriage of military personnel
- dissolution of marriage, residence requirements, 40-4-104
- serological test requirements, 40-1-205

Martial rule, proclamation, 10-1-106, 10-3-102; Const., VI, 13
Militia, 10-1-101; Const., VI, 13
- acupuncturists, license renewal exemption during service, 37-13-306
- city-county consolidated governments, commission members — service, 7-3-1215
- classes, 10-1-103

MILITARY AFFAIRS (Continued)
Militia (Continued)

- departmental duties, 10-1-102
- emergency or disaster, unpaid leave of absence during — entitlement, 10-1-603
- enlistment, See also **Enlisted members**
  - dissuasion unlawful, 10-1-603, 10-1-615
  - emergency extension, 10-1-303
- federal law governing, 10-1-104
- fishing licenses, eligibility, 87-2-102
- governor's authority, 10-1-105
- hunting licenses, eligibility, 87-2-102
- insurance producers, temporary license — designee for, 33-17-216, 33-17-217
- leave of absence to public employees, 10-1-604
- legal defense for members, 10-1-601
- mayors, powers, 7-4-4303, 7-4-4304
- officers, See **Officers**
- pay and allowances, 10-1-501 — 10-1-503
- property, 10-1-107
- public accountants, licensing without examination when, 37-50-304
- veterinarians, licensing
  - exemption when, 37-18-104
  - renewal, automatic when, 37-18-307

National guard, 10-1-101, 10-1-103, See also **Militia**
- adjutant general appointed from when, 2-15-1202
- armories, 10-1-108
- community service corps and volunteer projects, 90-14-105
- concealed weapons, carrying — exempt from criminal provisions, 45-8-317
- courts, convening authority and punishments — applicability of laws, 10-1-401
- federal law governing, 10-1-104
- firearm, sawed-off — possession, 45-8-340
- justice, administration, 10-1-411
- license plates for, 61-3-332, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, License plates**
- militia, as part of, 10-1-103
- reenlistment or extension bonuses, 10-1-803
  - administration, 10-1-806
  - amount, 10-1-804
  - citation of national guard reenlistment or extension act of 1981, 10-1-801
  - eligibility, 10-1-805, 10-1-806
  - purpose of provisions, 10-1-802
  - records and rules, 10-1-806
- retirement, 10-1-203, 10-1-304
- tactical incident assistance, 10-3-704, 10-3-705

National Guard Reenlistment or Extension Act of 1981, Title 10, chapter 1, part 8

Officers, 10-1-101, See also **Militia**
- abuse of authority, See **QUO WARRANTO, WRIT OF**
- allowances
  - incidental expenses, 10-1-503
  - uniform, 10-1-207
- appointment, 10-1-201
- authority, 10-1-602, 10-1-611, 10-1-612
- civil office, vacating, 10-1-208
- commissions or warrants vacated when, 10-1-205, 10-1-206
- discharge, 10-1-205, 10-1-206
- examination, board of, 10-1-201, 10-1-205, 10-1-206
- home guard, assigned to, 10-1-701
- legislature, not prohibited as member, Const., V, 9

MILITARY AFFAIRS (Continued)
Officers (Continued)

  medical, performance of duties, 37-3-103
  notarial acts by, 1-5-607, 1-5-609
  oath of office, 10-1-202
    enlistment oath, administration, 10-1-302
  optometry, practice of — applicability of provisions, 37-10-102
  pay and allowances, 10-1-502
  public officer may be, 10-1-208
  qualifications, 10-1-201
  resignation, 10-1-202, 10-1-204, 10-1-205
  retirement, 10-1-203, 10-1-206
  roster, 10-1-102
  statewide classification and pay plans, 2-18-103
  term of appointment, 10-1-201
  usurping or unlawfully holding office, 27-28-101, 27-28-301, 27-28-308; Title 25, chapter 21, M.R.App.P., Rule 7, See also **QUO WARRANTO, WRIT OF**
Pay and allowances, 10-1-502
  bonuses for national guard, extension or reenlistment, See **National guard**
  general fund, payment from, 10-1-501
  home guard, 10-1-704
  incidental expenses, 10-1-503
  officers, 10-1-207, 10-1-502
  retirement systems, service credits applicability
    firefighters, 19-13-403
    game wardens, 19-8-901
    highway patrol officers, 19-6-801, 19-6-803
    police officers, 19-9-403, 19-19-405, 19-19-406
    public employees, 19-2-705, 19-3-503, 19-3-511
    sheriffs, 19-7-803, 19-7-804
    teachers, 19-20-303, 19-20-401, 19-20-404, 19-20-405, 19-20-409
Pearl Harbor Memorial Committee, Title 5, chapter 17, part 3
Police officers
  exemption from duty, 7-32-4115
  retirement, service credits applicable, 19-9-403, 19-19-405, 19-19-406
Polygraph examiners, license renewals following military service, 37-62-204
Power of attorney, statutory — authority, 72-31-201, 72-31-234
Preferences to military personnel, Const., II, 35
Prisoners of war, See **WAR**
Property
  armories or facilities, for, 10-1-108, 10-1-109
    home guard, use, 10-1-703
  public property, as, 10-1-107
  sale or detention, unlawful, 10-1-613, 10-1-615
  taxes, suspension for persons in active service, 10-1-606
Public employees
  military service, 2-18-604, 2-18-614, 2-18-621, 10-1-604, 39-31-404, See also **VETERANS, Reemployment**
  retirement system, applicability, 19-2-705, 19-3-503, 19-3-511
Quartering of soldiers in homes, Const., II, 32
Railroads on reservations, 69-14-538
Records, storage of war records, 10-1-102, 22-3-221
Recruiting, 10-1-102
Reenlistment in national guard, See **National guard**
Reservations
  alcoholic beverage licenses, 16-4-110, 16-4-201, 16-4-209
  jurisdiction, 2-1-204

MILITARY AFFAIRS (Continued)
Reservations (Continued)

    railroads upon, 69-14-538
Reserve armed forces members, license plates, 61-3-332, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, License plates**
Right to bear arms, 1-1-224, 7-1-111, 45-8-107 — 45-8-109; Const., II, 12
Salary, See **Pay and allowances**
Salutes, blank ammunition — applicability of laws, 50-37-102
Sheriffs' retirement system, applicability, 19-7-803, 19-7-804
State lands
    leases, 77-6-103
    recreational use, closures when, 77-1-804
State military agencies, electronic information — public access, 2-6-110
Tactical incident assistance, Title 10, chapter 3, part 7
Taxation
    income tax
        deferment, 15-30-313
        retirement benefits, 15-30-101
        salary exemption, 15-30-116, 15-30-201, 15-30-202
        stay of enforcement against, 15-30-314
    property tax, suspension, 10-1-606
Teachers' retirement system, applicability, 19-20-303, 19-20-401, 19-20-404, 19-20-405, 19-20-409
Training programs, leave of absence to public employees, 10-1-604, See also **VETERANS, Reemployment**
Transportation of personnel, free or reduced rates, 69-11-208
Unemployment insurance coverage programs for, state cooperation in administration, 39-51-501
Unfair labor practice complaints, tolling of statute of limitation during service, 39-31-404
Uniform
    allowance, 10-1-207
    wearing unlawfully, 10-1-614, 10-1-615
United States military personnel
    burial, Title 10, chapter 2, part 5, See **VETERANS**
    discharge certificates, recording, 7-4-2614
    educational assistance to dependents, 20-25-421
    elections while in service, 13-1-112, 13-2-215
    inheritance tax exemption, 72-16-319
    marriage
        dissolution of marriage, residence requirements, 40-4-104
        serological test requirements, 40-1-205
    professional and occupational license fees and taxes, suspension when, 10-1-605, 37-62-204
    property taxes, suspension, 10-1-606
    public employees, leave of absence for training programs, 10-1-604, See also **VETERANS, Reemployment**
    public officer may hold military office, 10-1-208
    university system students, as, See **UNIVERSITY SYSTEM, Students**
University system
    facilities, 20-25-302
    military instruction, 20-25-506
Veterans, Title 10, chapter 2, See **VETERANS**
Voters, 13-1-112, 13-2-215
Wrestling matches or exhibitions, regulatory authority, 23-3-404, See **BOXING AND WRESTLING**

MILITARY AFFAIRS, DEPARTMENT OF, Title 2, chapter 15, part 12
    See also **EXECUTIVE BRANCH**
Adjutant general
    assistants, 2-15-1203
    department head, as, 2-15-1201

MILITARY AFFAIRS, DEPARTMENT OF (Continued)
Adjutant general (Continued)

national guard license plates, certificate for — issuance, 61-3-332
qualifications, 2-15-1201, 2-15-1202
term, Const., VI, 8
Civil defense duties, 10-3-102, 10-3-502
Community service corps program, duties, 90-14-103, 90-14-105
Creation, 2-15-1201
Defined, 10-1-101, 10-3-103
Disaster and Emergency Services, Division of, 10-3-103, See also **EMERGENCIES AND EMERGENCY POWERS**
communications, coordination, 10-3-106
cooperation with other agencies, 10-3-105, 10-3-201, 10-3-202
creation, 2-15-1204, 10-3-105
declaration of emergency filed with, 10-3-304, 10-3-404
drought advisory committee, duties and responsibilities consistent, 2-15-3308
duties generally, 10-3-105, 10-3-301
highways, use, 10-3-107
review of local plans and programs, 10-3-105, 10-3-202
school districts, earthquake emergency plans and procedures, 20-7-1101
Emergencies and emergency powers, See also **Disaster and Emergency Services, Division of**
emergency resources management plan, preparation, 10-3-502
expenditure programs, rulemaking authority, 10-3-311
national defense highway plans, 10-3-107
powers and duties generally, 10-1-102
Enlisted members, enlistment periods prescribed when, 10-1-301
Federal funding for facilities, construction, 18-2-102, 18-2-103
Head, See **Adjutant general**
Interstate mutual aid compact, rulemaking authority, 10-3-208
Officers' uniforms and equipment prescribed by, 10-1-207
Powers and duties generally, 10-1-102
Real property, lease, 10-1-109
Supervision, Const., VI, 8
Veterans' Affairs, Board of, Title 10, chapter 2, part 1, See **VETERANS**
Veterans' cemetery
establishment, 10-2-601
rules, 10-2-602

MILK CONTROL, BOARD OF, 2-15-3105; Title 81, chapter 23
See **DAIRIES AND DAIRY PRODUCTS**

MINES AND GEOLOGY, BUREAU OF
See **MONTANA TECH OF THE UNIVERSITY OF MONTANA**

MINES AND MINING
Abandonment
coal mines, 50-73-208, 50-73-306
location of claim, 82-2-102, 82-2-103, 82-2-105, 82-2-106
metal mines, 82-4-303, 82-4-332, 82-4-335 — 82-4-337, 82-4-339, 82-4-341
strip and underground mine reclamation, 82-4-203, 82-4-231
trusts for unlocatable owners, Title 82, chapter 1, part 3
underground mines, new strip or underground mining operations near, 82-4-227
Actions
coal mine safety map, providing — recovery of costs when, 50-73-209
leased mines, purchasers of ore from — shipper violation, 82-2-425
lease, release of record, 82-1-202
metal mine reclamation
environmental emergencies, abatement costs — recovery, 82-4-357

MINES AND MINING (Continued)
Actions (Continued)
  metal mine reclamation (Continued)
    exploration licenses or operating permits, review of decisions granting or denying, 82-4-349, 82-4-350
    noncompliance, mandamus to enforce, 82-4-354
    recovery of costs, 82-4-305, 82-4-341
    small miners, recover of costs, 82-4-305
    violations, recovery of penalties or injunction, 82-4-361
    water supply, damage to, 82-4-355
  opencut mining, reclamation
    breach of contract or payment of bond, 82-4-434
    contracts, enforcement, 82-4-423
    violations, injunction or recovery of civil penalties, 82-4-441
  rights-of-way, to obtain, 82-2-203
  royalties, accounting and recovery of payment or delivery, 82-10-101, 82-10-102
  statutes of limitation, 27-2-303, 82-4-349
  strip and underground mine reclamation
    noncompliance, mandamus to enforce, 82-4-252
    violations, recovery of penalties or injunction, 82-4-254
    water supply, damage to, 82-4-253
  strip and underground mine siting
    noncompliance, mandamus to enforce, 82-4-142
    violations, recovery of penalty, 82-4-141
Affidavits
  claims, petition for inspection or survey — hearing, 70-19-204
  lease expiration, of effectiveness and service of notice, 82-1-202
  location of claim
    certificate of location, verification, 82-2-102
    work or improvements, affidavit of performance, 7-4-2613, 7-4-2619, 7-4-2631, 82-2-103, 82-2-115
  metal mine reclamation, for lack of enforcement, 82-4-354
  strip and underground mine reclamation, for lack of enforcement, 82-4-252
  strip and underground mine siting, for lack of enforcement, 82-4-142
Assaying, See **Samples of ore**
Assignment and assignees
  coal board, loan contracts — restrictions, 90-6-209
  leases, release of record, 82-1-201, 82-1-202
  location of claim, amendment, 82-2-114
  metal mines
    bond, performance — certificate of deposit in lieu of, 82-4-338
    successor operators, 82-4-340
  strip and underground mining, successor operators, 82-4-238
Building codes, nonapplicability, 50-60-102
Bureau of Mines and Geology, See **MONTANA TECH OF THE UNIVERSITY OF MONTANA**
Burial site protection, Title 22, chapter 3, part 8
"Buyer in the ordinary course of business" defined, 30-1-201
Capital companies, qualified investments, 90-8-104
Centennial acre, title to — mineral rights, 2-89-205, 2-89-206
Child labor prohibited when, 41-2-106, 41-2-107
Cities and towns, annexation restricted when, 7-2-4503, 7-2-4608
Claim
  abandonment, 82-2-102, 82-2-103, 82-2-105, 82-2-106
  actions relating to, 70-19-201
    adverse claims under acts of congress, 70-19-203
    inspection or survey of claim, 70-19-204, 70-28-113
    parties, 70-1-311, 70-19-202
  actions for waste, trespass, or injury, 27-2-303
  forcible entry and detainer and unlawful detainer, 70-27-102, 70-27-103, 70-27-108

MINES AND MINING (Continued)
Claim (Continued)

  location, Title 82, chapter 2, part 1, See also **Location of claim**
  partnership, Title 35, chapter 13
  taxation, 15-8-111, 15-23-501
Coal Board, 2-15-1821; Title 90, chapter 6, part 2
Coal generally
  carriers
    pipeline, Title 69, chapter 13
    unlawful confiscation by, 69-11-108
  city inspection, weighing, and measuring, 7-21-4203
  county leases, 7-8-2233
  defined, 1-4-110, 82-1-111
  eminent domain, 70-30-102, 70-30-106
  facility siting, Title 75, chapter 20
  gross proceeds tax, Title 15, chapter 23, part 7
  leases, See **Leases**; **STATE LANDS, Coal leases**
  net proceeds tax, 15-6-131; Title 15, chapter 23, part 5
  new coal production incentive tax credit, Title 15, chapter 35, part 2
  railroads, unlawful confiscation by, 69-11-108
  reclamation, See **Strip and underground mine reclamation**; **Strip and underground mine siting**; **RECLAMATION, Reclamation and development grants program**
  severance tax, Title 15, chapter 35, part 1
  severance tax bonds, Title 17, chapter 5, part 7
  state lands, See **STATE LANDS, Coal leases**; **Minerals**
  strip and underground mine reclamation, Title 82, chapter 4, part 2
  strip and underground mine siting, Title 82, chapter 4, part 1
  trust funds, See **COAL TRUST FUNDS**
Coal impact areas
  coal area highway construction, 90-6-201, 90-6-202, 90-6-210
  coal area highway improvement account, 90-6-202
  grants and loans, 90-6-205 — 90-6-209, 90-6-212
  purpose of provisions, 90-6-201
Coal invoices and bills, 82-3-201
  dealer's duties, 82-3-202
  enforcement, 82-3-203, 82-3-204
  inspection, 82-3-203
  penalties for violations, 82-3-205
Coal mine safety, See also **Safety and health protection**
  airways, 50-73-304, 50-73-305
  boundary lines, 50-73-208, 50-73-210
  citation of Montana coal mining code, 50-73-101
  debarment of persons from mine when, 50-73-412
  definitions, 50-73-102
  expeditious action or decision required, 50-73-418
  fatality in mine, 50-73-308, 50-73-410, 50-73-411
  findings, requirements, 50-73-414
  happening of certain occurrence, notice, 50-73-306
  hearings, 50-73-417
  hoisting engines or engineers, 39-4-101, 50-73-302, 50-73-305, 50-73-306
  injunction or other relief, 50-73-104
  injuries, record of, 50-73-307
  inspections and investigations, 50-73-104, 50-73-105, 50-73-402 — 50-73-406, 50-73-409 — 50-73-413, 50-73-417
  inspectors, 50-73-205, 50-73-401, 50-73-409, 50-73-410
  internal-combustion engines, nonpermissible, 50-73-303
  maps, 50-73-201 — 50-73-206, 50-73-208, 50-73-209

MINES AND MINING (Continued)
Coal mine safety (Continued)

- noncompliance with standards, procedure, 50-73-413
- notice
  - happening of certain occurrence, upon, 50-73-306
  - inspection, for, 50-73-403
  - requirements, 50-73-414, 50-73-415
  - violations, of, 50-73-407, 50-73-408
- order
  - compliance, determination, 50-73-402
  - requirements, 50-73-414 — 50-73-417
  - violations, 50-73-104, 50-73-105
  - withdrawal from mine, 50-73-305
- production reports, 50-73-301
- prohibitions and precautions, 50-73-305
- rules, 50-73-102 — 50-73-105, 50-73-210, 50-73-302, 50-73-305
- statement of conditions, posting, 50-73-409
- surveys, 50-73-206 — 50-73-208
- violations, 50-73-104, 50-73-105, 50-73-403, 50-73-407, 50-73-408, 50-73-413, 50-73-417

College of, See **MONTANA TECH OF THE UNIVERSITY OF MONTANA**
Concealed weapons, carrying — exemption from criminal provisions, 45-8-317
Consignments of ore, payment time, 82-2-421, 82-2-422
Counties
- leases, 7-8-2233, 7-8-2507, 7-8-2514
- royalty interests, 7-8-2305, 7-8-2306, 7-8-2514, 15-17-326, 27-2-210, 70-19-421

Development projects, 90-1-102
Dredge mining, 82-4-303, 82-4-305, See also **Metal mine reclamation**
Easement for taking minerals, 70-17-101, 70-17-102
Eminent domain, 70-30-102, 70-30-104 — 70-30-106, 82-4-239, 82-4-371, 82-4-445
- open-pit mining, for, 82-2-221 — 82-2-224

Employees
- fellow servant liability, 39-2-704
- hours of employment, 39-4-101, 39-4-103, 39-4-104, 39-4-107
- labor organizations, See **COLLECTIVE BARGAINING**
- liens for labor, Title 71, chapter 3, part 3
- metal mine exploration license, inclusion, 82-4-331
- minors as, labor prohibited, 41-2-106, 41-2-107
- safety and health, See **Coal mine safety**; **Safety and health protection**
- taxes, license — labor to pay not required, 15-37-101
- wage assignment for benefit of creditors, preferred claim, 31-2-205
- wage protection, 39-3-407; Title 39, chapter 3, part 5

Environmental contingency account, use, 75-1-1101, 82-4-357
Equipment and machinery
- dinkey engines, 50-74-104, See **BOILERS AND STEAM ENGINES**, **Traction engines**
- taxation, See **TAXATION, MINERALS**, specific tax

Evidence
- claim, petition for inspection or survey — hearing, 70-19-204
- claims, custom and usage, 70-19-201
- leases, release of record
  - damages or sufficiency of notice, 82-1-202
  - demand for, copy, 82-1-203
- location of claim
  - abandonment, 82-2-102, 82-2-103
  - certificate of location, facts in, 82-2-102
  - national forests, claims in, 81-4-219
  - patent, united states — effect, 82-2-113
  - proper marking, 82-2-101

MINES AND MINING (Continued)
Evidence (Continued)
- location of claim (Continued)
  - trusts for unlocatable owners, presumption of ownership, 82-1-306
  - work or improvements, affidavit of performance, 82-2-103
- metal mines
  - abandonment, presumption, 82-4-303
  - exploration licenses or operating permits, review of decisions granting or denying, 82-4-350
  - explosives, property damage or safety hazards caused by use, 82-4-356
  - operating permit, denial, 82-4-351
  - water supply, damage to, 82-4-355
- opencut mining, reclamation
  - hearings, 82-4-422
  - violations, penalty assessment hearings, 82-4-441
- strip and underground mine reclamation
  - bond, release, 82-4-232
  - coal mining, designation of land unsuitable for — allegations of facts, 82-4-228
  - enforcement actions, 82-4-252
  - permit
    - applicants, burden of establishing compliance, 82-4-227
    - renewal, burden on opponents, 82-4-221
  - violations and penalties, hearing on, 82-4-254
- water supply, damage to, 82-4-253

Exploration
- actions for waste, trespass, or injury, 27-2-303
- coal mining, land unsuitable for — effect, 82-4-228
- conservator's authority, 72-5-427
- county leases for, 7-8-2507, 7-8-2514
- environmental quality, department of — by, 82-4-239
- license, See **Metal mine reclamation**; See also **Prospectors**; **STATE LANDS**, **Prospecting permit**
- metal mining and reclamation, Title 82, chapter 4, part 3
- personal representative's authority, 72-3-613
- rights of entry, tax exemption, 15-6-201
- trust property, power of trustee, 72-34-322

Explosives, use, 37-72-101, 82-4-222, 82-4-231, 82-4-356
Federal lands, mining on
- discovery pits, exemption from landowner notification requirements, 82-2-304
- location of claim, See **Location of claim**
- metal mine reclamation, exemption from provisions, 82-4-309
- opencut mining, reclamation — exemption from provisions, 82-4-406

Financing of operations, fraud, 30-14-701 — 30-14-704
Fires and fire hazards, 82-4-231; Title 50, chapter 73
"Fixtures" defined, 70-15-104
Hard-rock mines impact areas, See also **Metal mine reclamation**
- administration, 90-6-305
- budget authority of local government unit, 90-6-323
- county hard-rock mine trust reserve account, 7-6-2225, 15-37-117, 90-6-331
- declaration of necessity and purpose, 90-6-301
- definitions, 90-6-302
- grants and loans, 7-6-2225, 90-6-305, 90-6-306
- hard-rock mining impact account, 90-6-304, 90-6-305, 90-6-307
- hard-rock mining impact trust account, 15-37-117, 90-6-303, 90-6-304, 90-6-331
- hard-rock mining impact trust reserve account, 90-6-304, 90-6-331
- impact plan, 15-37-117, 82-4-335, 90-6-307, 90-6-308, 90-6-311, 90-6-404, 90-6-405
- local government facility impact bonds, 90-6-307, 90-6-310
- metal mines license tax, funding, 15-37-117
- metal mines tax reserve account, 7-6-2226
- metal mines tax reserve fund, 20-9-231

MINES AND MINING (Continued)
Hard-rock mines impact areas (Continued)

- rulemaking authority, 90-6-305
- taxable valuation, reallocation
  - declaration of necessity and purpose, 90-6-401
  - definitions, 90-6-402
  - employee surveys, 90-6-405
  - increase in valuation, allocation, 90-6-403 — 90-6-405
  - jurisdictional revenue disparity, 15-37-117, 90-6-402, 90-6-403
- tax prepayment and credit, 15-6-152, 15-16-201, 90-6-307, 90-6-309

Hard-Rock Mining Impact Board, 2-15-1822, 82-4-335, 82-4-339, 90-6-403; Title 90, chapter 6, part 3

Hazardous wastes
- coordination of provisions, 75-10-404
- underground storage tank provisions, nonapplicability, 75-10-403

Health protection, Title 50, chapter 72; Title 39, chapters 72 and 73

Highway sanding or snow removal, use of mineral slag prohibited when, 60-2-241

Hoisting engines or engineers, 39-4-101, 50-73-302, 50-73-305, 50-73-306

Human skeletal remains, protection, Title 22, chapter 3, part 8

Impact areas, See **Coal impact areas**; **Hard-rock mines impact areas**

Irrigation districts, noninterference and right-of-way, 85-7-1932

Joint tenancy, 70-1-311, 70-19-202

Landowner, notification to, 82-2-303
- citation of the landowner notification act, 82-2-301
- exemptions, 82-2-304, 82-2-305
- ownership of land, ascertaining, 82-2-302
- violations and immunity of landowner, 82-2-306

Leases
- conservator's authority, 72-5-427
- county, 7-8-2233, 7-8-2507, 7-8-2514
- forfeiture, cancellation, or expiration, 82-1-201, 82-1-202
- landowner notification requirements, 82-2-305, 82-2-306
- metal mine reclamation, successor operator, 82-4-340
- personal representative's authority, 72-3-613
- principal and income determinations, 72-34-404, 72-34-410, 72-34-412
- purchasers of ore from leased mines, 82-2-423 — 82-2-426
- release of record, 82-1-201 — 82-1-203
- state lands, on, See **STATE LANDS, Coal leases**; **Leases**; **Mining leases**; **Nonmetallic mineral leases**
- strip and underground mining, successor operator, 82-4-238
- trust property, power of trustee, 72-34-322
- trusts for unlocatable owners, Title 82, chapter 1, part 3
- uniform commercial code, goods — nonapplicability, 30-2A-103

Liens
- coal gross proceeds tax, 15-23-704
- construction, real estate improvement contract — nonapplicability, 71-3-522
- hard-rock mines local government facility impact bonds, 90-6-302
- labor, for, Title 71, chapter 3, part 3
- lease forfeiture or cancellation, effect, 82-1-202
- metal mines
  - gross proceeds tax, 15-23-806
  - license tax, 15-37-107
- micaceous mineral mines license tax, 15-37-206
- net proceeds tax, 15-23-504, 15-23-508
- partnerships, 35-13-205, 35-13-207, 35-13-208
- reclamation by department of environmental quality, costs as, 82-4-239, 82-4-372, 82-4-446
- working cotenants or joint tenants, attachment to interests of, 70-1-311, 70-19-202

Local government powers, 7-1-111

MINES AND MINING (Continued)

Location of claim, 82-2-101
  abandoned claim, 82-2-102, 82-2-103, 82-2-105, 82-2-106
  adverse possession, effect, 70-19-305
  amendment, 82-2-107, 82-2-109, 82-2-110, 82-2-114
  certificate of location, 7-4-2613, 7-4-2619, 7-4-2631, 82-2-102, 82-2-107, 82-2-112, 82-2-115
  defective location, 82-2-112
  false filings, 82-2-115
  marking, 81-4-218 — 81-4-220, 82-2-101, 82-2-115
  millsites, 7-4-2631, 82-2-104
  national forest, in, 81-4-218 — 81-4-220
  notice of location, 7-4-2613, 7-4-2619, 7-4-2631, 82-2-101, 82-2-106, 82-2-112
  patent, united states — effect, 82-2-113
  preexisting locations, validation, 82-2-111
  recording, 7-4-2613, 7-4-2619, 7-4-2631, 82-2-102, 82-2-104, 82-2-113
    defect, 82-2-107, 82-2-112
  relocation, 82-2-105, 82-2-106, 82-2-108 — 82-2-110, 82-2-114
  third persons, rights, 82-2-110 — 82-2-112
  violations, 82-2-115
  work or improvements
    affidavit of performance, 7-4-2613, 7-4-2619, 7-4-2631, 82-2-103, 82-2-115
    relocation to avoid, prohibited, 82-2-108
Lung disease, Title 39, chapters 72 and 73; Title 50, chapter 72
Machinery and equipment
  dinkey engines, 50-74-104, See **BOILERS AND STEAM ENGINES**, **Traction engines**
  taxation, See **TAXATION, MINERALS**, specific tax
Megalandfill siting, solid waste exclusion, 75-10-903
Metal mine reclamation, See also **Hard-rock** entries
  abandonment, 82-4-303, 82-4-332, 82-4-335 — 82-4-337, 82-4-339, 82-4-341, 82-4-371, 82-4-372
  abatement orders, 82-4-305, 82-4-331, 82-4-335, 82-4-362
  administration, 82-4-321, 82-4-342
  advertising prior to entry upon land, when, 82-4-371
  annual report, 82-4-339, 82-4-362
  appeals, 82-4-337, 82-4-341, 82-4-353
  bond, 82-4-335, 82-4-337, 82-4-338, 82-4-341
    exploration license, 82-4-331, 82-4-332
    failure to post, 82-4-331, 82-4-335
    forfeiture, 82-4-305, 82-4-331, 82-4-335, 82-4-357, 82-4-360, 82-4-362
    release, 82-4-341, 82-4-342
    small miners, 82-4-305
    successor operator, 82-4-340
  confidentiality of information, 82-4-306 — 82-4-308
  cooperation with other agencies, 82-4-323
  costs, 82-4-305, 82-4-341, 82-4-360
  definitions, 82-4-303, 82-4-353
  emergencies, 82-4-336, 82-4-357
  eminent domain, 82-4-371
  enforcement, 82-4-354, 82-4-361
  environmental emergencies, abatement, 82-4-357
  environmental quality, department of — by, 82-4-341, 82-4-371, 82-4-372
  exemptions
    federal lands, operations on, 82-4-309
    geological phenomena, 82-4-334
    preexisting mines, mills, or reprocessing operation, 82-4-304
    sample collectors, 82-4-310
    small miners, 82-4-305

MINES AND MINING (Continued)
Metal mine reclamation (Continued)

- exploration license, 82-4-331, 82-4-332, 82-4-360
  - actions to review decisions granting or denying, 82-4-349, 82-4-350
  - cancellation or denial, 82-4-341
  - confidentiality of information, 82-4-306 — 82-4-308
  - geological phenomena, exemption for, 82-4-334
  - suspension or revocation, 82-4-355, 82-4-362
- explosives, complaints related to use of, 82-4-356
- fees, 82-4-331, 82-4-332, 82-4-335, 82-4-339, 82-4-362
- funding, 82-4-311, 82-4-323, 82-4-372
- gross proceeds tax, Title 15, chapter 23, part 8
- hard-rock mining and reclamation account, 82-4-311
- hearings, 82-4-306, 82-4-337, 82-4-338, 82-4-353, 82-4-361, 82-4-362
- impact areas, See **Hard-rock mines impact areas**
- injunction, 82-4-361, 82-4-371
- inspections, 82-4-337, 82-4-341, 82-4-342, 82-4-371
- investigations, 82-4-322, 82-4-355, 82-4-356
- large-scale mineral developers, 82-4-335, 82-4-339, 90-6-302, 90-6-307, 90-6-309 — 90-6-311
- leases for mining, See **STATE LANDS, Mining leases**
- legislative findings, 82-4-301
- license tax, Title 15, chapter 37, part 1
- mandamus to enforce, 82-4-354
- maps, 82-4-303, 82-4-305, 82-4-332, 82-4-335, 82-4-339
- net proceeds tax, 15-6-131; Title 15, chapter 23, part 5
- noncompliance, 82-4-305, 82-4-331, 82-4-335, 82-4-341, 82-4-362
- opencut mining, reclamation — exemption, 82-4-404
- operating permit, 82-4-306, 82-4-335, 82-4-337
  - actions to review decisions granting or denying, 82-4-349, 82-4-350
  - amendment or revision, 82-4-303, 82-4-337, 82-4-342, 82-4-351
  - application, 82-4-303, 82-4-353, 82-4-360
  - area of land or water disturbed or included, 82-4-303
  - cancellation, 82-4-341
  - denial, 82-4-341, 82-4-349 — 82-4-352
  - reapplication, 82-4-352
  - revocation or suspension, 82-4-335, 82-4-355, 82-4-362
  - small miners, 82-4-305, 82-4-335
  - successor operator, 82-4-340
- orders, 82-4-305, 82-4-331, 82-4-335, 82-4-341, 82-4-354, 82-4-361, 82-4-362
- penalties, 82-4-305, 82-4-331, 82-4-335, 82-4-360 — 82-4-362
- preexisting mines, mills, or reprocessing operation, 82-4-304, 82-4-307
- purpose of provisions, 82-4-302
- reclamation plan, 82-4-303, 82-4-336, 82-4-337, 82-4-341, 82-4-342, 82-4-351, 82-4-362
  - new plan, reapplication with, 82-4-352
  - operating permit applications, submission with, 82-4-332, 82-4-335
- records, 82-4-341
- research, 82-4-322
- rules, 82-4-304, 82-4-306, 82-4-321, 82-4-331, 82-4-332, 82-4-335, 82-4-337 — 82-4-339, 82-4-341, 82-4-342, 82-4-354, 82-4-361, 82-4-362
- small miners, 82-4-303
  - confidentiality of information, 82-4-306 — 82-4-308
  - exemption, 82-4-305
  - impact provisions, exclusion, 90-6-302
  - operating permit, 82-4-305, 82-4-335
- successor operator, 82-4-340
- supervisors, 82-4-321
- taxation, 15-6-131; Title 15, chapter 23, parts 5 and 8; Title 15, chapter 37, part 1

MINES AND MINING (Continued)
Metal mine reclamation (Continued)

- vegetative cover, 82-4-303, 82-4-336
- violations, 82-4-306, 82-4-361, 82-4-362
- water supply, damage to, 82-4-355

Micaceous mineral mines license tax, Title 15, chapter 37, part 2
Millsites, 7-4-2631, 82-2-104
Mine shafts or tunnels

- failure to cover or fence, 45-8-113
- hours of employment in, 39-4-103
- revegetation not required, 82-4-231, 82-4-233
- sealing at end of operations, 82-4-231

Motor carrier provisions, exemption when, 69-12-102
Motor vehicles, excess size and weight permit restrictions, 61-10-124
Net proceeds tax, 15-6-131; Title 15, chapter 23, part 5
Occupational disease, Title 39, chapter 72; Title 50, chapter 72
Opencut mining, reclamation, See also **Strip and underground mine reclamation**

- abandoned sites, 82-4-445, 82-4-446
- administration, 82-4-421, 82-4-422, 82-4-441
- bond, 82-4-431 — 82-4-434
  - forfeiture, 82-4-422, 82-4-426
  - governmental agencies, exclusion, 82-4-405
- citation of the opencut mining act, 82-4-401
- contract, 82-4-403, 82-4-422, 82-4-423, 82-4-431, 82-4-434
  - application, 82-4-432
  - suspension, 82-4-433
  - violations, 82-4-441
- definitions, 82-4-403
- eminent domain, 82-4-445
- enforcement, 82-4-421, 82-4-423, 82-4-425
- environmental quality, department of — by, 82-4-445, 82-4-446
- exemptions, 82-4-404 — 82-4-406
- fees, 82-4-405, 82-4-424, 82-4-432
- fines, 82-4-424
- funds, 82-4-424, 82-4-446
- hearings, 82-4-422, 82-4-427, 82-4-441
- injunction, 82-4-434, 82-4-441, 82-4-445
- inspections or investigations, 82-4-422, 82-4-425, 82-4-434, 82-4-445
- opencut mining and reclamation account, 82-4-424
- penalties, 82-4-424, 82-4-432, 82-4-433, 82-4-441
- policy of state, 82-4-402
- reclamation plan, 82-4-403, 82-4-434
- records, 82-4-422
- rules, 82-4-422, 82-4-431, 82-4-433, 82-4-441
- strip mining, as, 82-4-203
- violations, 82-4-431, 82-4-441
- zoning regulations applicable when, 76-1-113, 76-2-209, 82-4-431, 82-4-432

Open-pit mining

- eminent domain, 82-2-221 — 82-2-224
- metal mines, Title 82, chapter 4, part 3

Partnerships

- contracts, when binding, 35-13-201
- existence, determination, 35-13-101
- formation, 35-13-102
- liens, 35-13-205, 35-13-207, 35-13-208
- majority interest governs, 35-13-202
- oil or gas unit operation does not create, 82-11-216

MINES AND MINING (Continued)
Partnerships (Continued)

- profits and losses, 35-13-204
- property, 35-13-203, 35-13-205
- sale of interest, 35-13-206 — 35-13-208

Permits
- metal mines, See **Metal mine reclamation**
- opencut mining, reclamation — contract, See **Opencut mining, reclamation**
- prospecting, 82-4-226, 82-4-227, 82-4-232
- strip and underground mines, See **Strip and underground mine reclamation**; **Strip and underground mine siting**

Petroleum storage tank releases, cleanup, Title 75, chapter 11, part 3
Placer mining, 82-4-303, 82-4-305, See also **Metal mine reclamation**
Plumbing installations, 37-69-102, 50-60-503
Plutonium, radiation control, Title 75, chapter 3
Prospectors, See also **STATE LANDS, Prospecting permits**
- landowner notification, Title 82, chapter 2, part 3
- permit, 82-4-226, 82-4-227, 82-4-232

Real estate broker and salesman provisions, exemption from, 37-51-103
Reclamation and restoration, Const., IX, 2
- district weed board, requirements, 7-22-2152
- grants program, Title 90, chapter 2, part 11
- landowner, plan included in notice to, 82-2-303
- metal mine reclamation, Title 82, chapter 4, part 3
- opencut mining, reclamation, Title 82, chapter 4, part 4
- strip and underground mine reclamation, Title 82, chapter 4, part 2
- strip and underground mine siting, Title 82, chapter 4, part 1

Research and development
- hard-rock mining and reclamation account, 82-4-311
- metal mine reclamation, 82-4-322
- opencut mining, reclamation, 82-4-424
- strip and underground mine reclamation, 82-4-205
- strip and underground mine siting, 82-4-112
- technology development projects, 90-3-501, See **SCIENCE AND TECHNOLOGY FINANCING**

Reservation of mineral rights
- forest lands, owner — exception, 76-13-102, 76-13-302
- state lands, 77-2-304

Residence
- coal mine inspectors, 50-73-401
- rights-of-way, commissioners, 82-2-205
- strip and underground mine reclamation
  - mandamus to compel enforcement, 82-4-252
  - surface owner, 82-4-203
- strip and underground mine siting, mandamus to compel enforcement, 82-4-142

Resource indemnity trust and ground water assessment tax, Title 15, chapter 38
Right of entry, property tax exemption, 15-6-201
Rights-of-way, 82-2-201
- appeals, 82-2-209, 82-2-210, 82-2-212
- commencement, 82-2-208
- commissioners, 82-2-205 — 82-2-207, 82-2-209
- costs, 82-2-210 — 82-2-212
- damages, 82-2-205 — 82-2-209
- irrigation district, of, 85-7-1932
- order to award, 82-2-205
- proceedings to obtain, 82-2-203, 82-2-204, 82-2-211
- road or ditch, for, 82-2-202

Rock hounds, exemption from metal mine reclamation provisions, 82-4-310

MINES AND MINING (Continued)

Royalty interests, 82-10-101, 82-10-102
  centennial acre, disposition of proceeds, 2-89-206
  counties, 7-8-2305, 7-8-2306, 7-8-2514, 15-17-326, 27-2-210, 70-19-421
  principal and income determinations, 72-34-404, 72-34-410, 72-34-412
  subdivisions, securities exemption, 76-4-1222
  trusts for unlocatable owners, Title 82, chapter 1, part 3
Safety and health protection, See also **Coal mine safety**
  applicability of laws, 50-72-101
  debarment of persons from mine when, 50-72-204
  definitions, 50-72-102
  expeditious action or decision required, 50-72-210
  findings, requirements, 50-72-206
  hearings, 50-72-209
  injunction or other relief, 50-72-103
  inspections and investigations, 39-1-103, 50-72-103, 50-72-104, 50-72-202, 50-72-204, 50-72-205
  inspectors, 50-72-102, 50-72-201, 50-72-203
  metal mines
    explosives, complaints concerning use, 82-4-356
    reclamation plan, 82-4-336
  noncompliance with standards, procedure, 50-72-205
  notice or order, requirements, 50-72-102, 50-72-204 — 50-72-209
  occupational disease benefits, Title 39, chapter 72
  silicosis, Title 39, chapters 72 and 73
  strip and underground mines, new operations near abandoned operations, 82-4-227
  violations, 50-72-103, 50-72-104, 50-72-205, 50-72-206
Sales transactions, uniform commercial code — applicability, 30-1-201, 30-2-105, 30-2-107
Samples of ore
  collectors, exemption, 82-4-310
  foreign substances, commingling, 82-2-403
  historical society, preservation by, 22-3-107
  hours of work for employees, 39-4-103
  leased mines, statement by purchasers of ore from, 82-2-423 — 82-2-426
  metal mines operators, to be done within state, 15-37-104
  metal mining, 82-4-303, 82-4-335
  retention until settlement, amount required, 82-2-402
  samplerooms required, 82-2-401
  umpire assayers, 82-2-404 — 82-2-406
  violations, 82-2-403, 82-2-406
Securities
  registration, exclusion by notification, 30-10-203
  transactions, exemption, 30-10-103, 30-10-105
Security interests, 30-9-103, 30-9-401 — 30-9-403
Silicosis, Title 39, chapters 72 and 73
Slag, use for highway sanding or snow removal prohibited when, 60-2-241
Small miners, See **Metal mine reclamation**
Smelters, See also **Safety and health protection**
  consignments of ore, 82-2-421, 82-2-422
  hours of employment in, 39-4-103, 39-4-107
  leased mines, statement by purchasers of ore from, 82-2-423 — 82-2-426
  samples of ore, 82-2-401 — 82-2-406
Solid waste disposal exclusions, exceptions, 75-10-214
State lands, See **STATE LANDS**, specific lease; **Minerals**
State mine inspector, 20-25-212
Strip and underground mine reclamation
  administration, 82-4-202, 82-4-204, 82-4-205

MINES AND MINING (Continued)
Strip and underground mine reclamation (Continued)

- advertising
  - bond release procedures, 82-4-232
  - entry upon land, prior to — when, 82-4-239
- alternative reclamation plan, 82-4-232
- appeals, 82-4-206, 82-4-239
- area, increase or reduction, 82-4-225, 82-4-227
- area strip mining required where, 82-4-232
- bond, 82-4-202, 82-4-223
  - forfeiture, 82-4-240, 82-4-241, 82-4-251
  - prospecting permit, 82-4-226
  - release, 82-4-232, 82-4-235, 82-4-236
  - supplemental, 82-4-225
- cessation of operations, order, 82-4-251
- citation of the strip and underground mine reclamation act, 82-4-201
- coal conservation plan, 82-4-202, 82-4-203, 82-4-222, 82-4-227, 82-4-231
- coal mining, designation of land unsuitable for, 82-4-228
- commencement of reclamation, 82-4-234
- cooperation of governmental agencies, 82-4-239
- definitions, 82-4-203, 82-4-227
- eminent domain, 70-30-102, 82-4-239
- enforcement, 82-4-202, 82-4-205, 82-4-251, 82-4-252, 82-4-254
- environmental quality, department of — by, 82-4-239, 82-4-240
- fees, 82-4-223, 82-4-225, 82-4-226, 82-4-241
- funding, 82-4-239, 82-4-241, 82-4-242
- hearings, 82-4-204 — 82-4-206, 82-4-227, 82-4-228, 82-4-231, 82-4-232, 82-4-235, 82-4-251, 82-4-254
- injunction, 82-4-239, 82-4-252, 82-4-254
- inspections, 82-4-205, 82-4-221, 82-4-226, 82-4-227, 82-4-231, 82-4-232, 82-4-235, 82-4-237, 82-4-239, 82-4-251, 82-4-254
- investigations, 82-4-205, 82-4-251, 82-4-253
- legislative findings, 82-4-202
- location of site, See **Strip and underground mine siting**
- mandamus to enforce, 82-4-252
- maps, 82-4-222, 82-4-225, 82-4-226, 82-4-237
- noncompliance, 82-4-205, 82-4-251, 82-4-254
- orders, 82-4-205, 82-4-251, 82-4-252, 82-4-254
- permit, mining, 82-4-204, 82-4-221, 82-4-222
  - amendment, 82-4-225, 82-4-227
  - applications, 82-4-221, 82-4-222, 82-4-225, 82-4-227, 82-4-231
  - area, increase or reduction, 82-4-225, 82-4-227
  - coal impact grant eligibility, effect on, 90-6-207
  - fees, 82-4-223, 82-4-225
  - 5-year, 82-4-202, 82-4-221
  - issuance, 82-4-205, 82-4-223, 82-4-231
  - refusal, 82-4-221, 82-4-227, 82-4-231, 82-4-234, 82-4-251
  - review of applications, procedures, 82-4-231
  - revocation, 82-4-251
  - successor operator, 82-4-238
  - suspension, 82-4-129, 82-4-205, 82-4-251, 82-4-253
  - violation, 82-4-203, 82-4-252, 82-4-254
- permit, prospecting, 82-4-226, 82-4-227, 82-4-232
- policy of state, 82-4-202
- preexisting operations, 82-4-202, 82-4-227, 82-4-239
- prospecting, 82-4-203, 82-4-226, 82-4-232
- reclamation account, 82-4-251

MINES AND MINING (Continued)
Strip and underground mine reclamation (Continued)

- reclamation plan, 82-4-231
  - administration, 82-4-202, 82-4-205
  - area strip mining, 82-4-232
  - bond requirements, 82-4-223
  - permit and application, requirements, 82-4-221, 82-4-222, 82-4-226
  - report, 82-4-237
- records, 82-4-221, 82-4-254
- reports, 82-4-204, 82-4-226, 82-4-237
- rules, 82-4-204, 82-4-205, 82-4-221 — 82-4-223, 82-4-226, 82-4-227, 82-4-231 — 82-4-234, 82-4-236, 82-4-252, 82-4-254
- siting permits, applicability, 82-4-124 — 82-4-128
- state land coal leases, compliance, 77-3-306
- successor operator, 82-4-238
- vegetation, planting, 82-4-222, 82-4-231 — 82-4-233, 82-4-235 — 82-4-237
- violations generally, 82-4-227, 82-4-251, 82-4-252, 82-4-254
- water supply, damage to, 82-4-253

Strip and underground mine siting

- administration, 82-4-102, 82-4-111, 82-4-112
- appeals, 82-4-130
- application of provisions, 82-4-104
- bond, 82-4-123, 82-4-128, 82-4-129
- citation of the strip and underground mine siting act, 82-4-101
- definitions, 82-4-103
- educational impact statements required when, 20-1-208, 20-1-209
- enforcement, 82-4-102, 82-4-112, 82-4-129, 82-4-141, 82-4-142
- facility siting, Title 75, chapter 20
- fees, 82-4-113, 82-4-123
- hearings, 82-4-111, 82-4-112, 82-4-130
- information applicable to mining permit application, 82-4-126
- injunction, 82-4-141
- mandamus to compel enforcement, 82-4-142
- noncompliance, 82-4-129
- orders, 82-4-112, 82-4-129, 82-4-141
- permit, 82-4-111, 82-4-121, 82-4-122, 82-4-124
  - application, 82-4-122
  - approval, 82-4-122, 82-4-127
  - fee, 82-4-123
  - mining permits, effect on, 82-4-127
  - refusal, 82-4-125, 82-4-129
  - reinstatement, 82-4-129
  - renewal, 82-4-124
  - revocation or suspension, 82-4-112, 82-4-129
  - termination, 82-4-128
- policy of state, 82-4-102
- preexisting preparatory work, 82-4-104
- purpose of provisions, 82-4-102
- reclamation account, 82-4-129
- reclamation plan
  - approval or disapproval, 82-4-102, 82-4-122
  - bond, 82-4-123, 82-4-129
  - noncompliance, effect, 82-4-129
- reports, 82-4-111
- rules, 82-4-102, 82-4-111, 82-4-112, 82-4-123, 82-4-129, 82-4-141, 82-4-142
- state land coal leases, compliance, 77-3-306
- violation and penalty, 82-4-141

MINES AND MINING (Continued)

Taxation, 15-6-131, 15-6-201; Title 15, chapter 23, parts 5, 7, and 8; chapters 35, 37, and 38
Tenancy in common, 70-1-311, 70-19-202
Tenant for years or at will, rights, 70-16-104, 70-26-206
Thorium, radiation control, Title 75, chapter 3
Trusts for unlocatable owners
    administration of trust, 82-1-304
    creation, 82-1-302, 82-1-303, 82-1-305
    definition, 82-1-301
    existing trust, 82-1-305
    filing of addresses and description of interest, 82-1-304, 82-1-306
    liability of petitioner, 82-1-303
    trustees, 82-1-302, 82-1-305
Underground mines
    abandoned, strip or underground operations near, 82-4-227
    metal mines, Title 82, chapter 4, part 3
    strip and underground mine reclamation, Title 82, chapter 4, part 2
    strip and underground mine siting, Title 82, chapter 4, part 1
Uniform Commercial Code, applicability of laws, 30-1-201, 30-2-105, 30-2-107, 30-2A-103
Uranium
    metal mining provisions, exclusion, 82-4-303
    radiation control, Title 75, chapter 3
    strip and underground mine reclamation, Title 82, chapter 4, part 2
    strip and underground mine siting, Title 82, chapter 4, part 1
Violations
    carriers, confiscation of coal, 69-11-108
    claims, false — filing, 82-2-115
    coal invoices and bills, generally, 82-3-205
    coal mine safety, 50-73-104, 50-73-105, 50-73-403, 50-73-407, 50-73-408, 50-73-413, 50-73-417
    consignments of ore, payment, 82-2-422
    financing of operations, fraud, 30-14-704
    fines, 50-72-104, 50-73-105, 82-2-115, 82-2-403, 82-2-406, 82-2-422, 82-2-426, 82-3-205, 82-4-141, 82-4-254, 82-4-306, 82-4-311
    hours of work, 39-4-101, 39-4-103, 39-4-104, 39-4-107
    landowner notification requirements generally, 82-2-306
    leased mine, purchasers of ore from
        shipper violation, 82-2-425
        smelter or sampling work violations, 82-2-426
    lease, failure to release from record, 82-1-201
    location of claim, generally, 82-2-115
    metal mine reclamation, generally, 82-4-306, 82-4-354, 82-4-361, 82-4-362
    mine shaft, failure to cover or fence, 45-8-113
    opencut mining, reclamation — generally, 82-4-431, 82-4-441
    safety and health, 50-72-103, 50-72-104, 50-72-205, 50-72-206
    samples of ore
        foreign substances, commingling, 82-2-403
        umpire assayer provisions, noncompliance, 82-2-406
    strip and underground mine reclamation, generally, 82-4-227, 82-4-251, 82-4-252, 82-4-254
    strip and underground mine siting, generally, 82-4-141, 82-4-142
    wage claims, failure to file statement of commencement of operations, 39-3-502
Water use
    beneficial use, 85-2-102
    ground water assessment, purpose, Title 85, chapter 2, part 9
    metal mines, See generally **Metal mine reclamation**
    nonsignificant activities, 75-5-317
    opencut mining, See generally **Opencut mining, reclamation**

MINES AND MINING (Continued)
Water use (Continued)

- road, ditch, flume, or tunnel right-of-way, 82-2-202
- strip and underground mines, See generally **Strip and underground mine reclamation; Strip and underground mine siting**

Working of claim, See **Location of claim**

MINORS

See also **GUARDIANS AND GUARDIANSHIP; PARENT AND CHILD; YOUTH COURT**

Abandonment, 41-3-102
- adoption, consent requirement, 40-8-111
- custody
  - parent entitled to, limitation, 40-6-221
  - proceedings, commencement, 40-4-211
  - relinquishment, presumptive evidence, 40-6-235
- endangering the welfare of children, 45-5-622
- parent-child legal relationship termination, criteria, 41-3-608, 41-3-609
- support, location of parents — cooperation, 40-5-206
- waiver of summons, 41-5-503
- youth court proceedings, prima facie evidence, 41-5-503

Abortion, Title 50, chapter 20, See also **ABORTION**
- coercion prohibited, 50-20-209
- definitions, 50-20-203
- legislative purpose and findings, 50-20-202
- notice to parents or guardians, 50-20-201
  - alternate, 50-20-205
  - exceptions, 50-20-208
  - judicial waiver, procedure, 50-20-212
  - required, 50-20-204
- penalties, criminal and civil, 50-20-215
- reports, 50-20-211
- self-consent inapplicable, 41-1-405
- viable infant, defined, 50-20-104
  - abortion after viability, grounds, 50-20-109
  - birth, protection after, 50-20-108
  - rights of unborn children, 41-1-103

Abused, neglected, and dependent children, Title 41, chapters 3 and 6, See **Interstate Compact on Juveniles; CHILD ABUSE AND NEGLECT**

Actions
- capacity as party, 25-5-301, 25-31-602, 27-1-511, 41-1-202; Title 25, chapter 20, M.R.Civ.P., Rule 17(c)
- default judgment against, Title 25, chapter 20, M.R.Civ.P., Rule 55(b)
- depositions, Title 25, chapter 20, M.R.Civ.P., Rule 27(a)
- guardian ad litem, See **GUARDIANS AND GUARDIANSHIP**
- injury to child, tort actions, 27-1-512, 27-2-205
- justice's court, representation, 25-31-602
- liability of minors, 27-1-711, 41-1-201
- parent, as — child support, for, 40-5-159
- rights, enforcement, 41-1-202
- service of process, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- statutes of limitations, 27-2-205, 27-2-401, 70-19-413

Adoption, Title 40, chapter 8, part 1; Title 52, chapter 2, part 5, See **ADOPTION OF CHILDREN**

Age
- alcoholic beverages, 16-3-301, 16-3-305, 16-6-305, 61-5-206; Const., II, 14
- "child" defined, 41-3-102
- child support payment past 18 years, extension when, 40-5-201
- discrimination, See **DISCRIMINATION**

MINORS (Continued)
Age (Continued)

- drivers' licenses, 61-5-104 — 61-5-106, 61-5-206, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Drivers' licenses**
- emancipated youth, 20-25-501, 41-3-102, 41-3-406, 41-3-408
- employment requirements, 41-2-105 — 41-2-110, 41-2-115
- majority defined, 41-1-101; Const., II, 14; II, 15
- marriage, 40-1-202, 40-1-203
- "minor" defined, 20-25-501, 23-4-101, 41-1-101
- minority, calculation, 41-1-102
- voting, 13-1-111, 13-2-205; Const., IV, 2
- "youth" defined, 7-6-501, 41-3-102, 41-5-103

Agent, may not appoint, 28-10-104, 28-10-704, 41-1-301
AIDS testing, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Aid to families with dependent children (AFDC), Title 53, chapter 4, part 2, See **PUBLIC ASSISTANCE**
Alcohol abuse, 41-1-402, 41-1-403, See **Medical care; CHEMICAL DEPENDENCY, Minors**
Alcoholic beverages

- bartenders, prohibited as, 39-2-306
- misrepresentation of age unlawful, 16-3-301, 16-6-305, 16-6-314, 61-5-206
- offense related to, urinalysis ordered, 41-5-514
- possession or attempt to purchase unlawful, 16-3-301, 16-6-305, 16-6-314, 45-5-624
- selling or providing to, unlawful when, 16-3-301, 16-6-305, 16-6-314, 45-5-622, 45-5-623

Anatomical gifts, 72-17-214, 72-17-215
Apprenticeship, 39-6-106, 41-2-107, 41-2-110
Arrest, Title 41, chapter 5, See **YOUTH COURT, Detention of youth**
Assault upon, 40-8-111, 45-1-205, 45-5-201, 45-5-502, 45-5-627
Attorneys for, See **ATTORNEYS AT LAW, Minors; CHILD ABUSE AND NEGLECT, Counsel; YOUTH COURT, Counsel**
Banks and trust companies

- deposits in name of minor, 32-1-444, 72-5-104
- transfers to, custodian, 72-26-502, 72-26-603

Bartenders, prohibited as, 39-2-306
Birth, See **BIRTH; VITAL STATISTICS, Birth certificates**
Boats and boating

- age requirements for operators, 23-2-523
- life preservers required to be worn when, 23-2-521
- waterskiing — motorboat operator and observer, minimum age, 23-2-529

Borrowing money, See **Contracts**
Boxing matches or exhibitions, 23-3-404, See **BOXING AND WRESTLING**
Building and loan associations, savings accounts held by minors, 32-2-401, 32-2-418, 72-5-104
Camps, health regulation, 50-52-101, See **CAMPING AND CAMPGROUNDS**
Care facilities, Title 41, chapter 3, See **YOUTH COURT, Youth residential facilities**
Chemical dependency, See **CHEMICAL DEPENDENCY**
Chemical sets for, hazardous substances exemptions, 50-30-203
Child abuse and neglect, Title 41, chapter 3
Child custody, Title 40, chapter 7
Child Labor Standards Act, Title 41, chapter 2, part 1, See **Employment**
Children of minors, See **Parent, minor as**; See also **PARENT AND CHILD**
Children's multiagency services, Title 52, chapter 2, parts 2 and 3, See also **CHILDREN'S MULTIAGENCY SERVICES**
Children's trust fund and board, 2-15-2402

- administration, Title 41, chapter 3, part 7, See **CHILD ABUSE AND NEGLECT**
- funding, 15-30-155, 25-1-201, 41-3-701 — 41-3-703

Child support, Title 40, chapter 4
Child welfare services, Title 52, chapter 2, part 1
Commitment, Title 41, chapter 5, See **CHILD ABUSE AND NEGLECT, Placement of child; YOUTH COURT, Commitment of youth; Placement of youth**

MINORS (Continued)

Communicable diseases, treatment for, 41-1-402, 41-1-403, See **Medical care**
Community service corps program, Title 90, chapter 14, part 1
Conciliation proceedings, 40-3-102, 40-3-111, 40-3-122, 40-3-127
Confidential communications, 26-1-808, 26-1-809
  children's services, multiagency — case records, 52-2-203, 52-2-211
  counselor-client privilege and exceptions, 26-1-809, 37-23-301
  social worker-client communications, 37-22-401
Consent by minor
  adoption, when, 40-8-113
  AIDS testing, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
  criminal acts, consent ineffective when, 45-2-211
  custody proceedings, professional evaluation, 40-4-215
  medical care
    custody investigations, medical information for, 40-4-215
    disaffirmance, 41-1-404, 41-1-406
    emergency situations, 41-1-405, 41-1-406
    information, for release, 41-1-403
    premarital examination, 40-1-203
    psychiatric or psychological counseling, 41-1-406, 41-1-407, 53-21-112
    required, 41-1-405
    validity, 40-1-203, 41-1-402, 41-1-406
  psychiatric or psychological counseling, 41-1-406, 41-1-407, 53-21-112
  rodeos and similar events, voluntary participation, 27-1-733
  school employees, confidential communications — release of information, 26-1-808, 26-1-809
Conservatorship, See **ESTATES AND PROBATE, Conservators and conservatorship**
Constitutional rights, See **Rights**
Contracts
  agency, applicability of laws to, 28-10-704
  delegation of power forbidden, 28-10-104, 41-1-301
  disaffirmance
    necessaries, prohibited when, 28-2-204, 41-1-305
    statutory obligations, prohibited when, 41-1-306
    power of, 41-1-302, 41-1-304
  emancipation, limited — rights following, 41-3-408
  insurance, 33-15-103, 33-15-401, 33-15-502
  loans, educational — capacity to make, 41-1-303
  marriage
    contract in restraint of, 28-2-706, 70-1-404
    settlement contracts, 40-2-311, 40-2-312, 40-2-314, 40-2-315
  necessaries, for, 28-2-202, 28-2-204, 41-1-305
  power, 28-2-201, 28-2-204, 33-15-103, 41-1-302, 41-3-408
Corporal punishment or physical restraint, 20-4-302, 45-3-107
Correctional facilities, Title 41, chapter 5, See **YOUTH COURT, Correctional facilities**
Counsel for, See **ATTORNEYS AT LAW, Minors; CHILD ABUSE AND NEGLECT, Counsel; YOUTH COURT, Counsel**
Counseling for, 40-1-213, 41-1-402, 41-1-406, 41-1-407
County interdisciplinary child information teams, 41-3-205, 41-5-603, 52-2-211
Credit unions, shares held by minors, 32-3-504
Crime victims and witnesses — treatment, protection, and services, See **CRIME VICTIMS AND WITNESSES**
Curfew, 7-32-2302
Custody, See **CHILD ABUSE AND NEGLECT; CHILD CUSTODY; YOUTH COURT**
Damages
  liability, 27-1-711, 41-1-201
  property, parental liability, 20-5-201, 40-6-237, 40-6-238

MINORS (Continued)

Day care, Title 52, chapter 2, part 7, See **DAY CARE**
Death
  child abuse and neglect, 41-3-206, 41-3-609
  contracts, disaffirmance, 41-1-304
  driver's license, cancellation upon death of person signing application, 61-5-202
  emergency medical care, 41-1-405
  fetal death, See **DEATH**
  infants, See **DEATH, Infants**
  "physical injury" defined, 41-3-102
  posthumous children, property — future interest, 70-1-420, 70-1-422
  residence, determination if parent deceased, 1-1-215, 20-25-503
  tort action, medical malpractice, 27-2-205
  transfers to minor, death of
    custodian, 72-26-601, 72-26-605, 72-26-607, 72-26-609, 72-26-801
    minor, 72-26-803
  withholding of medically indicated treatment, 41-3-102
Death penalty, 46-18-304, See **DEATH PENALTY**
Deeds and conveyances
  power to make and disaffirm, 41-1-302
  transfers to, nomination of custodian, 72-26-601
Delinquent minors, Title 41, chapter 5, See **Interstate Compact on Juveniles; Interstate Compact on the Placement of Children; YOUTH COURT**
Dental care, See **Medical care**
Dependent children, Title 41, chapters 3 and 5, See **Interstate Compact on Juveniles; CHILD ABUSE AND NEGLECT; YOUTH COURT**
Depositions, Title 25, chapter 20, M.R.Civ.P., Rule 27(a)
Desertion, See **Abandonment**
Destruction of property by, See **Property**
Detention, Title 41, chapter 5, See **YOUTH COURT, Detention facilities and services; Detention of youth**
Developmental disabilities, Title 53, chapter 20, See **DEVELOPMENTAL DISABILITIES**
Disabilities, children with, Title 20, chapter 7, part 4, See **SCHOOLS, Special education**
Discriminatory practices, See **DISCRIMINATION**
Domestic service employment, 41-2-103 — 41-2-105
Door-to-door sales by, 30-14-502
Drivers' license provisions, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Drugs or drug abuse, 41-1-402, 41-1-403, 41-5-514, See also **Medical care; CHEMICAL DEPENDENCY; DRUGS AND CONTROLLED SUBSTANCES AND DEVICES**
Earnings, See **Employment**
Education, See also appropriate subject heading
  attendance in school, See **SCHOOLS, Attendance**
  children's services, multiagency, 52-2-202, 52-2-211; Title 52, chapter 2, parts 2 and 3
  emancipation, limited — following, 41-3-408
  guardian's authority, 72-5-231
  loans for, capacity to make, 41-1-303
  overtime compensation exclusions for employees in residential schools, 39-3-406
  parental obligation, Title 40, chapter 6, part 2; Title 41, chapter 3, See **PARENT AND CHILD**
  special, Title 20, chapter 7, part 4
  veterans' dependents, university system tuition and fee waiver, 20-25-421
Elections
  voting age, 13-1-111, 13-2-205; Const., IV, 2
  voting program, Title 13, chapter 22, See also **ELECTIONS**
Emancipated youth, 20-25-501, 41-3-102
  insurance, power to contract, 33-15-103
  interstate compact on juveniles, applicability, 41-6-101

MINORS (Continued)
Emancipated youth (Continued)

- limited emancipation, order for and criteria, 41-3-406, 41-3-408, See **CHILD ABUSE AND NEGLECT, Emancipation, limited**
- medical care, consent by, 41-1-402
- shoplifting, civil penalty, 27-1-718
- youth court and department of family services records open to inspection by, 41-5-603

Emotionally disturbed children, 52-2-101
- policy concerning support services, 40-7-102

Employment
- apprenticeship, 39-6-106, 41-2-107, 41-2-110
- bartenders, prohibited as, 39-2-306
- definitions, 41-2-103
- earnings
  - control by parent, relinquishment, 40-6-235
  - minimum wage and overtime compensation exclusions, 39-3-406
  - parents' claim to, 40-6-221
  - payment to child, 40-6-236
  - tax withholding exemption, 15-30-201
- emancipation, limited — following, 41-3-408
- enforcement, 39-1-102, 41-2-116 — 41-2-118
- exemptions, 41-2-104
  - agricultural occupations, 41-2-109
  - sixteen and seventeen years old, 41-2-110
- federal agencies, cooperation with, 39-1-104
- fourteen and fifteen years old, prohibited, 41-2-105 — 41-2-108
- occupations prohibited, 39-2-306, 41-2-106, 41-2-107
- penalties for violations, 41-2-118
- personal solicitation sales by, 30-14-502
- prohibited when, 39-2-306
- under fourteen years old, prohibited, 41-2-104, 41-2-105
- unemployment insurance coverage exclusion, 39-51-204
- workers' compensation, Title 39, chapter 71, See **WORKERS' COMPENSATION, Minors**
- working hours, 41-2-115

Endangering the welfare of children, 45-5-622
Estates and probate, See **ESTATES AND PROBATE, Child; Minors; Unborn persons**
Explosives
- charged as adults in district court, 41-5-206, 41-5-305
- sale or gift to unlawful, 45-5-623

Exportation, supervision, 41-4-107, 52-2-114
Extradition, Title 41, chapter 6, See **Interstate Compact on Juveniles**
Families achieving independence in Montana (FAIM) project, See **PUBLIC ASSISTANCE**
Family law mediation, Title 40, chapter 4, part 3, See **FAMILY LAW MEDIATION**
Family Policy Act, 41-7-101, 41-7-102
Farm implements dealership ownership, succession, Title 30, chapter 11, part 8
Fetal death, Title 50, chapter 15, See **VITAL STATISTICS**
Firearms
- possession, local government regulation, 45-8-351
- use by children under 14 unlawful and exception, 45-8-344
  - liability of parent or guardian, 45-8-345

Fireworks, sale or gift to or by unlawful, 45-5-623, 50-37-103
Force to restrain, justifiable use of, 45-3-107
Foster homes, placement in, Title 41, chapter 3, part 11, See **CHILD ABUSE AND NEGLECT; YOUTH COURT, Youth residential facilities**
Fraternal benefit societies, 33-7-106, 33-7-520
Gambling activities, participation prohibited and exception, 23-4-301, 23-5-158, 23-5-603, 23-7-110, 23-7-301, 23-7-302, 41-5-203

MINORS (Continued)

Genetics program, voluntary statewide, 33-2-712, 33-2-713, 50-19-211
Gifted and talented children programs, See **SCHOOLS**
Glue or paint sniffing, 45-9-121
Grandparent visitation rights, 40-4-217, 40-9-101, 40-9-102
Hard-to-place children, adoption, Title 52, chapter 2, part 5, See **ADOPTION OF CHILDREN**
Hazardous substances, protection from, 50-30-201 — 50-30-203, 50-30-216, 50-30-220
Head start agencies, collective bargaining for employees, 39-31-103, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Health care, Title 50, chapter 16, See **Medical care**; **HEALTH CARE INFORMATION**
Hearing aid dispensers, recommendation for medical examination required, 37-16-303
HIV-related testing, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Homeless children, school admittance, 20-5-101, See also **CHILD ABUSE AND NEGLECT**
Horseraces, permitting participation in parimutuel betting unlawful, 23-4-301
Hospital care, See **Medical care**
Hotel property, damage to — liability, 70-6-514
Hunter safety education, 87-2-105
Hunting and fishing, See **FISH AND WILDLIFE**
Illegitimate children, See **Legitimacy**; **PARENT AND CHILD**
Importation, supervision, 41-4-107, 52-2-114
Income tax, individual, 15-30-112 — 15-30-115, 15-30-135, 15-30-201
Indigent parents, support of, Title 40, chapter 6, part 3, See **PARENT AND CHILD**
Infants, See this heading generally; See also **BIRTH**
Injuries to, See also **CHILD ABUSE AND NEGLECT**
  guardian's liability, 72-5-231
  tort action, for, 27-1-512, 27-2-205
Insurance
  applications, 33-15-401
  claims and benefits, acquittance for payments, 33-15-502
  contracts, power to make, 33-15-103, 33-15-401, 33-15-502
  disability
    beneficiary, as, 33-22-212
    contract, power to, 33-15-103, 33-15-401, 33-15-502
    handicapped, 33-22-304, 33-22-506
    insured, as, 33-22-604
    newborn infants, 33-22-301, 33-22-504
    well-child care, 33-22-303, 33-22-512
  life insurance
    acquittance, 33-15-502
    beneficiary, as, 33-20-115
    contract, power to, 33-15-103
    premiums, 33-20-204
  transfers to, 72-26-603, See **TRUSTS, Minors, transfers to**
  unemployment insurance coverage exclusion, 39-51-204
  well-child care, coverage for, 33-22-303, 33-22-512, 33-30-1014
Interstate Compact on Juveniles
  administrator, appointment and duties, 41-6-102, 41-6-103, 41-6-104
  enactment, 41-6-101
  enforcement, 41-6-105
  financial obligations, provisions for, 41-6-104
  supplemental agreements and procedures, 41-6-103, 41-6-104, 41-6-106
Interstate Compact on the Placement of Children, Title 41, chapter 4, part 1
  agreements, supplemental, 41-4-105, 41-4-106
  appropriate authorities, 41-4-103, 41-4-104
  definitions, 41-4-103, 41-4-104, 41-4-109
  enactment and text, 41-4-101

MINORS (Continued)
Interstate Compact on the Placement of Children (Continued)

  executive head, 41-4-109
  financial responsibility, 41-4-102, 41-4-105
  jurisdiction of courts, 41-4-108
  laws not applicable, 41-4-107
  public health and human services, department of — authority respecting, 41-4-103, 41-4-104, 41-4-107, 52-1-103, 52-2-114
  requirements, 41-4-106
Interstate Family Support Act, Uniform, Title 40, chapter 5, part 1
Intoxicating substance, 45-2-101, See also **Alcoholic beverages**; **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES, Dangerous drugs**
  possession or attempt to purchase, exception and penalties, 16-6-305, 45-5-624
  selling or giving to, 16-6-305, 45-5-622, 45-5-623
Kidnapping, See **CRIMES, Kidnapping**
Labor, See **Employment**
Legal age, 41-1-101; Const., II, 14; II, 15
Legitimacy, See also **PARENT AND CHILD**
  adoption of illegitimate children, 40-8-106
    release or consent for, 40-6-125, 40-6-128, 40-6-130
  birth certificate upon proof of legitimation, 50-15-207
  disclosure of information, 40-8-126
  dissolution of marriage, born after, 40-6-202
  hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rules 803, 804
  invalid or prohibited marriages, 40-1-401, 40-1-402
  marriage of parents subsequent to birth, 40-1-107, 40-6-203
  presumed when, 26-1-602, 40-6-201
Liability, 27-1-711, 27-1-718, 41-1-201
Loans, educational — capacity to make, 41-1-303
Local Citizen Review Board Pilot Program Act, Title 41, chapter 3, part 10, See **YOUTH COURT, Foster care**
Lottery, state — tickets or chances, sale to or by or purchase by prohibited, 23-7-110, 23-7-301, 23-7-302
Majority, 41-1-101; Const., II, 14; II, 15, See also **Age**
Marriage of, See **MARRIAGE**
Marriage settlement contracts, 40-2-311, 40-2-312, 40-2-314, 40-2-315
Married minors
  child abuse, neglect, and dependency — petitions alleging, service and contents, 41-3-401
  contract powers, 41-1-302, See also **Contracts**
  medical care
    consent, 41-1-402, 41-1-405, 41-1-406
    financial responsibility, 41-1-404
    information released when, 41-1-403
  real property, power to act in relation to, 70-15-303
  settlement contracts, 40-2-311, 40-2-312, 40-2-314, 40-2-315
Maternal-child health programs, 50-1-202, 50-16-102
Medical care
  "adequate health care" defined, 41-3-102
  aid to families with dependent children (AFDC), coverage, Title 53, chapter 4, part 2, See **PUBLIC ASSISTANCE**
  children's services, multiagency, 52-2-202, 52-2-211, 52-2-301, 52-2-307
  communicable diseases, 41-1-402, 41-1-403
  consent by minor
    custody investigations, medical information for, 40-4-215
    disaffirmance, 41-1-404, 41-1-406
    emergency situations, 41-1-405, 41-1-406
    information, for release, 41-1-403
    premarital examination, 40-1-203

MINORS (Continued)
Medical care (Continued)
  consent by minor (Continued)
    psychiatric or psychological counseling, 41-1-406, 41-1-407, 53-21-112
    required when, 41-1-405
    validity, 40-1-203, 41-1-402, 41-1-406
  counseling, 40-1-213, 41-1-402, 41-1-406, 41-1-407
  drug or alcohol abuse, 41-1-402, 41-1-403, See also **CHEMICAL DEPENDENCY**
  emancipation, limited — right to obtain, 41-3-408
  emergency situations, 41-1-402, 41-1-405, 41-1-406, 41-1-407
  financial responsibility, 41-1-403, 41-1-404, 41-1-406
  guardian's authority, 72-5-231
  handicapped children, programs, 50-1-202
  "harm to a child's health or welfare" defined, 41-3-102
  "health professional" defined, 41-1-401
  health programs, 50-1-202
  immunity from liability for care, 41-1-407
  infant mortality and morbidity information, 50-16-102
  information, disclosures, 41-1-403, See also **HEALTH CARE INFORMATION**
  medicaid payments, parental liability, 53-6-144
  metabolic tests when newborn, See **BIRTH**
  negligence in treatment, 41-1-407
  parental liability, 41-1-406, 45-5-622
  payment, liability for, 41-1-403, 41-1-404, 41-1-406
  pregnancy, 41-1-402, 41-1-403, See **PREGNANCY**
  premarital examination, 40-1-203
  psychiatric or psychological counseling, 41-1-402, 41-1-403, 41-1-406, 41-1-407, 41-3-102, 53-21-112
  public assistance, See **PUBLIC ASSISTANCE, Aid to families with dependent children (AFDC); Medicaid; Medical care**
  services, multiagency, 52-2-202, 52-2-211, 52-2-301, 52-2-307
  sexually transmitted diseases, 41-1-402, 41-1-403
  sterilization, self-consent — nonapplicability, 41-1-405
  tuberculosis, See **DISEASES, Tuberculosis**
  "withholding of medically indicated treatment" defined, 41-3-102
Medical Support Reform Act, Title 40, chapter 5, part 8, See **CHILD SUPPORT**
Mental health care, Title 53, chapter 21, See **Medical care**; **MENTAL ILLNESS OR INCAPACITY, Minors**
Metabolic testing of newborns, See **BIRTH**
Midwives, direct-entry — information indicating client is victim of crime, 37-27-310
Minimum wage and overtime compensation exclusions, for minor and for those responsible for care, 39-3-406
Minority, calculation, 41-1-102
Missing children information program, Title 44, chapter 2, part 5
Montana Conservation Corps, summer youth corps eligibility requirements, 23-1-312
Motorcycles, headgear requirements, 61-9-417, 61-9-518
Motor vehicles, provisions regarding, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Mountain View School, Title 41, chapter 5, See **YOUTH COURT, Correctional facilities**
Name change, 27-31-101, 27-31-201, 40-8-121, See **NAMES, Change of**
Narcotics, See **CHEMICAL DEPENDENCY; DRUGS AND CONTROLLED SUBSTANCES AND DEVICES, Dangerous drugs**
Neglected children, Title 41, chapter 3, See **Interstate Compact on Juveniles; CHILD ABUSE AND NEGLECT**
Negotiable instruments, 30-3-209, 30-3-305
Nonsupport, See **CHILD SUPPORT; GUARDIANS AND GUARDIANSHIP**
Obligations, disaffirmance, 41-1-306, See also **Contracts**
Obscene material, public display or dissemination to minor, 45-8-206
  definitions, 45-8-205, 45-8-206
  notice of violation, 45-8-207

MINORS (Continued)
Obscene material, public display or dissemination... (Continued)

- penalties, 45-8-208

Obscenity, offense of, 45-8-201
Occupational disease benefits, payment, 39-71-742, 39-72-402
Occupations, See **Employment**
Organ donation of deceased minor, 72-17-214, 72-17-215
Orphans, See also **CHILD ABUSE AND NEGLECT**
- aid to families with dependent children (AFDC), 53-4-201, See **PUBLIC ASSISTANCE**
- fire protection and safety regulations for orphanages, 50-61-103, See **FIRES AND FIRE PROTECTION**
- guardianship, See **GUARDIANS AND GUARDIANSHIP**
- overtime compensation exclusions for those providing care, 39-3-406
- seduction, 27-1-514

Overtime compensation exclusions, 39-3-406
Parent-Child Legal Relationship Termination Act of 1981, Title 41, chapter 3, part 6, See **CHILD ABUSE AND NEGLECT**
Parent-child relationship, Title 40, chapter 6, part 1; Title 41, chapter 3, See **CHILD ABUSE AND NEGLECT; PARENT AND CHILD**
Parent, minor as
- child abuse, neglect, and dependency — petitions alleging, service and contents, 41-3-401
- child of, relinquishment for adoption irrevocable, 40-8-105
- child support action when, 40-5-159
- consent for health services, 41-1-402
- parent-child legal relationship termination, guardian ad litem appointed for, 41-3-607

Parimutuel betting, permitting participation by minors unlawful, 23-4-301
Parole, Title 41, chapter 5, See **Interstate Compact on Juveniles**; **PROBATION, PAROLE, AND CLEMENCY; YOUTH COURT**
Paternity determination, Title 40, chapter 6, part 1, See **PARENT AND CHILD**
Pawnbroker or junk dealer
- purchases from minor, city regulations, 7-21-4208
- transactions with unlawful when, 45-5-623

Personal care facilities, eligible for residence, 50-5-226
Personal solicitation sales by, exemption, 30-14-502
Physicians, treatment by, See **Medical care**
Pine Hills School, Title 41, chapter 5, See **YOUTH COURT, Correctional facilities**
Placement of children, See **Interstate Compact on the Placement of Children**; **CHILD ABUSE AND NEGLECT; YOUTH COURT**
Policy and guiding principles, 41-7-102
Pornography, See **Obscene material**; **Obscenity, offense of**
Postattack emergency regulation of child care, 10-3-505
Posthumous children, future interest in property, 70-1-420, 70-1-422
Pregnancy, See **PREGNANCY**
Premarital examinations, 40-1-203
Probate matters, See **ESTATES AND PROBATE, Child; Minors; Unborn persons**
Probation, Title 41, chapter 5, See **Interstate Compact on Juveniles**; **PROBATION, PAROLE, AND CLEMENCY; YOUTH COURT**
Product safety, 50-30-201 — 50-30-203, 50-30-216, 50-30-220
Professional counselor-client privilege and exceptions, 37-23-301
Property
- adoption, itemization in petition, 40-8-121
- bank deposits, 32-1-444, 72-5-104
- building and loan association savings accounts, 32-2-401, 32-2-418, 72-5-104
- conservatorship, See **ESTATES AND PROBATE, Conservators and conservatorship**
- credit union shares, 32-3-504
- destruction or damage
  - liability, 20-5-201, 41-1-201, 61-5-108

MINORS (Continued)
Property (Continued)
  destruction or damage (Continued)
    parental liability, 20-5-201, 40-6-237, 40-6-238
  estates and probate, See **ESTATES AND PROBATE, Child**; **Minors**
  holding over by guardian, 27-1-319
  marriage, effect of contract restraining, 70-1-404
  married minors, real property — power to act in relation to, 70-15-303
  parental control, 40-6-232
  partition, See **PARTITION, Minors**
  posthumous children, future interest, 70-1-420, 70-1-422
  recovery, statute of limitation, 70-19-413
  support, liability for, 40-6-212
  transfers to, See **TRUSTS, Minors, transfers to**
  trusts for, See **TRUSTS**, generally
  wages, See **Employment**, earnings
Prostitution, promotion of, 45-5-603, 45-5-622
Protective services, 52-2-202, See **CHILD ABUSE AND NEGLECT**
Public assistance, See **PUBLIC ASSISTANCE**
Quadricycles, headgear requirements, 61-9-417, 61-9-518
Residence
  definition and determination, 1-1-215
  parental right to determine, 40-6-231
Residential services, Title 41, chapter 3, part 11, See **CHILD ABUSE AND NEGLECT**; **YOUTH COURT, Youth residential services**
Retirement system benefits to
  fire department relief associations, 19-18-203, 19-18-502, 19-18-601, 19-18-603, 19-18-605 — 19-18-607
  firefighters' unified, 19-13-104, 19-13-704, 19-13-902, 19-13-903, 19-13-1006, 19-13-1007, 19-13-1009
  highway patrol officers', 19-6-101, 19-6-505, 19-6-601, 19-6-901, 19-6-902
  police
    local funds, 19-19-503, 19-19-506
    state plan, 19-9-104, 19-9-804, 19-9-903, 19-9-1007, 19-9-1101, 19-9-1102
  public employees', 19-2-802, 19-2-803, 19-3-1204
  sheriffs', 19-7-801
  teachers', 19-20-1001, 19-20-1002
  volunteer firefighters' compensation, 19-17-404 — 19-17-406
Rights, Const., II, 14; II, 15, See also **YOUTH COURT, Rights of youth**
  dissolution of marriage proceedings, right to attorney, 40-4-205
  emancipation, limited — upon order for, 41-3-408
  enforcement by civil actions, 41-1-202
  legal representation, See **ATTORNEYS AT LAW, Minors**, counsel appointed for; **CHILD ABUSE AND NEGLECT, Counsel**; **YOUTH COURT, Counsel**
  special education, Title 20, chapter 7, part 4
  unborn children, 41-1-103
Ritual abuse, 27-2-217, 45-1-205, 45-5-627, 46-18-219
Rodeos and similar events, written consent for voluntary participation, 27-1-733
Runaways, return of, Title 41, chapter 6, See **Interstate Compact on Juveniles**
School
  agricultural student-learner, employment exemptions, 41-2-106 — 41-2-110
  attendance requirements, See **SCHOOLS, Attendance**
  career exploration program, 41-2-108, 41-2-115
  employees, confidential communications, 26-1-809
Securities, transfer to, See **TRUSTS, Minors, transfers to**
Seduction, tort action for, 27-1-514
Sentencing, See **SENTENCING AND SENTENCES**
Sexually transmitted diseases, 41-1-402, 41-1-403, See **Medical care**; **DISEASES, Sexually transmitted diseases**

MINORS (Continued)

Sexual offenses when victim a minor, 45-5-501 — 45-5-503, 45-5-507, 45-5-511, 45-5-620, 45-5-625, See also **CRIMES, Sexual offenses**
  mental health treatment for family members, 53-9-128
  statutes of limitations, 27-2-216, 45-1-205
Shelter care, Title 41, chapter 5, See **YOUTH COURT**
Shoplifting, 7-32-4303, 27-1-718, See also **CRIMES, Theft**
Snowmobiles, operation by, 23-2-631
Social worker-client communications, 37-22-401
State lands recreational use license, requirement, 77-1-801
Stepchildren
  adoption by stepparent, 40-8-106, 40-8-109, 40-8-117, 40-8-122, 40-8-123, 40-9-102
  aid to families with dependent children (AFDC), effect of stepparent's resources, 53-4-237
  incest, 45-1-205, 45-5-507
  support obligations of stepparent, 40-6-217, 53-4-237
Sterilization, self-consent — nonapplicability, 41-1-405, See also **Medical care**
Subsidized Adoption Act of 1977, Title 52, chapter 2, part 5, See **ADOPTION OF CHILDREN, Hard-to-place children**
Support, Title 40, chapters 4 and 5, See **CHILD SUPPORT**
Surgical treatment, See **Medical care**
Tobacco possession or consumption, criminal offense, 45-5-637
Tobacco products, control of access to, Title 16, chapter 11, part 3
Torts, liability, 27-1-711, 41-1-201, 61-5-108
Toxic substances, criminal possession, 45-9-121
Toys and other articles, determination as hazardous, 50-30-201 — 50-30-203, 50-30-220
Transfers to Minors Act, Uniform, Title 72, chapter 26, See **TRUSTS, Minors, transfers to**
Trust fund established for, when, 40-4-202, See **TRUSTS**
Tuberculosis, See **DISEASES**
Unborn children
  abortion, Title 50, chapter 20, See **ABORTION**
  birth, See **BIRTH**
  estate of, subject to income tax, 15-30-135, See **TAXATION, INDIVIDUAL INCOME, Estate or trust income**
  estates, See **ESTATES AND PROBATE, Unborn persons**
  fetal death, See **VITAL STATISTICS**
  pregnancy, See **PREGNANCY**
  rights of, 41-1-103
  trusts, See **TRUSTS**
Unemployment insurance coverage exclusion, 39-51-204
Uniform Adoption Act, Title 40, chapter 8, part 1
Uniform Child Custody Jurisdiction Act, Title 40, chapter 7
Uniform Interstate Family Support Act, Title 40, chapter 5, part 1
Uniform Parentage Act, Title 40, chapter 6, part 1
Unlawful transactions with, 45-5-623
Veterans' dependents, university system tuition and fee waiver, 20-25-421
Video gambling machines, access to — prohibited, 23-5-603
Vocational education training program, employment exemptions, 41-2-109, 41-2-110
Voting age, 13-1-111, 13-2-205; Const., IV, 2
Voting program, Title 13, chapter 22, See also **ELECTIONS**
Wages, See **Employment**, earnings
Waterskiing, regulations, 23-2-521, 23-2-529
Welfare, Title 52, chapter 2; Title 53, chapter 4, See **CHILD ABUSE AND NEGLECT, Child welfare services; PUBLIC ASSISTANCE**
Well-child care, insurance coverage, 33-22-303, 33-22-512, 33-30-1014
Workers' compensation, Title 39, chapter 71, See **WORKERS' COMPENSATION, Minors**
Wrestling matches or exhibitions, 23-3-404, See **BOXING AND WRESTLING**

MINORS (Continued)

Youth camps, health regulation, 50-52-101, See **CAMPING AND CAMPGROUNDS**
Youth centers, See **RECREATION**
Youth court, Title 41, chapter 5, See **YOUTH COURT**
Youth guidance centers, multicounty, 7-16-2104
Youth in need of care, See **CHILD ABUSE AND NEGLECT**
Youth in need of supervision, See **YOUTH COURT**
Youth residential services, Title 41, chapter 3, part 11, **CHILD ABUSE AND NEGLECT; YOUTH COURT, Youth residential services**

MINT AND MINT OIL PRODUCTION
Administration of provisions, 80-11-403
Assessment, See **Mint oil**, assessment
Contracts, 80-11-403
Definitions, 80-11-402
Diseases and pest control
  control, 80-11-401, 80-11-403
  identification, 80-11-411
  information to growers, 80-11-401, 80-11-411
Enforcement of provisions, 80-11-403
Field inspectors, 80-11-403, 80-11-411
Fines, 80-11-419
"First purchaser" defined, 80-11-402, See **Mint oil**, purchasers
Gifts, grants, or donations, 80-11-403, 80-11-415
Growers, 80-11-402
  assessment on mint oil, 80-11-412
    penalty for nonpayment, 80-11-418
  information to, 80-11-401, 80-11-403, 80-11-411
  invoice from purchaser, 80-11-413
  mint committee members, qualification, 2-15-3006
Improvement, 80-11-401, 80-11-403
Information to growers, 80-11-401, 80-11-403, 80-11-411
Inspections
  field, 80-11-403, 80-11-411
  records of mint oil purchasers, 80-11-416
Legislative findings, 80-11-401
Mint account — sources, use, and expenditures, 80-11-414, 80-11-415, 80-11-418, 80-11-419
Mint Committee, 2-15-3006; Title 80, chapter 11, part 4
Mint oil
  assessment, 80-11-412
    nonpayment, penalty, 80-11-418
    payment, 80-11-414
    proceeds, disposition, 80-11-414, 80-11-415
  invoice to grower, 80-11-413
  purchasers
    assessments
      collection, 80-11-412
      nonpayment, penalty, 80-11-418
      payment, 80-11-414
    "first purchaser" defined, 80-11-402
    invoice to grower, 80-11-413
    licenses — application, fee, and issuance, 80-11-417
    records, requirements, 80-11-416
    sworn statements, 80-11-414
    written application for license, 80-11-417
Purpose of provisions, 80-11-401

MINT AND MINT OIL PRODUCTION (Continued)

Records of mint oil purchasers, 80-11-416
Research, 80-11-403, 80-11-415
Violations and penalties, 80-11-418, 80-11-419
Weeds, 80-11-411

MISCONDUCT, OFFICIAL, 45-7-401
  See **PUBLIC OFFICERS OR EMPLOYEES, Malfeasance, misfeasance, or nonfeasance in office**

MISSING CHILDREN ACT OF 1985, Title 44, chapter 2, part 5
  See **MISSING PERSONS, Children**

MISSING PERSONS
Boating accidents, resulting from, 23-2-527
Children
  citation of missing children act of 1985, 44-2-501
  definitions, 44-2-502, 44-2-511
  duties of law enforcement authority, 44-2-505, 44-2-511
  found children, notification, 44-2-504
  information program, 44-2-502 — 44-2-504, 44-2-506, 44-2-511
  reports, 44-2-502, 44-2-504, 44-2-505, 44-2-511
  schools
    children absent from, notice to parents, 44-2-507
    missing school children, list of, 44-2-506
    new students, school records and proof of identity — requirements, 44-2-511
Conservatorship for property, 72-3-918, 72-5-409
Dental records and examination, 44-2-401, 44-2-402
DNA identification index, 44-6-102, 44-6-106
Escheat of property, 72-3-918
Estate and probate provisions, applicability, 72-1-201
Investigation, 44-2-401, 44-2-511, 72-3-306
Presumption of death, 26-1-602, 26-1-622, 26-1-623, 72-1-108, See **ESTATES AND PROBATE, Presumed decedents**
Statutes of limitations, effect, 27-2-402, 72-3-122
Tax assessments, 15-8-501
War, missing in action — university system tuition and fee waiver to dependents, 20-25-421

MOBILE HOMES, HOUSETRAILERS, AND TRAILER COURTS
Certificates of ownership, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Certificates of ownership**
Conservation easements, prohibitions or limitations, 76-6-203
Construction standards, 50-60-401 — 50-60-404
Dealers, wholesalers, and brokers, Title 61, chapter 4
Electric suppliers, Title 69, chapter 5, part 1, See **UTILITIES, Territorial integrity for electric suppliers**
Emergency housing, as, 10-3-103, 10-3-313
Gross vehicle weight fees, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Homestead, as, 70-32-101, See **PROPERTY, REAL, Homesteads**
Housetrailers, special provisions
  defined, 15-24-201, 61-1-102, 61-1-501
  gross vehicle weight license, transferability, 61-10-224
  identification numbers, 61-3-107
  junk vehicle disposal fee, exemption, 61-3-508
  license plates, 61-3-332
  new vehicle sales tax, exemption, 61-3-502
  registration fees, 61-3-321
  riding in, prohibited when, 61-8-367
  towing units, speed restrictions, 61-8-312

MOBILE HOMES, HOUSETRAILERS, AND TRAILER COURTS (Continued)
Housetrailers, special provisions (Continued)

- transfer of interest, 61-3-201

Insurance, homeowner, See generally **INSURANCE, CASUALTY**; **INSURANCE, PROPERTY**
Installment sales, See **CREDIT TRANSACTIONS, Retail installment sales**, motor vehicles
Landlord-tenant provisions, mobile home parks, 70-24-103, 70-25-102

- park rules, 70-24-313, 70-24-436
- rental agreements, 70-24-103, 70-24-436
- road maintenance, 70-24-315
- tenant associations, 70-24-314, 70-24-431

"Mobile home" defined, 15-1-101, 15-24-201, 61-1-501, 61-4-309
"Motor vehicle" defined, 61-1-102
Movement

- declaration of destination, 15-24-202, 15-24-204, 15-24-206
- single movement permit and fee, 61-4-309 — 61-4-311
- transporters, driveaway or towaway, Title 61, chapter 4, part 3
- unlawful when, 15-24-202, 15-24-204, 15-24-208, 61-12-206

Overtime compensation exclusions for sales and service personnel, 39-3-406
Parks for development, Title 76, chapters 1 and 4, See **PLANNING BOARDS**; **SUBDIVISIONS**
Plumbing installations, exemption from licensing provisions, 37-69-102
Registration, staggered — exception, 61-3-313, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Registration**
Regulation of trailer courts

- administration, funding, 50-52-210
- construction of courts, 50-52-102
- definitions, 50-52-101
- discriminatory practices, See **DISCRIMINATION, Public accommodations**
- enforcement, 50-52-107, 50-52-108, 50-52-302
- inspections, 50-52-103, 50-52-108, 50-52-301 — 50-52-303
- licenses and licensing
  - application, 50-52-201
  - cancellation, 50-52-205 — 50-52-207
  - denial, 50-52-207, 50-52-209
  - expiration, 50-52-203
  - fees, 50-52-202
  - hearings, 50-52-207, 50-52-209
  - issuance, 49-3-204, 50-52-201
  - list of licensees to department of health and environmental sciences, 50-52-204
  - validation, 50-2-118, 50-52-201, 50-52-208, 50-52-209
- lodging facility use tax, nonapplicability, 15-65-101
- rules, 50-52-102, 50-52-106 — 50-52-108, 50-52-210, 50-52-301
- sanitarians, authority, 37-40-101, 50-52-103, 50-52-201, 50-52-301 — 50-52-303
- solid waste management district service charges, payment, 7-13-232
- violations, 50-52-105
  - cancellation of license, 50-52-205
  - injunction, 50-52-106, 50-52-107
  - investigation costs and expenses, recovery, 50-52-108
  - penalties, 50-52-105, 50-52-107, 50-52-205
  - prosecution, 50-52-104
  - validation of license, refusal when, 50-52-209

Rental lots, mobile homes on, 70-24-305, 70-24-422, 70-25-102
Security interest, 30-9-103, See **SECURED TRANSACTIONS, General intangibles**
Smoke detectors, notice requirement upon sale of dwelling, 70-20-113
Swimming pools or swimming areas operated in conjunction with, license fee, 50-53-203
Taxation of mobile homes and housetrailers, 15-24-201 — 15-24-210
Timeshare sales, Title 37, chapter 53
Transfer of interest, 61-3-201, 61-3-207

MOBILE HOMES, HOUSETRAILERS, AND TRAILER COURTS (Continued)

Transient retail merchants, premises for, See **TRANSIENT RETAIL MERCHANTS**
Utility lines, underground, 69-4-102
Water quality districts, fee-assessed units, 7-13-4502, See **WATER QUALITY**

MODEL ACT FOR THE REGULATION OF CREDIT LIFE INSURANCE AND CREDIT DISABILITY INSURANCE, Title 33, chapter 21
  See **INSURANCE, LIFE, Credit life and disability**

MODEL PUBLIC OBLIGATIONS REGISTRATION ACT OF MONTANA, Title 17, chapter 5, part 11
  See **BONDS AND BOND ISSUES, Registration of public obligations**

MODEL SCHOOL INTEGRATED PEST AND PESTICIDE MANAGEMENT SAFETY PROGRAM, Title 80, chapter 8, part 4
  See **PESTS AND PESTICIDES**

MONEY
Account, of, 30-12-601, 30-12-602
Actions, relation to, See **CIVIL PROCEDURE**
Actions to recover
  appeal
    security, 25-33-201; Title 25, chapter 21, M.R.App.P., Rule 7
    surety, subrogation, 25-13-105
  arrest of defendant, prejudgment, 27-16-102
  banks, from — statute of limitation, 27-2-213
  change of venue, costs, 25-10-204
  complaint, forms, Title 25, chapter 20, M.R.Civ.P., Appendix, Forms 5 — 7
  costs, 25-10-101 — 25-10-103, 25-10-107, 25-10-204
  delivery to party, See **CIVIL PROCEDURE**
  deposit in court, Title 25, chapter 20, M.R.Civ.P., Rule 67, See also **CIVIL PROCEDURE**
  execution, See **EXECUTION, Money judgments**
  joinder of claims, Title 25, chapter 20, M.R.Civ.P., Rule 18(b)
  judgments
    entry, Title 25, chapter 20, M.R.Civ.P., Rule 58
    expression, 25-9-203, 30-12-601, 30-12-602
    offer of judgment, Title 25, chapter 20, M.R.Civ.P., Rule 68
    order as, 25-13-204
  justice's court
    pleading in, 25-31-512
    state, recovery from — no jurisdiction, 25-31-101, 25-31-102
  order to pay, enforcement, 25-13-204
  small claims courts, in, 25-34-102, 25-35-502
  statutes of limitations, 27-2-213, 27-2-301
  tender before commencement of action, effect, 25-10-107
  tort claims, in, 25-4-311
  verdict, 25-7-502
Armored car or carrier services, Title 37, chapter 60
Bail, for, See **BAIL, Cash bail**
Bingo prizes, 23-5-412
Carriers, loss of valuable letters, 69-11-304
Contract for
  assignment, 28-2-206
  illegal provisions, 28-2-709
Corporations
  borrowing, 35-1-115
  directors, liability for damages, 35-1-216

MONEY (Continued)
Corporations (Continued)

- distributions, 35-1-113, 35-1-712
- shareholders
  - preemptive rights not applicable when, 35-1-535
  - proxies, restriction, 35-1-525
- shares
  - fractional, 35-1-621
  - subscription agreement, default, 35-1-622

Defined, 30-1-201
Devise of, 7-6-2423, 72-3-913
Disabled persons, telecommunications services and equipment — contributions to program for, 53-19-309, 53-19-310
Drug Abuse Resistance Education (D.A.R.E.) Program, contributions for, 44-2-703
Drug violations, forfeiture of money used to facilitate, 44-12-102, 45-9-206
Elections, illegal consideration for vote, 13-35-214, 13-35-215
Escrow businesses, "escrow" defined, 32-7-102, See **ESCROW BUSINESSES**, generally
Exchange, in, 30-11-112, 30-11-114
Execution, subject to, 25-13-501, See **EXECUTION, Money judgments**
Fantasy sports league payouts, 23-5-801
Finders, duty, 70-5-103
Fish, Wildlife, and Parks — Department of, acceptance of contributions when, 23-1-102
Foreign-money claims, Title 25, chapter 9, part 7
Foreign money-judgments recognition, Title 25, chapter 9, part 6
Fraudulent transfers, Title 31, chapter 2, part 3, See **FRAUDULENT TRANSFERS**
Funeral plans, prearranged, 72-37-101 — 72-37-103
Gambling

- bingo prizes, 23-5-412
- confiscated money, disposition, 23-5-123
- fantasy sports league payouts, 23-5-801
- "gambling" defined, 23-5-112
- losses at illegal gambling, civil action to recover, 23-5-131
- obtaining by fraud or operation of illegal gambling device or enterprise unlawful, 23-5-156
- raffle prizes, restrictions, 23-5-413
- sports pools, wagers and prizes, 23-5-501
- sports tab games, consideration, 23-5-503
- video gambling machines, amount played and prizes, 23-5-608

Gifts, See **GIFTS**, generally
Grants, See **GRANTS**, generally
Leases

- creditors, special rights, 30-2A-308
- goods, exclusion, 30-2A-103
- nonconforming tender, replacement, 30-2A-513

Legal tender, 30-12-601, 30-12-602
Loan of, 31-1-101, See **LOANS**, generally
Mentally ill persons, right to possession when institutionalized, 53-21-142
Minors, transfers to, 72-26-603, See **TRUSTS, Minors, transfers to**
Money orders, See **NEGOTIABLE INSTRUMENTS**; **PROPERTY, PERSONAL, Unclaimed property**
Negotiable instruments, relationships, See **NEGOTIABLE INSTRUMENTS, Money**
Nonprofit corporations

- borrowing, 35-2-118
- director's liability for damages, 35-2-213
- loans to officer or directors not allowed, 35-2-435
- membership list to solicit, use restrictions, 35-2-910

Obligations for delivery of, See **CONTRACTS**
Payment, presumption of debt, 26-1-602
"Precious metal" defined, 30-10-103

MONEY (Continued)

Prisoners, discharged — "gate money", 53-30-111
Raffle prizes, restrictions, 23-5-413
Sales, payment in, 30-2-304
Search and seizure, unclaimed property — disposition, 46-5-308
Securities
  applicability, 30-8-102
  transactions, exemption, 30-10-103, 30-10-105
Security guards and companies, Title 37, chapter 60
Security interest, money as proceeds, 30-9-306
Sports pools, wagers and prizes, 23-5-501
Sports tab games, consideration, 23-5-503
Taxation, exempt from, 15-6-204
Telecommunications services and equipment, program for — contributions, 53-19-309, 53-19-310
Trusts
  borrowing, power of trustee, 72-34-332
  breach of trust, redress, 72-34-506
  distributions, power of trustee, 72-34-340
  funeral plans, prearranged, 72-37-101 — 72-37-103
  money judgments, enforcement, 72-33-301 — 72-33-303
  principal and income, determination, 72-34-404, 72-34-408
Unclaimed, 70-9-102, See **PROPERTY, PERSONAL, Unclaimed property**
Video gambling machines, amount played and prizes, 23-5-608
Wages, payment in, 39-3-204, 39-3-402
Warranty, 30-11-114

MONOPOLIES
  See **TRADE REGULATION AND COMPETITION**

MONTANA ABORTION CONTROL ACT, Title 50, chapter 20, part 1
  See **ABORTION**, generally

MONTANA ACCESS TO FOOD AND NUTRITION ACT, Title 50, chapter 49, part 1
  See **FOOD AND NUTRITION**

MONTANA ADMINISTRATIVE PROCEDURE ACT, Title 2, chapter 4
  See **ADMINISTRATIVE PROCEDURE**

MONTANA AGRICULTURAL CENTER AND MUSEUM OF THE NORTHERN GREAT PLAINS, 23-1-109

MONTANA AGRICULTURAL CHEMICAL GROUND WATER PROTECTION ACT, Title 80, chapter 15
  See **AGRICULTURAL CHEMICAL GROUND WATER PROTECTION**

MONTANA AGRICULTURAL LOAN AUTHORITY ACT, Title 80, chapter 12
  See **AGRICULTURAL LOAN AUTHORITY PROGRAM**

MONTANA AGRICULTURE DEVELOPMENT COUNCIL, 2-15-3015; Title 90, chapter 9, part 2
  See **AGRICULTURE, Growth through**

MONTANA ALCOHOLIC BEVERAGE CODE, Title 16, chapters 1 — 4, 6
  See **ALCOHOLIC BEVERAGES**, generally

MONTANA ALFALFA SEED COMMITTEE, 2-15-3004; Title 80, chapter 11, part 3
  See **AGRICULTURAL SEEDS, Alfalfa Seed Industry Act**

MONTANA ARTS COUNCIL, 2-15-1511; Title 22, chapter 2, part 1
  See **ARTS AND CULTURE**

MONTANA BAR ASSOCIATION
See **STATE BAR OF MONTANA**

MONTANA BOARD OF SCIENCE AND TECHNOLOGY DEVELOPMENT
See **SCIENCE AND TECHNOLOGY FINANCING, Board of Science and Technology Development**

MONTANA BUREAU OF MINES AND GEOLOGY
See **MONTANA TECH OF THE UNIVERSITY OF MONTANA, Mines and Geology, Bureau of**

MONTANA BUSINESS CORPORATION ACT, Title 35, chapter 1
See **CORPORATIONS**, generally

MONTANA CAPITAL COMPANY ACT, Title 90, chapter 8
See **CAPITAL COMPANIES**, generally

MONTANA CAVE CONSERVATION ACT, Title 23, chapter 2, part 9
See **RECREATION**

MONTANA CHILD CARE ACT, Title 52, chapter 2, part 7
See **DAY CARE**

MONTANA CHILDREN'S TRUST FUND AND BOARD, 2-15-2214; Title 41, chapter 3, part 7
See **CHILD ABUSE AND NEGLECT, Prevention program**

MONTANA CHIROPRACTIC ASSOCIATION
See **MALPRACTICE, CHIROPRACTIC**

MONTANA CHIROPRACTIC LEGAL PANEL ACT, Title 27, chapter 12
See **MALPRACTICE, CHIROPRACTIC**

MONTANA CIGARETTE SALES ACT, Title 16, chapter 10
See **CIGARETTES**

MONTANA CLEAN INDOOR AIR ACT OF 1979, Title 50, chapter 40, part 1
See **PUBLIC ACCOMMODATIONS, Smoking areas**

MONTANA CLOSE CORPORATION ACT, Title 35, chapter 9
See **CLOSE CORPORATIONS**

MONTANA COAL MINING CODE, Title 50, chapter 73
See **MINES AND MINING, Coal mine safety**

MONTANA CODE ANNOTATED
See **LAW**

MONTANA COLLEGIATE LICENSE PLATES ACT, 61-3-461 — 61-3-467
See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, License plates**

MONTANA COMMUNITY CORRECTIONS ACT, Title 53, chapter 30, part 3
See **CORRECTIONAL FACILITIES, Community corrections facilities and programs**

MONTANA COMMUNITY SERVICE ACT, Title 90, chapter 14, part 1
See **COMMUNITY SERVICE**

MONTANA CONCILIATION LAW, Title 40, chapter 3
See **CONCILIATION**

MONTANA CONSERVATION CORPS
Administration, 23-1-303

MONTANA CONSERVATION CORPS (Continued)

Community service corps and program, 23-1-301, 90-14-102, 90-14-103
Contracts or cooperative agreements, 23-1-301, 23-1-303, 23-1-314
Corps coordinator, 23-1-302, 23-1-303
Corpsmembers and crewleaders, 23-1-302, 23-1-303, 23-1-312 — 23-1-314
Definitions, 23-1-302
Funding, 23-1-303, 23-1-311, 23-1-313
Legislative intent, 23-1-301
Parks Division, duties, 23-1-301 — 23-1-303, 23-1-311, 23-1-314
Prohibited activities, 23-1-314
Purpose, 23-1-301
Rules, 23-1-303
State agencies, 23-1-302, 23-1-303
Work experience projects, 23-1-303, 23-1-311, 23-1-314

MONTANA CONSUMER LOAN ACT, Title 32, chapter 5
See **CONSUMER LOAN BUSINESSES**, generally

MONTANA CONSUMER PRODUCT SAFETY ACT OF 1975, Title 50, chapter 30
See **HAZARDOUS SUBSTANCES**, generally

MONTANA COORDINATE SYSTEM, Title 70, chapter 22, part 2
See **PROPERTY, REAL, Coordinate system**

MONTANA COUNTY ATTORNEYS' ASSOCIATION
See **COUNTY ATTORNEY**

MONTANA CREDIT UNION ACT, Title 32, chapter 3
See **CREDIT UNIONS**, generally

MONTANA CRIMINAL JUSTICE INFORMATION ACT OF 1979, Title 44, chapter 5
See **CRIMINAL JUSTICE INFORMATION**, generally

MONTANA DAM SAFETY ACT, Title 85, chapter 15
See **DAMS AND RESERVOIRS**

MONTANA DEVELOPMENTAL CENTER, Title 53, chapter 20, part 5
See **DEVELOPMENTAL DISABILITIES, Residential facilities**

MONTANA DEVELOPMENTAL DISABILITIES SERVICES AND FACILITIES ACT OF 1974, Title 53, chapter 20, part 2
See **DEVELOPMENTAL DISABILITIES, Community services; Regional councils and services**

MONTANA DEVELOPMENT CORPORATION
See **DEVELOPMENT CORPORATIONS**, generally

MONTANA DISASTER ACT OF 1977, Title 10, chapter 3, parts 1 — 4
See **EMERGENCIES AND EMERGENCY POWERS**

MONTANA DRUG ABUSE RESISTANCE EDUCATION PROGRAM (D.A.R.E.), 15-30-158; Title 44, chapter 2, part 7

MONTANA DRUG PRODUCT SELECTION ACT, Title 37, chapter 7, part 5
See **PHARMACY AND PHARMACISTS, Drug product selection**

MONTANA ECONOMIC DEVELOPMENT BOND ACT OF 1983, Title 17, chapter 5, part 15
See **BONDS AND BOND ISSUES, Economic development bonds**

MONTANA EDUCATIONAL TELECOMMUNICATIONS NETWORK (METNET), 20-9-343, 20-32-101 — 20-32-104

MONTANA ELDER AND DEVELOPMENTALLY DISABLED ABUSE PREVENTION ACT, Title 52, chapter 3, part 8
  See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation; DEVELOPMENTAL DISABILITIES, Abuse, neglect, or exploitation**

MONTANA ELECTRONIC FUNDS TRANSFER ACT, Title 32, chapter 6
  See **ELECTRONIC FUNDS TRANSFER**, generally

MONTANA FAMILY POLICY ACT, Title 41, chapter 7, part 1

MONTANA FAMILY PRACTICE TRAINING PROGRAM, 50-5-601 — 50-5-603, 50-5-611

MONTANA FIREFIGHTERS' UNIFIED RETIREMENT ACT, Title 19, chapter 13
  See **FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM**

MONTANA FOOD, DRUG, AND COSMETIC ACT, Title 50, chapter 31
  See generally **COSMETICS; DRUGS AND CONTROLLED SUBSTANCES AND DEVICES; FOOD AND FOOD PRODUCTS**

MONTANA FOOTPATH AND BICYCLE TRAIL ACT OF 1975, Title 60, chapter 3, part 3
  See **BICYCLES, Footpaths and bicycle trails**

MONTANA FORENSIC SCIENCE SYSTEM ACT, Title 44, chapter 3
  See **FORENSIC SCIENCE**, generally

MONTANA FOREST AND CONSERVATION EXPERIMENT STATION, 17-7-102, 20-25-241 — 20-25-245
  See also **UNIVERSITY OF MONTANA, Forest and Conservation Experiment Station**

MONTANA GROUND WATER ASSESSMENT ACT, Title 85, chapter 2, part 9
  See **WATER USE, Ground water**

MONTANA GROWTH THROUGH AGRICULTURE ACT, Title 90, chapter 9
  See **AGRICULTURE, Growth through**

MONTANA HANDICAPPED PERSONS' EMPLOYMENT PREFERENCE ACT, Title 39, chapter 30
  See **LABOR AND EMPLOYMENT, Preference to handicapped persons**

MONTANA HAZARDOUS WASTE AND UNDERGROUND STORAGE TANK ACT, Title 75, chapter 10, part 4
  See **HAZARDOUS WASTES**

MONTANA HEALTH FACILITY AUTHORITY
  See **HEALTH FACILITY AUTHORITY**

MONTANA HEALTH FACILITY AUTHORITY ACT, Title 90, chapter 7
  See **HEALTH FACILITY AUTHORITY**, generally

MONTANA HEALTH MAINTENANCE ORGANIZATION ACT, Title 33, chapter 31
  See **HEALTH MAINTENANCE ORGANIZATIONS**

MONTANA HISTORICAL SOCIETY, Title 22, chapter 3, part 1
  See **HISTORICAL SOCIETY**

MONTANA INITIATIVE FOR THE ABATEMENT OF MORTALITY IN INFANTS (MIAMI) ACT, Title 50, chapter 19, part 3
  See **PREGNANCY, MIAMI project**

MONTANA IN-STATE INVESTMENT ACT OF 1983, Title 17, chapter 6, part 3
  See **COAL TRUST FUNDS, In-state investment**

MONTANA INSURANCE CODE, Title 33

MONTANA INSURANCE CONSULTANT LICENSURE ACT, Title 33, chapter 17, part 5
  See **INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS, AND ADMINISTRATORS, License, consultant**

MONTANA INSURANCE GUARANTY ASSOCIATION
  See **INSURANCE GUARANTY ASSOCIATION, CASUALTY AND PROPERTY**, generally

MONTANA INSURANCE GUARANTY ASSOCIATION ACT, Title 33, chapter 10, part 1
  See **INSURANCE GUARANTY ASSOCIATION, CASUALTY AND PROPERTY**

MONTANA INTEGRATED LEAST-COST RESOURCE PLANNING AND ACQUISITION ACT, 69-3-1201 — 69-3-1206

MONTANA INTEGRATED WASTE MANAGEMENT ACT, Title 75, chapter 10, part 8
  See **SOLID WASTE MANAGEMENT, Integrated waste management**

MONTANA JUDGES' RETIREMENT SYSTEM, Title 19, chapter 5
  See **JUDGES' RETIREMENT SYSTEM**

MONTANA JUSTICE AND CITY COURT RULES OF CIVIL PROCEDURE, Const., VII, 2; Title 25, chapter 23
  See generally **CITY COURTS; JUSTICES' COURTS**

MONTANA LAW ENFORCEMENT ACADEMY ACT, Title 44, chapter 10
  See **LAW ENFORCEMENT**

MONTANA LIBRARY RECORDS CONFIDENTIALITY ACT, Title 22, chapter 1, part 11
  See **LIBRARIES, Library records confidentiality**

MONTANA LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION
  See **INSURANCE GUARANTY ASSOCIATION, LIFE AND HEALTH**, generally

MONTANA LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT, Title 33, chapter 10, part 2
  See **INSURANCE GUARANTY ASSOCIATION, LIFE AND HEALTH**

MONTANA LIMITED LIABILITY COMPANY ACT, Title 35, chapter 8
  See **LIMITED LIABILITY COMPANIES**

MONTANA LITTLE DAVIS-BACON ACT, Title 18, chapter 2, part 4
  See **PUBLIC CONTRACTS, Wages paid by contractors**

MONTANA LIVESTOCK MARKETING ACT, Title 81, chapter 8, part 2
  See **LIVESTOCK, Markets and marketing**

MONTANA LONG-TERM CARE RESIDENTS' BILL OF RIGHTS, 50-5-1101 — 50-5-1107
  See **LONG-TERM CARE FACILITIES, Residents' rights**

MONTANA MAJOR FACILITY SITING ACT, Title 75, chapter 20
  See **FACILITY SITING**

MONTANA MEDAL OF VALOR, 1-1-515

MONTANA MEDICAL ASSOCIATION
Infant morbidity and mortality information, 50-16-102
Medical Legal Panel, duties of executive director
  director of panel, appointment and salary, 27-6-201
  investment of funds, approval, 27-6-206

MONTANA MEDICAL ASSOCIATION (Continued)

Physical Therapy Examiners, Board of — submission of names of nominees, 2-15-1858
Reporting of incompetence or unprofessional conduct, 37-3-401

MONTANA MEDICAL CARE SAVINGS ACCOUNT ACT OF 1995, Title 15, chapter 61
  See **TAXATION, GENERAL PROVISIONS**

MONTANA MEDICAL LEGAL PANEL ACT, Title 27, chapter 6
  See **MALPRACTICE, MEDICAL, Review by panel**

MONTANA MEGALANDFILL SITING ACT, Title 75, chapter 10, part 9
  See **MEGALANDFILL SITING**

MONTANA MENTAL HEALTH NURSING CARE CENTER, Title 53, chapter 21, part 4
  See **MENTAL ILLNESS OR INCAPACITY**

MONTANA MINT COMMITTEE, 2-15-3006; Title 80, chapter 11, part 4
  See **MINT AND MINT OIL PRODUCTION**

MONTANA NATIONAL GUARD REENLISTMENT OR EXTENSION ACT OF 1981, Title 10, chapter 1, part 8
  See **MILITARY AFFAIRS, National guard**

MONTANA NATURAL AREAS ACT OF 1974, Title 76, chapter 12, part 1
  See **LAND USE PLANNING**

MONTANA NATURAL HERITAGE PROGRAM, Title 90, chapter 15
  See **NATURAL RESOURCES, Natural Heritage Program**

MONTANA NEGOTIATED RULEMAKING ACT, Title 2, chapter 5, part 1
  See **ADMINISTRATIVE RULES**

MONTANA NONPROFIT CORPORATION ACT, Title 35, chapter 2
  See **NONPROFIT CORPORATIONS**, generally

MONTANA OIL AND NATURAL GAS PRODUCTION TAX ACT, Title 15, chapter 36, part 3
  See **TAXATION, MINERALS, Oil and natural gas production tax**

MONTANA OLDER AMERICANS ACT, Title 52, chapter 3, part 5
  See **AGING AND AGED PERSONS, Older americans**

MONTANA PESTICIDES ACT, Title 80, chapter 8, parts 1 — 3
  See **PESTS AND PESTICIDES**

MONTANA PLANNING AND ECONOMIC DEVELOPMENT ACT OF 1967, Title 90, chapter 1, part 1
  See **ECONOMIC DEVELOPMENT**, generally

MONTANA PRIMITIVE PARKS ACT, 23-1-115 — 23-1-118

MONTANA PROCUREMENT ACT, Title 18, chapter 4
  See **PUBLIC CONTRACTS, Procurement, state**

MONTANA PRODUCE ACT, Title 80, chapter 3, part 3

MONTANA PROFESSIONAL CORPORATION ACT, Title 35, chapter 4
  See **CORPORATIONS, Professional corporations**

MONTANA PROFESSIONAL TOW TRUCK ACT ACT, 61-8-901 — 61-8-911
  See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Tow trucks**

MONTANA PROFESSIONAL EMPLOYER ORGANIZATIONS AND GROUPS LICENSING ACT, Title 39, chapter 8
See **PROFESSIONAL EMPLOYER ORGANIZATIONS AND GROUPS**

MONTANA QUALITY LABEL, Title 81, chapter 8, part 7
See **FOOD AND FOOD PRODUCTS**

MONTANA RADON CONTROL ACT, Title 75, chapter 3, part 6
See **RADIOACTIVE SUBSTANCES**

MONTANA RANGELAND RESOURCES ACT, Title 76, chapter 14
See **RANGELAND RESOURCES**

MONTANA RECALL ACT, Title 2, chapter 16, part 6
See **RECALL**

MONTANA RELIGIOUS CORPORATION SOLE ACT, Title 35, chapter 3
See **RELIGIOUS CORPORATIONS SOLE**, generally

MONTANA RESIDENTIAL LANDLORD AND TENANT ACT OF 1977, Title 70, chapter 24
See **LANDLORD AND TENANT**, generally

MONTANA RESIDENT STUDENT FINANCIAL ASSISTANCE PROGRAM, Title 20, chapter 26, parts 1 and 2
See **HIGHER EDUCATION, Resident student financial assistance program**

MONTANA RESOURCE INDEMNITY TRUST AND GROUND WATER ASSESSMENT ACT, Title 15, chapter 38
See **TAXATION, MINERALS**

MONTANA RETAIL INSTALLMENT SALES ACT, Title 31, chapter 1, part 2
See **CREDIT TRANSACTIONS, Retail installment sales**

MONTANA RETAIL MOTOR FUEL MARKETING ACT, Title 30, chapter 14, part 8
See **TRADE REGULATION AND COMPETITION, Motor fuel marketing**

MONTANA RIGHTS OF THE TERMINALLY ILL ACT, Title 50, chapter 9, parts 1 and 2
See **LIVING WILLS**

MONTANA RULES OF APPELLATE PROCEDURE, Const., VII, 2; Title 25, chapter 21
See **APPELLATE PROCEDURE**

MONTANA RULES OF CIVIL PROCEDURE, Const., VII, 2; Title 25, chapter 20
See **CIVIL PROCEDURE**, generally

MONTANA RULES OF EVIDENCE, Const., VII, 2; Title 26, chapter 10
See **EVIDENCE**, generally

MONTANA SAFETY ACT, Title 50, chapter 71
See **LABOR AND EMPLOYMENT, Safety**

MONTANA SAFETY CULTURE ACT, Title 39, chapter 71, part 15
See **WORKERS' COMPENSATION**

MONTANA SCHOOL FOR THE DEAF AND BLIND
See **DEAF AND BLIND, MONTANA SCHOOL FOR THE**

MONTANA SCIENCE AND TECHNOLOGY FINANCING ACT, Title 90, chapter 3
See **SCIENCE AND TECHNOLOGY FINANCING**

MONTANA SEATBELT USE ACT, Title 61, chapter 13, part 1
    See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Seatbelts**

MONTANA SEED LABORATORY
    See **MONTANA STATE UNIVERSITY, Seed Laboratory**

MONTANA SELF-INSURERS GUARANTY FUND ACT, Title 39, chapter 71, part 26
    See **WORKERS' COMPENSATION, Self-insurers guaranty fund**

MONTANA SMALL BUSINESS LICENSING COORDINATION ACT, Title 30, chapter 16
    See **TRADE REGULATION AND COMPETITION, Small business licensing coordination**

MONTANA SMALL BUSINESS PURCHASING ACT, Title 18, chapter 5, part 3
    See **PUBLIC CONTRACTS, Small businesses, purchase preference to**

MONTANA SOIL SURVEY ACT, 76-11-201, 76-11-202

MONTANA SOLID WASTE MANAGEMENT ACT, Title 75, chapter 10, part 2
    See **SOLID WASTE MANAGEMENT**

MONTANA STATE BUREAU OF MINES AND GEOLOGY
    See **MONTANA TECH OF THE UNIVERSITY OF MONTANA, Mines and Geology, Bureau of**

MONTANA STATE HOSPITAL
    See also **MENTAL ILLNESS OR INCAPACITY**
Alcohol or drug addiction, See **CHEMICAL DEPENDENCY**
Budget transfers between institutions, 53-20-214
Developmental disabilities community services, funding transfers to, 53-20-214
Funding, 53-20-214
Institutional industries for patients, Title 53, chapter 1, part 3
"Institution" defined, 53-1-101
Loan agreement for acquisition, construction, and equipment, 90-7-221
Location and function, 53-21-601
Mental Health Nursing Care Center, transfers, 53-21-413, 53-21-414
Patients
    drugs or alcohol, supplying to — unlawful, 53-1-103
    employment of, 53-21-162, 53-21-167, 53-21-168
    escape or removal without permission, assistance unlawful, 53-1-102
    geriatric, preference to community nursing home treatment, 53-21-401, 53-21-402
    transfers to other institutions, 53-1-203, 53-21-411, 53-21-413, 53-21-414
Payment for care, Title 53, chapter 1, parts 4 and 5
Research programs, participation and cooperation in, 53-1-206
Superintendent, authority, 53-1-204
Transfers to other institutions, 53-1-203, 53-21-411, 53-21-413, 53-21-414
Work programs for patients, Title 53, chapter 1, part 3

MONTANA STATE LIBRARY COMMISSION, 2-15-1511, 2-15-1514; Title 22, chapter 1, part 1
    See **LIBRARIES, State Library Commission**

MONTANA STATE LOTTERY ACT OF 1985, Title 23, chapter 7
    See **LOTTERY, STATE**

MONTANA STATE PRISON
    See **CORRECTIONAL FACILITIES, State prison**

MONTANA STATE UNIVERSITY
  See also **UNIVERSITY SYSTEM**, generally
Agricultural Experiment Station, 20-1-101
  agricultural chemical ground water protection research programs, 80-15-107
  agriculture, department of — cooperation by, 80-1-102
  appropriations, unexpended — reversion, 17-7-304
  budget provisions, 17-7-102
  commercial feeds, chemical analyses performed by, 80-9-301
  commercial fertilizers
    assessments, allocation to, 80-10-104
    samples, analyses, and inspections — cooperation, 80-10-206
  crop weed management research grants, 80-7-814
  director
    agricultural seeds, analysis and tests, 80-5-108
    appointments by, 2-15-1516
    commercial fertilizer or soil amendment products, value data — acceptability of investigators, 80-10-201
    donations, acceptance, 20-25-230
    duties, 20-25-223
    fertilizer advisory committee, meetings with, 80-10-106
    grants and studies, authority, 20-25-231
    research centers, supervision, 20-25-224
    seed laboratory, direction, 20-25-229
    wool laboratory, direction, 20-25-227
  donations, acceptance, 20-25-230
  establishment, 20-25-222
  federal funds, 20-25-226
  federal grants and agreements, 20-25-231
  funds for, 80-7-814, 80-10-104
  gifts, 20-25-230
  income from sale of products, disposition, 20-25-232
  purpose, 20-25-222
  reports required, 80-7-508, 80-7-814
  research and testing facilities, 20-25-222
  research centers, 20-25-224
  seed laboratory, 20-25-229, 80-5-108 — 80-5-111
  seeds, agricultural
    analysis and testing, fee recommendations, 80-5-110
    rules regarding, 80-5-112
  supervision and control, 20-25-301
  sustainable agriculture research and education, duties, 20-25-235, 20-25-236
  transportation, department of — advice regarding seeding practices, 60-2-208
  wool laboratory, 20-25-227, 20-25-228
Agricultural land valuation schedules, advisory committee, 15-7-201
Agricultural marketing associations, marketing survey for, 35-17-201
Agricultural research centers, establishment, 20-25-224
Agriculture, Dean of — wheat and barley committee, member, 2-15-3002
Agriculture, Department of — cooperation by, 80-1-102
Appropriations, unexpended — reversion, 17-7-304
Architecture, School of — representation on board of architects, 2-15-1871
Budget provisions, 17-7-102, See **BUDGET AND BUDGETING**
Campuses, location, 20-25-201
Conservation education courses, 20-25-104
Cooperative Extension Service, See **COOPERATIVE EXTENSION SERVICE**

MONTANA STATE UNIVERSITY (Continued)

County Commissioners, Board of — agreements with, 7-21-3203
Defined, 20-1-101
Designation, 20-25-221
Experimental farms, 20-25-225
Federal funds, 20-25-226, 20-25-228, 20-25-231, 20-25-424
Fertilizer Advisory Committee, Title 80, chapter 10, part 1
Forestry services, funding, 76-13-415
Funds, receipt of, 17-2-131, 20-25-424
Genetic engineering technology research and development, 17-2-131
Gifts, 20-25-230
Land-grant university, designation as, 20-25-221
Legislative intern program, Title 5, chapter 6
Local Government Center, purpose and funding, 20-25-237
Montana State University-Havre, purpose, 20-25-256
Montana State University-Billings
    donations or gifts to, 20-25-252
    public lands, acceptance of benefits from, 20-25-255
President
    agricultural experiment station, supervision, 20-25-223
    cooperative extension service, federal funds, 20-25-226
Purpose, 20-25-221
Research centers, establishment, 20-25-224
Research programs, 20-25-221, 20-25-225
Seed certification duties, Title 80, chapter 5, part 3
Seed Laboratory, 20-25-229, 80-5-108 — 80-5-111
Treasurer, 20-25-226, 20-25-424
Veterinary medicine, duties, 37-18-104
Wool Laboratory, 20-25-227, 20-25-228

MONTANA STRIP AND UNDERGROUND MINE RECLAMATION ACT, Title 82, chapter 4, part 2
    See **MINES AND MINING, Strip and underground mine reclamation**

MONTANA SUBDIVISION AND PLATTING ACT, Title 76, chapter 3
    See **SUBDIVISIONS**

MONTANA SUSTAINABLE AGRICULTURE RESEARCH AND EDUCATION ACT, 20-25-233 — 20-25-236

MONTANA TAXPAYER BILL OF RIGHTS, 15-1-221 — 15-1-223

MONTANA TECH OF THE UNIVERSITY OF MONTANA
    See also **UNIVERSITY OF MONTANA; UNIVERSITY SYSTEM**
Assays and analyses, fees for, 20-25-211
Mines and Geology, Bureau of
    agricultural chemical ground water protection research programs, 80-15-107
    appropriations, unexpended — reversion, 17-7-304
    budget provisions, 17-7-102, See **BUDGET AND BUDGETING**
    coal severance tax, testing of coal production samples, 15-35-106
    director and assistants
        appointment, 20-25-301
        duties, 20-25-213
        state geologist, director as, 20-25-301
    establishment, 20-25-211
    ground water, 85-2-501
        assessment duties, 85-2-905 — 85-2-907
            steering committee, representation on and staff support, 2-15-1523

MONTANA TECH OF THE UNIVERSITY OF MONTANA (Continued)
Mines and Geology, Bureau of (Continued)
  ground water (Continued)
    controlled ground water areas, designation or modification hearings
      evidence, 85-2-507
      notice, 85-2-506
    investigations, 85-2-512, 85-2-514
    study by, 20-25-212
    well logs to, 85-2-516
  oil and gas and geothermal energy research and study, availability of facilities, 82-11-126
  radon gas or progeny studies, information to, 75-3-604
  purposes, 20-25-212
  water well contractors, board of — appointments to, 2-15-3307
Physical education plant, bonds for, 17-5-421
Purpose, 20-25-211

MONTANA TELECOMMUNICATIONS ACT, Title 69, chapter 3, part 8
  See **UTILITIES, Telecommunications services**

MONTANA TIMESHARE ACT, Title 37, chapter 53
  See **TIMESHARES**

MONTANA TRUTH IN LABELING ACT FOR ORGANIC FOODS, 50-31-221 — 50-31-223, 50-31-231
  See **FOOD AND FOOD PRODUCTS, Organic foods, labeling**

MONTANA UNDERGROUND STORAGE TANK INSTALLER LICENSING AND PERMITTING ACT, Title 75, chapter 11, part 2
  See **HAZARDOUS WASTES, Underground storage tank installers; Underground storage tanks**

MONTANA UNFAIR TRADE PRACTICES AND CONSUMER PROTECTION ACT OF 1973, Title 30, chapter 14, part 1
  See **TRADE REGULATION AND COMPETITION, Unfair practices**

MONTANA UNIFIED VOLUME CAP BOND ALLOCATION PLAN ACT, Title 17, chapter 5, part 13
  See **BONDS AND BOND ISSUES, Volume cap bonds**

MONTANA UNIFORM DISTRICT COURT RULES, Const., VII, 2; Title 25, chapter 19
  See **DISTRICT COURTS**, generally

MONTANA UNIFORM TRANSFERS TO MINORS ACT, Title 72, chapter 26
  See **TRUSTS, Minors, transfers to**

MONTANA VARIABLE CONTRACT LAW, Title 33, chapter 20, part 6
  See **INSURANCE, LIFE, Variable contracts**

MONTANA VETERANS' HOMES, 53-1-102, 53-1-103; Title 10, chapter 2, part 4
  See **VETERANS**

MONTANA WHEAT AND BARLEY COMMITTEE, 2-15-3002; Title 80, chapter 11, part 2
  See **AGRICULTURAL COMMODITIES, Wheat and barley research and marketing**

MONTANA WHEELCHAIR WARRANTY ACT, Title 30, chapter 14, part 12

MONTANA WOOL LABORATORY
  See **MONTANA STATE UNIVERSITY, Wool Laboratory**

MONTANA YOUTH COURT ACT, Title 41, chapter 5
  See **YOUTH COURT**

MORTGAGES
  See also generally **LIENS**; **PLEDGES**; **TRUST INDENTURES**
Acknowledgments
  defeasance, instrument of, 71-1-209
  future advances, notice, 71-1-206
  power of attorney, 71-1-102
  real property, 71-1-207, 71-1-210
  satisfaction, certificate of, 71-1-211, 71-1-212
Actions
  foreclosure, 71-1-222, 71-1-223, 71-1-233
  redemption, 71-1-230, 71-1-231
Affidavits for renewal, 71-1-210
Agricultural associations
  creation by, 35-16-404 — 35-16-406
  member withdrawal, effect, 35-16-303
Agricultural land, foreclosed — disposal, right of immediately preceding owner, 25-13-901 — 25-13-904
Agricultural loan authority program, income from, 80-12-302
Alcoholic beverage license subject to, when, 16-4-204, 16-4-403, 16-4-404
Assignment
  debt carries security, 71-1-110
  discharge
    accompanied by assignment, when, 71-1-213
    certificate, nonissuance — effect, 71-1-212
  foreclosure of purchase money mortgage, 71-1-232
  indexes, 7-4-2619
  recordation, 7-4-2618, 30-9-405, 70-21-304, 71-1-207
    defect, 70-21-310
  renewal by assignee, 71-1-210
  satisfaction by assignee, 71-1-211
Attachment unavailable when property secured by, 27-18-101
Attorneys' fees, 25-10-302, 71-1-233, 71-1-234
Banks and trust companies
  assets and property of
    liquidating agent, by, 32-1-507
    security for deposit, as, 32-1-447
  federal housing administrator, mortgages secured by, 32-1-435
  investments, 32-1-422
  real estate purchases by, mortgages in, 32-1-423
Beer brewers, importers, or wholesalers — financial interest in retailers when, 16-3-242
Breach, 71-1-111, 71-1-212, 71-1-223, 71-1-230
Building and loan associations, authority, 32-2-401, 32-2-420, 32-2-501 — 32-2-503
Chattel mortgages, 30-9-102, 71-1-112, 71-3-401, 71-3-1203, 71-3-1505, See also **SECURED TRANSACTIONS**
Cities and towns, powers, 7-1-4124
Condominiums
  common expenses, priority, 70-23-607
  satisfaction or release upon first conveyance, 70-23-602
Conflict of laws, 71-1-112
Contract, as, 71-1-101
Conveyance, 70-21-301
  absolute, 71-1-209
  creation of mortgage, 71-1-107
  mortgage not considered, 71-1-202
  notice, as, 70-21-302

MORTGAGES (Continued)
Conveyance (Continued)

- title, after acquired — inures to mortgagee, 71-1-108
- trust property, See **TRUSTS, Mortgages; Transfer** entries

Coordinate systems, reliance on not required, 70-22-209
Corporate assets, 35-1-115, 35-1-822, 35-1-1026
Counties, records, 7-2-2224, 7-2-2724
Creation, 71-1-107, 71-1-109, 71-1-201, 71-1-203
Debts

- assignment carries security, 71-1-110
- due dates, multiple, 71-1-226
- existing or future security, 71-1-201
- future advances, 71-1-206
- recovery, 71-1-222, See also **Foreclosure**
- simultaneously created, 71-1-201

Defeasance, 71-1-107, 71-1-209
Definitions

- foreclosure, 71-1-221
- mortgage, 1-1-205, 30-9-105, 71-1-101, 71-1-103, 71-1-107, 90-5-101, 90-6-103, 90-6-503

Discharge or release, 71-1-211, 71-1-212, See also **Satisfaction**

- condominiums, upon first conveyance, 70-23-602
- mortgagee, other than, 71-1-213
- recording and index, 7-4-2613, 7-4-2619

Eminent domain, complaint — contents, 70-30-203
Estates and probate, See **ESTATES AND PROBATE**
Execution, redemption upon sale, 25-13-801
Extension, 71-1-203
Factors, authority, 30-11-606
Filing, See **Recordation**
Fire hazards, demolition of structure — salvage sale surplus, payment, 50-62-107
Foreclosure, 71-1-221, 71-1-222

- appeal, supersedeas bond, Title 25, chapter 21, M.R.App.P., Rule 7
- attorneys' fees, 25-10-302, 71-1-233
- breach of obligation, after, 71-1-223
- execution exemptions which are inapplicable, 25-13-613
- health facility authority bonds, mortgages securing, 90-7-304
- industrial development project bonds, mortgages securing, 90-5-105
- injunction when, 71-1-227
- partial foreclosure, 71-1-226
- possession of property, 71-1-229
- purchase money mortgage, 71-1-231
- realty transfer certificate exemption, 15-7-307
- receiver, appointment, 27-20-102
- sale, 71-1-222, 71-1-224, 90-5-105, 90-7-304, See also **Sale**
- secured transactions, applicability of laws, 30-9-508
- service of process by publication, Title 25, chapter 20, M.R.Civ.P., Rule 4D
- trust indentures, 71-1-304, 71-1-311
- venue, 25-2-123

Form, 71-1-204
Future advances, 71-1-206
Grain held in terminal warehouse not subject to, 80-4-530
Grazing districts, 76-16-323, 76-16-405
Health Facility Authority, powers, 90-7-202, 90-7-304, 90-7-307
Home equity conversion, 90-6-501 — 90-6-507
Homesteads, execution upon judgment, 70-32-202, 70-32-221
Hospital district notes secured by, 7-34-2131
Housing authorities, See **HOUSING AUTHORITIES, MUNICIPAL**

MORTGAGES (Continued)

Housing, Board of — powers, 90-6-104, 90-6-108
Housing development, lower income, Title 90, chapter 6, part 1
Industrial development projects, 90-5-101, 90-5-105
Industrial infrastructure development bonds, payment, 7-15-4301
Injunctions, 71-1-227
Institutional funds, investment in, 72-30-204
Insurance
  credit life and disability, nonapplicability, 33-21-102
  loss or damage, against, See **SURETYSHIP AND SURETIES, Surety insurance**
Insurers, held by, See **INSURERS ORGANIZATION AND REGULATION GENERALLY**
Investments, Board of — purchase of mortgage loans, 17-6-211
Irrigation districts
  creation, consent of mortgagee, 85-7-101
  sale or transfer of lands by, 85-7-2167
  undertakings, security interest, 85-7-1434
Judgments, deficiency, 71-1-222, 71-1-232
Leases
  construction mortgage, 30-2A-103, 30-2A-309
    fixtures, lessor's and lessee's rights when goods become, 30-2A-309
  "purchase" defined, 30-2A-103
Lien, as, 71-1-103
Limited liability companies, authority, 35-8-107, 35-8-1001
Livestock, taking possession under, 81-8-312
Mausoleum and columbarium authorities, 35-21-202, 35-21-407
Mint and mint oil, 80-11-402, 80-11-412 — 80-11-414
Montana Developmental Center facility, loan secured by, 90-7-220
Montana State Hospital facilities, loan secured by, 90-7-221
Mortgagee
  discharge or release by other than, 71-1-213
  future advances, 71-1-206
  possession of property, not entitled, 71-1-105, 71-1-230
  power of sale, 71-1-111, 71-1-223
  waste prohibited, 71-1-106
Mortgagor
  insurance policy, copy to — when, 33-15-412
  obligation, 71-1-104
  redemption, right of, 71-1-230, 71-1-231
Motor vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Security interests**
Negotiability of instrument not affected, 71-1-235
Nonprofit corporations, power, 35-2-118, 35-2-616, 35-2-820
Notaries public, certification, 1-5-416
Parking commission revenues, funds, or property, 7-14-4643, 7-14-4656, 7-14-4664, 7-14-4666
Partition, as security for sales, 70-29-306
Period of, 71-1-210
Personal obligation, mortgage not, 71-1-104
Personal property
  pledge of, mortgage as, 71-1-107
  uniform commercial code, applicability, 30-9-102, 71-1-112
Pledge, as, 71-1-107
Possession of property, See also **Foreclosure**
  adversely held, 71-1-109, 71-1-230
  change, 71-1-101, 71-1-107
  foreclosure, purchaser's right to, 71-1-229
  independent of mortgage, 71-1-103
  mortgagee, 71-1-105

MORTGAGES (Continued)
Possession of property (Continued)

  occupant, rights during foreclosure and redemption, 71-1-229
  recovery, 71-1-202
  title, after acquired — inures to mortgagee, 71-1-108
Power of attorney, 71-1-102, 71-1-213
  statutory, authority, 72-31-223 — 72-31-225
Premarital agreements, rights of parties, 40-2-605
Principal and income, determination, 72-34-416
Priority
  condominium, upon, 70-23-607
  future advances, 71-1-206
  liens, 71-1-205, 71-3-114, 71-3-542, 71-3-804, 71-3-904, 71-3-1007
  purchase money mortgage, 71-3-114
  reverse annuity mortgage, 90-6-505
Professional corporations, power, 35-4-401
Prohibited acts
  discharge or release, nonissuance of certificate, 71-1-212
  waiver of rights, 71-1-229
  warehouse receipt, negotiation when mortgaged, 30-7-706
  waste, 71-1-106
Promissory note secured by, 71-1-235
Public fund deposits, security for, 17-6-103
Purchase, as, 30-1-201, 30-2A-103
Purchase money mortgages, 71-1-232, 71-3-114
Railroad corporations, by, 69-14-507, 69-14-555, 69-14-556
Railroad rehabilitation or rolling stock revenue bonds, to secure, 60-11-1106, 60-11-1206
Recordation, 7-4-2613, 7-4-2618, 7-4-2619, 71-1-207; Title 70, chapter 21, See also **PROPERTY, REAL, Recording of transfers and other transactions**
  defeasance, 71-1-209
  future advances, 71-1-206
  renewal, 71-1-210
  satisfaction or discharge, 71-1-211
  search of records, 7-4-2621
  security interest attached, 30-9-401, 30-9-403 — 30-9-406
  subordination agreements, 71-1-208
  trust deeds, 71-1-321
  waiver agreements, 71-1-208
Redemption, 71-1-228, See also **EXECUTION, Redemption**
  action for, 71-1-230, 71-1-231
  execution sale, upon, 25-13-801
  multiple mortgagors, by, 71-1-231
  possession of property during, 71-1-229
  service of process by publication, Title 25, chapter 20, M.R.Civ.P., Rule 4D
Religious corporations, power, 35-3-205
Renewal, 71-1-203, 71-1-210
Reserve funds for taxes and insurance, 71-1-113 — 71-1-115
Reverse annuity mortgage loans, 90-6-501 — 90-6-507
Sale, 71-1-222, See also **Foreclosure**
  notice, 71-1-224, 71-1-234
  partial foreclosure, 71-1-226
  power of, 71-1-111, 71-1-202, 71-1-223, 71-1-224, 71-1-234
  redemption rights during, 71-1-228
  surplus proceeds, 71-1-225
Satisfaction, 71-1-206, 71-1-211, 71-1-212, See also **Discharge or release**
  condominiums, upon first conveyance, 70-23-602
  quiet title, jurisdiction, 70-28-107

MORTGAGES (Continued)
Satisfaction (Continued)

- tax delinquencies, lien of tax — filing for, 15-16-402

Secured transactions, applicability of laws, 30-9-102, 30-9-104, 30-9-105, 30-9-508
Security, 71-1-201
- partition sales, for, 70-29-306
- title, subsequently acquired, 71-1-108
- transfer of interest, 71-1-107
- waste prohibited, 71-1-106, 71-1-227

Ship Mortgage Act, 1920 — security interest subject to, 30-9-104
Solid waste management systems, local government authority, 75-10-112
State lands
- cabinsite sales, purchase, 17-6-207
- lessees, mortgage of leasehold interest, See **STATE LANDS, Surface leases**, pledges and mortgages of interests

UBDIVISIONS, land division created as security — subdivision exemption, 76-3-201
Subordination agreements, 71-1-208
Surety insurance, See **SURETYSHIP AND SURETIES**
Table wine distributors, financial interest in retailers when, 16-3-406
Taxation
- delinquencies, effect of lien of tax and filing of satisfaction, 15-16-402
- tax sales, interested parties, 15-18-111, See **TAXATION, PROPERTY, Tax sales**

Tax exempt status of mortgage-secured indebtedness, 15-6-201, 15-6-204
Title, acquisition after execution, 71-1-108
Title insurers, guaranteeing payment prohibited, 33-25-213
Trust indentures
- deeds of trust and trust deeds, 71-1-321
- exceptions to mortgage provisions, 71-1-224, 71-1-228, 71-1-234
- foreclosure, 71-1-304, 71-1-311
- mortgage, as, 71-1-305

Trust property, 72-34-318
Uniform Commercial Code, applicability, 71-1-112
Urban renewal bonds, payment, 7-15-4301, 7-15-4322
Utilities, rural cooperatives — authority, 35-18-106, 35-18-107, 35-18-317
Waivers, 71-1-208, 71-1-229
Warehouse receipts, negotiation when mortgaged unlawful, 30-7-706
Waste prohibited, 71-1-106, 71-1-227
Water conservancy districts, directors' power, 85-9-406
Water use
- project land leasehold interest, mortgage prohibited, 85-1-810
- projects and works, 85-1-308
- renewable resource grant and loan projects, 85-1-615
- rights or real property or interest in, 85-1-308
- water conservation revenue bonds, security, 85-1-307

Wineries, financial interest in retailers when, 16-3-406
Writing required, 71-1-203

MORTICIANS AND FUNERAL DIRECTORS
Autopsies
- liability, 46-4-104
- mortuary, conducted at, 46-4-103

Board of Funeral Service, 2-15-1853; Title 37, chapter 19, part 2
Burial, See also **DEATH, Burial**
- permits, 50-15-114, 50-15-406, 50-21-102
- preparation of bodies, 37-19-101, 50-21-105

Cemeteries, See **CEMETERIES**
Cosmetology, applicability of provisions, 37-31-102

MORTICIANS AND FUNERAL DIRECTORS (Continued)

Cremation, Title 37, chapter 19, part 7, See **CREMATORIUMS AND CREMATORY OPERATORS**
Death certificates, 50-15-403
Definitions, 37-19-101, 61-1-413 — 61-1-415
Disclosure of funeral costs and need for embalming, 37-19-315
Disinterment permits, 50-15-114, 50-15-407
Disturbance of funerals or interment, 35-21-704
Embalming, 37-19-101
    information concerning, disclosure, 37-19-315
    infectious disease exposure, notification, 50-16-712
    organ donation, effect, 72-17-301
Funeral directors
    cremated human remains, liability, 35-21-304
    funeral directing, 37-19-101
        license required, 37-19-301
    insurance producer, as — license prohibited, 33-17-211
    licenses, 37-19-301, 37-19-402, 49-3-204
    life insurers, prohibited relationships, 33-18-301
    mausoleum and columbarium records, 35-21-502
Funeral expenses
    casualty insurance benefits, 33-1-206
    crime victims compensation benefits or restitution by offender, 46-18-243, 53-9-128
    disclosure to customers, 37-19-315
    estate of decedent
        augmented estate, effect on valuation, 72-2-222
        claim against
            inclusion of funeral expenses, 72-1-103
            priority for payment, 72-3-807
        inheritance taxes, effect of expenses on valuation, 72-16-308, 72-16-802
        principal and income determinations on income and expenses incurred during administration, 72-34-404, 72-34-406
        small estate, 72-3-1103, 72-3-1104
    fire department relief association benefits, 19-18-203, 19-18-601
    fraternal benefit society benefits, 33-7-521
    indigent persons, reimbursement, 40-6-301, 53-2-804
    insurance for, 33-18-301
        benefits, 33-1-206, 33-7-521, 33-20-1207
    liability insurance benefits, 33-1-206
    life insurance group benefits, 33-20-1207
    occupational disease benefits, 39-72-705
    veterans, Title 10, chapter 2, part 5, See **VETERANS**, **Burial**
    volunteer firefighters' compensation benefits, 19-17-505, 19-17-506
    workers' compensation benefits, 39-71-725, 39-71-907
Funeral plans, prearranged, 37-19-101, 72-37-101 — 72-37-103
Funeral processions
    definitions, 61-1-413 — 61-1-415
    driving in, 61-8-329, 61-8-382
    hearses, specific provisions, 61-1-414, 61-9-405
    liability, 61-8-384
    lights, requirements, 61-8-381, 61-8-382
    right-of-way, 61-8-380, 61-8-383
    traffic-control devices, obedience to — exceptions, 61-8-201, 61-8-380, 61-8-383
    vehicles not in procession, 61-8-380, 61-8-383
Funerals
    anatomical gifts, effect, 72-17-301
    costs, See **Funeral expenses**

MORTICIANS AND FUNERAL DIRECTORS (Continued)
Funerals (Continued)

- disturbance, 35-21-704
- insurance for, 33-18-301
- interference with, 35-21-704
- obstructions, 35-21-704
- organ donations, effect, 72-17-301
- personal representative's authority, 72-3-601
- prearranged plans, 37-19-101, 72-37-101 — 72-37-103
- supervision, 37-19-101

Indigents, optional county programs, 40-6-301, 53-2-804
Infectious disease, exposure from deceased person — notification, 50-16-712
Inspections, 37-19-402, 37-19-403
Insurance
- funeral insurance, 33-18-301
- insurance producer, as — license prohibited, 33-17-211

Insurers, life — prohibited relationships, 33-18-301
Interference with funerals or interment, 35-21-704
Interns' licenses, 37-19-302, 37-19-304, 49-3-204
Liability
- autopsies, 46-4-104
- cremation after deposit of remains, 35-21-304
- funeral processions, 61-8-384

Licenses, funeral directors, 37-19-301, 37-19-402, 49-3-204
Licenses, interns, 37-19-302, 37-19-304, 49-3-204
Licenses, morticians
- applications, 37-19-302, 37-19-303
- discrimination in issuance prohibited, 49-3-204
- examinations, 37-19-302, 37-19-303
- fees, 37-19-303, 37-19-306
- interns, 37-19-302, 37-19-304
- qualifications, 37-19-302
- refusal, suspension, or revocation, 37-19-306
- renewal, 37-19-306
- required, 37-19-302, 37-19-402

Licenses, mortuaries, 37-19-401, 37-19-402, 49-3-204
Mausoleums and columbariums
- cremated human remains, liability, 35-21-304
- records, 35-21-502

Medical schools, arrangements for burial of bodies, 50-21-102
Morticians, 37-19-101
- board of funeral service, appointments to, 2-15-1853
- cremated human remains, liability, 35-21-304
- education requirements, 37-19-302
- insurance producer, as — license prohibited, 33-17-211
- internship, 37-19-302, 37-19-304
- licenses, See **Licenses, morticians**
- life insurers, prohibited relationships, 33-18-301
- removal of body from place of death, authorization, 50-15-405

Mortuaries, 37-19-101
- autopsies conducted at, 46-4-103
- corpses released to, 7-4-2915
- fraternal benefit societies, operation by — prohibited, 33-7-210
- funeral costs, disclosure, 37-19-315
- inspections and fee, 37-19-402, 37-19-403
- licensing, 37-19-401, 37-19-402, 49-3-204
- life insurers, prohibited relationships, 33-18-301

MORTICIANS AND FUNERAL DIRECTORS (Continued)
Mortuaries (Continued)

  maintenance, 37-19-101
  standards, 37-19-402, 37-19-403
Mortuary science, practice of, 37-19-101
  cosmetology, applicability of provisions, 37-31-102
  license, without — prohibited, 37-19-301, 37-19-302
Obstruction of funerals or interment, 35-21-704
Penalties
  license renewal fees
    failure to pay, 37-19-306
    late renewal, 37-19-401
  violations, for, 37-19-501
Prearranged funeral plans, 37-19-101, 72-37-101 — 72-37-103
Supervision of
  funerals, 37-19-101
  interns, 37-19-302, 37-19-304
Transportation of bodies, 37-19-101, See also **Funeral processions**
  permits, 50-1-202, 50-15-114
Trusts, prearranged funeral plans, 37-19-101, 72-37-101 — 72-37-103
Violations and penalty, 37-19-501
  funerals or interment — interference, obstruction, or disturbance, 35-21-704

MOSQUITO CONTROL DISTRICTS, Title 7, chapter 22, part 24
  See **PESTS AND PESTICIDES**

MOTION PICTURES
  See also **INSURANCE, CASUALTY**, generally; **THEATERS**; **TRADE REGULATION AND COMPETITION**
Film, flammable — fire prevention and safety rules, 50-3-103
Filming, property used for, 15-6-215, 15-24-305, 61-3-301, 61-3-507, 61-3-520
Funding for in-state production, 15-65-121
Motion Picture Fair Trade Practices Act, Title 30, chapter 14, part 3, See **TRADE REGULATION AND COMPETITION**
Obscene material, public display or dissemination to minors, 45-8-201, 45-8-205 — 45-8-208

MOTIONS AND ORDERS
  See **CIVIL PROCEDURE**; **CRIMINAL PROCEDURE**

MOTOR CARRIERS
  See also **CARRIERS**
Abandonment of service, 69-12-403
Accommodative transportation, nature of, 69-12-105
Accounts, 69-12-201, 69-12-205, 69-12-407, 69-12-601
Actions to recover excess rates, fares, or charges paid to, 69-12-511
Advertising, 69-12-106, 69-12-322
Affidavit, 69-12-207
Agreements, See also **Contracts**
  between carriers, 69-12-601
    antitrust laws, relationship, 69-12-605
    hearings required when, 69-12-604
    investigation of operation, 69-12-603
    limitations, 69-12-602
  brokerage and buy-and-sell, 69-12-101, 69-12-102, 69-12-106
  equipment, interchange — for, 69-12-612
  excess rates, fares, and charges — recovery actions, nonadmissibility, 69-12-511
Alcoholic beverages, See **ALCOHOLIC BEVERAGES**, **Carriers**
Bills of lading, 69-12-203

MOTOR CARRIERS (Continued)

Blood testing requirements, conditions of employment, 39-2-304
Bonds, filing, 69-12-402
Buildings, transportation of, 69-12-302, 69-12-331
Bus service, provisions for, 69-12-208
Certificate of public convenience and necessity, 69-12-101
  applications, 69-12-311 — 69-12-314
    decision on, 69-12-323
    hearings, 69-12-321, 69-12-322
  assignment, 69-12-325
  buildings, transportation of — for, 69-12-331
  cancellation when, 69-12-404
  class A carriers, 69-12-311
  class B carriers, 69-12-312
  class C carriers, 69-12-313, 69-12-324
  class D carriers, 69-12-314, 69-12-323, 69-12-407
  contracts, state or federal — effect, 69-12-324
  fitness of carrier required, 69-12-415
  hearings, 69-12-321, 69-12-322, 69-12-327
  issuance, 69-12-323, 69-12-324, 69-12-402, 69-12-415
  lease of, 69-12-325, 69-12-326
  local government powers, 7-1-111
  revocation or suspension, 69-12-210, 69-12-327, 69-12-422
  rules, compliance required, 69-12-402
  safety standards, compliance required, 44-1-1005
  transfer, 69-12-325
Charges
  by, See **Rates, fares, and charges**
  imposed on, See **Compensation**, paid for use of highways; **Fees**
Class A carriers
  certificates, 69-12-311, See also **Certificate of public convenience and necessity**
  classification, 69-12-301, See also **Classification**
  rates, 69-12-201, 69-12-205, 69-12-301, 69-12-311, 69-12-501, See also **Rates, fares, and charges**
  records and reports, 69-12-407, See also **Records and reports**
  service, discontinuance or abandonment, 69-12-403, See also **Service**
  waste transportation restrictions and exception, 69-12-406
Class B carriers
  certificates, 69-12-312, See also **Certificate of public convenience and necessity**
  classification, 69-12-301, See also **Classification**
  rates, 69-12-201, 69-12-205, 69-12-301, 69-12-312, 69-12-501, See also **Rates, fares, and charges**
  records and reports, 69-12-407, See also **Records and reports**
  service, discontinuance or abandonment, 69-12-403, See also **Service**
  waste transportation restrictions and exception, 69-12-406
Class C carriers
  certificates, 69-12-313, 69-12-324, See also **Certificate of public convenience and necessity**
  classification, 69-12-301, See also **Classification**
  contracts, 69-12-301, 69-12-302, 69-12-313, 69-12-321, 69-12-324
  equipment, interchange agreements prohibited, 69-12-612
  rates, 69-12-201, 69-12-205, See also **Rates, fares, and charges**
  records and reports, 69-12-407, See also **Records and reports**
  waste transportation restrictions and exception, 69-12-406
Class D carriers
  certificates, 69-12-314, 69-12-323, 69-12-407, See also **Certificate of public convenience and necessity**
  classification, 69-12-301, See also **Classification**
  rates, 69-12-205, See also **Rates, fares, and charges**

MOTOR CARRIERS (Continued)
Class D carriers (Continued)

records and reports, 69-12-407, See also **Records and reports**
Classification, 69-12-301
agreements between carriers, 69-12-601
changes, 69-12-501, 69-12-503 — 69-12-505
equipment, emergency or standby, 69-12-421
investigation, 69-12-503
reasonable and nondiscriminatory, to be, 69-12-201, 69-12-503
rules to reflect differences, 69-12-205
schedule, maintenance, 69-12-501
Common carrier motor transportation system, encouragement, 69-12-202
Compensation
facilities and equipment, agreements between carriers for use, 69-12-601
lease of certificate, for, 69-12-326
paid for use of highways, 69-12-101, 69-12-402, 69-12-421, 69-12-422
power equipment, leases for, 69-12-611
Competition, 7-2-4736, 69-12-205, 69-12-323
Complaints, 69-12-204, 69-12-210
agreements between carriers, concerning, 69-12-603
rates, fares, charges, classification, or rules of service, 69-12-503, 69-12-505
Compliance, 69-12-401, 69-12-402, 69-12-415
Contracts, See also **Agreements**
certificate leases, for, 69-12-326
class C carriers, 69-12-301, 69-12-302, 69-12-313, 69-12-321, 69-12-324
excess rates, fares, and charges — recovery actions, nonadmissibility, 69-12-511
federal, state, or local government, 69-12-324
Definitions, 39-2-304, 69-12-101, 69-12-102
Discontinuance of service, 69-12-403
Division of Motor Carrier Services, 2-15-2501, 44-4-301
Drug testing requirements, conditions of employment, 39-2-304
Enforcement of provisions, 44-1-1005, 61-10-141, 61-12-206, 69-12-203, 69-12-209
Equipment
agreements between carriers for use, 69-12-601
bus lines, 69-12-208
emergency or standby, 69-12-421
interchange, 69-12-612
power equipment, lease, 69-12-611
Evidence
certificate applications, public convenience and necessity, 69-12-321, 69-12-323
excess rates, fares, or charges — recovery, nonadmissibility of contracts or agreements, 69-12-511
operating authority
intrastate, suspension prima facie presumption of absence of public convenience and necessity, 69-12-404
temporary, concerning, 69-12-207
public service commission members, agents, or examiners — authority, 69-12-204, 69-12-206
rates, fares, charges, classification, or rules of service — revision or change, 69-12-504, 69-12-505
status as motor carrier, prima facie evidence of and burden of proof to disprove, 69-12-106
Exemptions, 69-12-102, 69-12-302
Facilities, 69-12-201, 69-12-204, 69-12-205
agreements between carriers for use, 69-12-601
bus lines, 69-12-208
Fares, See **Rates, fares, and charges**
Fees, See also **CONSUMER COUNSEL**, **Regulated companies**
annual, 69-12-421
certificates, filing, 69-12-311 — 69-12-313
driveaway or towaway transporters, additional, 61-4-304

MOTOR CARRIERS (Continued)
Fees (Continued)

- failure to pay, 69-12-422
- payment, 69-12-402
- power equipment, lessee's responsibility, 69-12-611
- public service commission, charged by, 69-12-423
- public service regulation, department of — nonapplicability, 69-1-401

Fuel tax, Title 15, chapter 70
Gross vehicle weight, identification of large vehicles, 69-12-408, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Gross vehicle weight; Size, weight, and load**
Hearings
- administrative procedure for, 69-12-204
- agreements between carriers — for approval, termination, or modification, 69-12-604
- bus service, for, 69-12-208
- certificates
  - applications, 69-12-321, 69-12-322
  - revocation, 69-12-327
- classification, rates, fares, charges, or rules of service
  - change or revision, 69-2-101, 69-12-504, 69-12-505
  - complaints or investigations, 69-12-503
- intrastate operating authority, public convenience and necessity, 69-12-404
- penalty, civil — for collection, 69-12-108
- public service commission, by, 69-2-101, 69-12-206, 69-12-210
- witnesses, 69-12-204, 69-12-206

House movers, 69-12-302, 69-12-331
Identification of ownership required when, 69-12-408
Injunction, 69-12-209
Inspections, 69-12-203
- cargo or safety, 44-1-1005, 61-10-141, 69-12-203
- records and reports, 69-12-407, 69-12-601

Inspectors, 44-1-1005, 61-10-141, 69-12-203
Insurance, 69-12-402
Interstate Commerce Commission, 69-12-407, 69-12-408
Intrastate operating authority, suspension, 69-12-404
Investigations, 69-12-203, 69-12-204, 69-12-206, 69-12-210
- agreements between carriers, operation under, 69-12-603
- classification, rates, fares, charges, or rules of service, 69-12-503
- route or territory to be served, 69-12-321

Judgments, 69-12-402
Leases
- applicability of laws, 69-12-102
- certificates, of, 69-12-325, 69-12-326
- "for hire" defined, 69-12-101
- inspection when, 69-12-203
- power equipment, 69-12-611
- status as motor carrier, evidence of, 69-12-106

Loads, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Size, weight, and load**
Operation between fixed termini or over regular route, 69-12-101, 69-12-104
- class A carriers, 69-12-301, 69-12-311
- class C carriers, 69-12-313

Operations, 69-12-201
- intrastate, suspension, 69-12-404
- lease of certificate, effect, 69-12-326
- negligent, 69-12-402
- temporary authority, 69-12-207

Orders by Public Service Commission, 69-12-206
- administrative procedure for cases involving, 69-12-204

MOTOR CARRIERS (Continued)
Orders by Public Service Commission (Continued)

- agreements between carriers — approval, termination, or modification, 69-12-601, 69-12-603, 69-12-604
- certificates
  - applications, pertaining to, 69-12-311 — 69-12-313, 69-12-323
  - revocation, 69-12-327
- classification change or revision, 69-12-505
- compliance, 69-12-415
- enforcement, 69-12-203, 69-12-209
- noncompliance, 69-12-108, 69-12-209, 69-12-210, 69-12-327
- rates, fares, and charges — change or revision, 69-12-503, 69-12-505
- rules, prescribing, 69-12-201
- service, for discontinuance or abandonment, 69-12-403

Private carriers, status, 69-12-107
Property, 69-12-201
- lien upon, when, 69-12-422

Purpose of provisions, 69-12-107, 69-12-202
Rates, fares, and charges, 69-2-102, 69-12-201
- administrative procedure for cases involving, 69-12-204
- agreements between carriers, 69-12-601, 69-12-602
- changes, 69-2-101, 69-12-501, 69-12-503 — 69-12-505
- class A carriers, 69-12-201, 69-12-205, 69-12-301, 69-12-311
- class B carriers, 69-12-201, 69-12-205, 69-12-301, 69-12-312
- class C carriers, 69-12-201, 69-12-205
- class D carriers, 69-12-205
- deviations unlawful, 69-12-502
- excess, recovery, 69-12-511
- filing, 69-2-101, 69-12-201, 69-12-423, 69-12-501
- investigation, 69-2-101, 69-12-503
- joint, 69-12-602
- reasonable and nondiscriminatory, to be, 69-12-201, 69-12-205, 69-12-503
- rebates and refunds unlawful, 69-12-502
- requirements generally, Title 69, chapter 12, part 5
- rules, 69-2-101, 69-12-205, 69-12-501
- schedule, 69-12-201, 69-12-205, 69-12-311, 69-12-312, 69-12-423, 69-12-501, 69-12-503, 69-12-504

Records and reports, 69-12-407
- administrative procedure pertaining to, 69-12-204
- agreements between carriers, 69-12-601
- annual reports, 69-12-201, 69-12-407, 69-12-423
- filing, 69-12-201, 69-12-407
- rules for, 69-12-205

Recyclables, transportation of, 69-12-101
- class C contract requirements, nonapplicability, 69-12-302
- class D carriers, by, 69-12-301
- waste transportation restrictions, nonapplicability, 69-12-406

Regulation, 69-1-102, 69-12-201
Reports, See **Records and reports**
Rules, 69-2-101, 69-12-201
- agreements between carriers, for, 69-12-601
- certificate applications and filing fees, 69-12-311 — 69-12-314, 69-12-321
- classification change or revision, notice, 69-12-504
- compliance, 69-12-402, 69-12-415
- difference between carrier classes, to reflect, 69-12-205
- enforcement, 69-12-203
- fee set by, 69-12-421
- noncompliance, 69-12-108, 69-12-210, 69-12-327
- rates, fares, and charges, 69-12-501, 69-12-504

MOTOR CARRIERS (Continued)
Rules (Continued)

  safety standards, 44-1-1005, 61-12-206
  service, of, 69-12-205, 69-12-501, 69-12-503, 69-12-504
  temporary operating authority, 69-12-207
Safety standards, 44-1-1005, 61-9-512, 61-10-141
Scope of provisions, 69-12-102
Seasonal operations, 69-12-421
Service, 69-12-201, 69-12-204
  bus service, 69-12-208
  discontinuance or abandonment, 69-12-403
  pooling or division, 69-12-602
  public convenience and necessity, requirement for certification, 69-12-321, 69-12-323, 69-12-404
  rules of, 69-12-205, 69-12-501, 69-12-503, 69-12-504
  temporary operating authority, 69-12-207
Size, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Size, weight, and load**
Solid waste carriers, See **Waste carriers**
Special fuel, Title 15, chapter 70
Status as, 69-12-106, 69-12-107
Supervision, 69-1-102, 69-12-201
Supervisor of, 69-12-203
Tariffs, See **Rates, fares, and charges**
Temporary operating authority, 69-12-207
Time schedules, 69-12-208, 69-12-311
Transfer of authority, request for, 69-12-321
Urine testing requirements, conditions of employment, 39-2-304
Violations, 69-12-108, 69-12-209, 69-12-327, 69-12-401
  arrest, 61-12-206
  criminal charge, filing when offense committed in transit, 46-3-114
  investigation and prosecution, 69-12-203, 69-12-210
  penalties and fines, 61-9-512, 69-12-108, 69-12-210
  public service commission orders, rules, or decisions — noncompliance, 69-12-108, 69-12-209, 69-12-210, 69-12-327
  rates, fares, and charges — deviation, 69-12-502
  safety standards and inspections, 44-1-1005, 61-9-512, 61-10-141
Waste carriers
  cities and towns
    annexation, effect on service, 7-2-4736
    private carriers, protection, 7-13-4107
  class D carriers, as, 69-12-301, 69-12-314
  contracts, 69-12-324
  restrictions and exception, 69-12-406
Weigh stations, 61-10-141
Weight, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Gross vehicle weight fees; Size, weight, and load**
  certificate applications, inclusion, 69-12-311 — 69-12-313
  identification of large vehicles, 69-12-408
  safety standards, enforcement, 44-1-1005, 61-10-141
Workers' compensation coverage, 39-71-117

MOTOR CLUB SERVICE COMPANIES
Agents, 61-12-301
  license required, 61-12-302
  service contracts, 61-12-309, 61-12-312
Applicability of provisions, 61-12-314
Arrest bond certificates, 46-9-412, 46-9-414
Definitions, 61-12-301

MOTOR CLUB SERVICE COMPANIES (Continued)

Deposits or bonds required when, 61-12-304
Financial statements, 61-12-303, 61-12-307
Licenses, 61-12-302, 61-12-311
    continuance, 61-12-305
    deposits required, 61-12-304
    fees, 33-2-708
    requirements, 61-12-303
    revocation or suspension, 61-12-305, 61-12-306
Service contracts, 61-12-301, 61-12-311, 61-12-313
    duplicate, to be in, 61-12-309
    filing, 61-12-308
    form, 61-12-310
    misrepresentation, 61-12-312
Violations and penalty, 61-12-315

MOTOR FUEL MARKETING ACT, MONTANA RETAIL, Title 30, chapter 14, part 8
    See **TRADE REGULATION AND COMPETITION, Motor fuel marketing**

MOTOR VEHICLE SAFETY-RESPONSIBILITY ACT, Title 61, chapter 6, part 1
    See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Financial responsibility**

MOTOR VEHICLES AND TRAFFIC REGULATIONS
    See also **VEHICLES**
Abandoned vehicles
    notice requirements, 61-12-402
    presumption of ownership, 61-8-356
    reclaiming, 61-12-403
    sale, 61-12-404 — 61-12-407
    taking into custody, 61-8-705, 61-12-401
    violations, penalty, 61-12-408
Accidents and accident reports
    aid, duty to render, 61-5-205, 61-5-405, 61-7-105
    alcohol-related, reports, 61-2-106
    animals, collision with, 60-7-203
    application of laws, 61-7-102
    citation of uniform accident reporting act, 61-7-101
    city or town reports, 61-7-116
    confidentiality of reports, 61-7-114, 61-7-116, 61-11-105
    coroners' and medical examiners' reports, 61-7-111, 61-7-112
    damages, replacement value as measure, 27-1-306
    damage to vehicle, involving, 61-7-104, 61-7-109
    debris on highway, removal, 61-8-365, 61-9-416
    drinking and driving prevention programs, 61-2-106 — 61-2-108
    driver improvement program, 61-2-103, 61-2-301, 61-2-302
    driver's license
        record of involvement, 61-11-102
        revocation or suspension when, 61-5-205, 61-5-206, 61-7-103, 61-7-111
    driving record, inclusion, 61-11-105
    financial responsibility, See **Financial responsibility**
    fixtures or property on highways, duty when striking, 61-7-107
    forest development roads, 61-8-111
    forms for reports, 61-7-109, 61-7-111
    garages, reports by, 61-7-111, 61-7-113
    habitual traffic offenders, See **Habitual traffic offenders**
    incapacity to make report, procedures, 61-7-110
    information, duty to give, 61-7-105, 61-7-109, 61-11-203

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Accidents and accident reports (Continued)

- interpretation, uniformity, 61-7-117
- investigation, 61-2-101, 61-7-109, 61-8-111
- liability insurance, See **Liability insurance**
- nonresidents, service of process, 25-3-601 — 25-3-604, 25-10-206, See also **Nonresidents**
- notice, immediate, 61-7-108, 61-7-110
- older drivers, insurance premium discount — effect on, 33-16-223
- records, 61-7-114, 61-7-116, 61-11-102, See also **Records and indexes**
- research program, 61-2-103
- salvage vehicle provisions, 61-3-210 — 61-3-212
- statistical information, 61-7-115
- stop and remain at scene, 61-5-205, 61-5-405, 61-7-103, 61-7-104, 61-8-809, 61-11-203
- supplemental reports, 61-7-109, 61-7-114
- traffic safety program, purpose, 61-2-101, 61-2-102, See **Traffic safety program**
- unattended vehicle, duty when striking, 61-7-106
- uninsured motorists, 33-23-201, See also **Liability insurance**
- violations and penalties, 61-7-103, 61-7-104, 61-7-110, 61-7-118
- warning signs, 61-9-416
- witnesses, 61-7-109
- written reports, 61-7-109 — 61-7-111
- "yield" intersections, failure to yield right-of-way, 61-8-342

Actions arising from
- animals, collision with, 60-7-203
- attorney's fee, 25-10-101, 25-10-302, 25-10-303
- auto auctions, unlawful conduct — judgment for loss or damage caused by, 61-4-120
- certificate of title, bonds — recovery on, 61-3-208
- child safety restraint systems, evidence of compliance or noncompliance, 61-9-422
- costs, 25-10-101, 25-10-302
- dealers and wholesalers
    - injunction to restrain, when, 61-4-107
    - succession to ownership, recovery of damages when, 61-4-137
    - unlawful conduct, judgment for loss or damage caused by, 61-4-101
- drivers' licenses, suspension or revocation, 61-11-101
- driving under the influence of alcohol or drugs, 61-8-401, 61-8-404
- financial responsibility, 61-6-108, 61-6-110, 61-6-137
- governmental entities, liability, 2-9-111
- insurance fraud, 61-3-106
- manufacturers, distributors, importers, or dealers
    - financing purchase or sale of vehicles, damages for injury to business or property, 61-4-406
    - franchises, cancellation or termination, 61-4-206
    - injunction to restrain, when, 61-4-209
- off-highway vehicles, products liability — effect of operator's responsibility provisions, 23-2-822
- replacement value, damages, 27-1-306
- seatbelt provisions, evidence of compliance or noncompliance, 61-13-106
- size, weight, and load special permits — cancellation, revocation, or suspension, 61-10-143
- theft, 61-3-106
- warranty
    - dealers, action against — not created, 61-4-505
    - disputes, 61-4-520
- wrecking facilities and graveyards, injunction or collection of penalties, 75-10-541

Advertising
- brokers, 61-1-318
- dealers and wholesalers, coercion prohibited, 61-4-208
- glass repair shops, prohibited practices, 30-14-225
- motorcycle safety training, 20-7-510
- traffic-control devices, on — prohibited, 61-8-210

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Affidavits
  auto auction, license plates — use, 61-4-120
  certificates of ownership, requirements, 61-3-201, 61-3-208, 61-3-342
  drivers' licenses, false statements or affidavits, 61-5-205, 61-5-303, 61-5-405
  excess size and weight permits, confirmation of highway routes used, 61-10-124
  financial responsibility, money or securities as proof — return requirements, 61-6-142
  fleet registration, inability to surrender receipt or license plate, 61-3-324
  gross vehicle weight license forms, 61-10-227
  off-highway vehicles, nonresident temporary-use permit — applicant, 23-2-814
  repossession, 61-3-201
  window tinting or sunscreening restrictions, medical exemption, 61-9-428
Agriculture, See also **Gross vehicle weight**; **Implements of husbandry**; **Size, weight, and load**; **Special mobile equipment**
  agricultural seeds, bills of lading, 61-10-141
    perishable seed potatoes, vehicles carrying, 61-10-128
  commercial motor vehicle, exception, 61-1-134
  commodity dealers, trucks or tractor-trailer units, 80-4-601, 80-4-602, 80-4-605
  custom combiners, special permits and fees, 15-70-311, 15-70-312, 61-10-124, 61-10-130
  dealership or distribution contract, inventory repurchase upon cancellation, Title 30, chapter 11, part 7
  farm implements dealerships, Title 30, chapter 11, part 8
  farm tractors and equipment, 61-1-109
    lighting equipment, 61-9-215, 61-9-216, 61-9-513
    permits for operation on highways when, 61-9-406
    reflectors, 61-9-215, 61-9-216
    tires, 61-9-406
  grain trucks, 80-4-722
  harvest machinery, oversize permits, 61-10-122
  harvest season products, vehicles transporting — gross weight permits, 61-10-107, 61-10-144
  hay, vehicles hauling, 61-10-102, 61-10-123, 61-10-145
  junk vehicles, shielding and removal — exemption from provision, 75-10-505
  motor carrier safety standards, nonapplicability, 44-1-1005
  nonresident workers, 20-7-514, 61-3-502, 61-3-508
  secured load requirement, exception, 61-8-370
  traffic regulations, exception, 61-8-101, 61-9-101
Air pollution, 61-9-403, 75-2-112, 75-10-602, See also **AIR QUALITY**, **Emissions**
Alcoholic beverages, See also **Driving under the influence of alcohol or drugs**
  driver's license or identification cards, alteration or unauthorized use to obtain, 61-5-206
  open containers unlawful when, 16-3-106
  seizure of beverage and conveyance when, 16-6-105
All-terrain vehicles, 23-2-302, See **Off-highway vehicles**; **Quadricycles**
Alternative fuel, conversion to — tax credits, 15-30-164, 15-31-137
Ambulances, See **Authorized emergency vehicles**; See also **EMERGENCY MEDICAL SERVICES**
Animal-drawn vehicles
  drivers of, applicability of traffic laws, 61-8-108, 61-9-107
  liability insurance, exemption, 61-6-303
  lighting equipment, 61-9-216, 61-9-513
  slow-moving vehicle provisions, 61-9-415, 61-9-513
Animals
  collision with, 60-7-203
  "traffic" defined, 61-1-401
Appeals
  assigned risk plan rulings or decisions, 61-6-144
  drivers' licenses — cancellation, suspension, or revocation, 61-5-211, 61-8-403, 61-8-802, 61-8-805, 61-8-808
  financial responsibility orders or decisions, 61-6-106

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Appeals (Continued)

- habitual traffic offenders, declaration as offender and revocation of license or privilege, 61-11-204, 61-11-210
- manufacturers, distributors, and importers — franchise termination or cancellation hearings, 61-4-206
- wrecking facility and graveyard license denial or revocation, 75-10-515

Armored car service, Title 37, chapter 60
Assignment
- collisions with animals, damage actions by assigns, 60-7-203
- dealers or wholesalers, used vehicles — certificates of ownership, 61-4-104
- manufacturers and distributors, "finance company" defined, 61-4-402
- security interests, 23-2-811, 61-3-103, 61-3-201, 61-3-603
- warranty on new vehicles, nonassignability of liabilities and obligations, 61-4-531

Attachment, 23-2-811, 61-3-103
Authorized emergency vehicles, 7-14-4103, 61-1-119
- approach of, operation of vehicles upon, 10-1-602, 61-8-346, 61-8-380, 61-8-383
- audible and visual signals, 61-8-107, 61-8-346, 61-8-380, 61-8-383, 61-9-401, 61-9-402
- commercial motor vehicle, exception, 61-1-134
- emergency service vehicles, 61-1-120
- following prohibited, 61-8-363
- funeral processions, yield of right-of-way, 61-8-380, 61-8-383
- lighting equipment, 61-9-226, 61-9-227, 61-9-402
- military right-of-way not to interfere with, 10-1-602
- on-scene command and control vehicles, designation, 61-9-402
- privately owned vehicles, use of red light, 61-9-227, 61-9-514
- public officers and employees, responsibilities, 61-8-106, 61-9-106
- right-of-way, 61-8-346, 61-8-380
- traffic regulations, exemptions when, 61-8-107, 61-8-201
- traffic safety program, purpose, 61-2-101
- window tinting or sunscreening standards, nonapplicability when, 61-9-405

Auto auctions, 61-1-319, 61-4-105, 61-4-120
Automobile clubs, Title 61, chapter 12, part 3
Backing, limitations, 61-8-358
Bicycles and bicycle trails, See **BICYCLES**
Blind persons, See also **Disabled persons**
- drivers approaching, duty and liability, 49-4-216, 49-4-217
- drivers' licenses, ineligibility for, 15-30-303
- rights generally and penalty for denial or interference with, 49-4-211, 49-4-214 — 49-4-217

Bonds, See also **Violations**, convictions, forfeiture of bail
- auto auction licensing, 61-4-120
- certificate of title, required when, 61-3-208
- dealers and wholesalers, requirements, 61-4-101
- financial responsibility, proof — as, 61-6-112, 61-6-132, 61-6-137, 61-6-140
- liability insurance, in lieu of, 61-6-137, 61-6-142, 61-6-301 — 61-6-304

Brakes, 61-9-301
- acting on all wheels, 61-9-304
  - breakaway from towing vehicle, upon, 61-9-305, 61-9-306, 61-10-104
  - exceptions, 61-9-304
- air or vacuum brakes
  - air supply reservoirs, 61-9-307
  - emergency operation, two means, 61-9-308
  - reservoir capacity and check valve, 61-9-310
  - warning devices, 61-9-311
- bicycles, 61-1-123, 61-8-607
- hydraulic brake fluid, 61-9-314
- lights, 61-9-206 — 61-9-209, 61-9-218
- maintenance, 61-9-313

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Brakes (Continued)

- motor-driven cycles, 61-9-304, 61-9-315
- parking brakes, 61-9-303
- performance ability, 61-9-312
- service brakes, 61-9-302, 61-9-303, 61-9-306, 61-9-309
- single control, 61-9-309
- speed of vehicle, basic rule, 61-8-303
- unattended vehicles, setting, 61-8-357

Burglar alarm signal devices, 61-9-401
Buses, See **Gross vehicle weight**; **Size, weight, and load**; See also **BUSES**; **CARRIERS**, **Passenger carriers**; **MOTOR CARRIERS**; **SCHOOL TRANSPORTATION**
Business district, 61-1-408

- alleys, driveways, or buildings — vehicles emerging from, 61-8-345
- pedestrians, crosswalks, 61-8-501
- turning movements and signals, 61-8-336

Campers, 61-1-102, 61-1-129, 61-9-405

- certificate of ownership, 61-3-518
- decals, tax-paid, 61-3-519, 61-3-524, 61-3-525, 61-3-535, 61-3-606
- fee in lieu of tax, 61-3-509, 61-3-519, 61-3-521, 61-3-523
  - school district funding, consideration in computation, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146
- identification numbers, 61-3-107
- registration, 61-3-519, 61-3-535
- state parks recreational vehicle fee, 61-3-512
- tax exemption, 15-6-201
- window tinting or sunscreening restrictions and exceptions, 61-9-405, 61-9-428, 61-9-429

Caravans, 61-8-329
Careless driving, 61-8-302, 61-8-716, See also **Reckless driving**

- drivers' licenses, effect on, 61-5-111, 61-5-206

Car pools, exemption from motor carrier regulations, 69-12-102
Certificates of ownership, 23-2-801, 61-1-509

- abandoned vehicle sales, 61-12-406
- acknowledgment, 23-2-812, 61-3-201, 61-3-205
- affidavit requirements, 61-3-201, 61-3-208, 61-3-342
- alteration, 61-3-603
- applications, 23-2-811, 61-3-202, 61-3-204, 61-3-208, 61-3-518, 61-4-112
- auto auction, validation of sale, 61-4-120
- bond required when, 61-3-208
- campers, 61-3-518
- cancellation when, 61-3-201
- contents, 23-2-811, 61-3-202
- duplicate, 23-2-813, 61-3-204
- erroneous, 61-3-201
- fee, 23-2-811 — 23-2-813, 61-3-103, 61-3-203, 61-3-204
- forgery, 61-3-603, 75-10-514
- issuance, 23-2-811 — 23-2-813, 61-3-201, 61-3-202, 61-3-208, 61-4-111, 61-4-112
  - identification number of vehicle, requirements, 61-3-106, 61-3-107, 61-3-202
- joint ownership, 61-3-202
- junk vehicles, 75-10-512, 75-10-513, 75-10-522
- lost, mutilated, or illegible — replacement, 23-2-813, 61-3-204
- odometer reading, recording on, 61-3-206
- off-highway vehicles, 23-2-801, 23-2-811 — 23-2-813
- records, 23-2-811, 23-2-812, 61-3-101, 75-10-512
- salvage vehicles, 61-3-202, 61-3-210 — 61-3-212
- security interests, 61-3-103, 61-3-208, 61-4-112
- sticker in lieu of, 23-2-812, 61-3-342

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Certificates of ownership (Continued)

  transfer of interest, 23-2-812, 61-3-201, 61-3-202, 61-3-205
  used motor vehicles, 61-3-203, 61-4-104, 61-4-111
Certificates of registration, See **Registration**
Child safety restraint systems, 61-9-420
  evidence of compliance or noncompliance, admissibility without presumption of negligence, 61-9-422
  exceptions of certain vehicles, 61-9-421
  penalty for violations, 61-9-423
  "properly restrained" defined, 61-9-419
  seatbelt provisions, 61-9-420, 61-13-103
City regulation, See **Local authorities**
Coasters, clinging to vehicles prohibited, 61-8-604
Coasting prohibited, 61-8-362
Collector's item vehicles, 61-3-313, 61-3-411, 61-3-412
  motorcycles, 61-8-359, 61-9-203, 61-9-204
Commercial, 61-1-134, See also **Fleet vehicle registration; Gross vehicle weight; Size, weight, and load; MOTOR CARRIERS**
  felony involving, effect, 61-8-810
  hay, vehicles hauling, 61-10-102, 61-10-123
  hazardous material, 61-1-137
    transporting, 61-1-134, 61-8-805, 61-8-806, 61-8-811
  inspections, 61-10-141
  operators
    accident, leaving the scene, 61-8-809
    driver's license, See **Drivers' licenses**, commercial driver's license
    employing driver without license, 61-5-305
    purpose of provisions, 61-8-801
  renting vehicle to another person, 61-5-306
  secured load requirement, exception, 61-8-370
  tow trucks, See **Tow trucks**
Compressed natural gas, vehicles powered by, 15-71-102, See also **TAXATION, GASOLINE AND VEHICLE FUELS, Compressed natural gas tax**
Convictions from violations, See **Violations**
Counties, See **Local authorities**
Crest of grade, See **Curve or crest of grade**
"Criminally injurious conduct" defined, 53-9-103
Crosswalks, 61-1-209, See also **PEDESTRIANS, Crosswalks**
  schools or senior citizen centers, near — speed limit, 61-8-310
  stopping, standing, or parking prohibited when, 61-8-354
  stop signs, 61-8-209, 61-8-344
Curve or crest of grade
  disabled vehicles, placement of warning devices, 61-9-412
  overtaking vehicles on, 61-8-325
  speed of vehicle, 61-8-303, 61-8-309
  turning prohibited, 61-8-334
  unattended vehicles, 61-8-357
Custom combiners, special permits and fees, 15-70-311, 15-70-312, 61-10-124, 61-10-130
Deaf persons, rights generally and penalty for denial or interference with, 49-4-211, 49-4-215, See also **Disabled persons**
Dealers and wholesalers, See also **Manufacturers, distributors, and importers**
  administrative actions, 61-4-105
  auto auctions, 61-4-105, 61-4-120
  bond requirements, 23-2-818, 61-4-101
  broker, 61-1-318, 61-4-101, 61-4-103
  cease and desist orders, 61-4-107
  dealership or distribution contract, inventory repurchase upon cancellation, Title 30, chapter 11, part 7

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Dealers and wholesalers (Continued)

- definitions, 61-1-117, 61-1-314, 61-1-319, 61-4-103, 61-4-111, 61-4-131, 61-4-201
- demonstrator plates, 61-3-301, 61-3-332, 61-4-101 — 61-4-103
- enforcement of provisions, 61-3-602, 61-4-105
- farm implements, Title 30, chapter 11, part 8
- fees, 23-2-818, 61-3-203, 61-4-101, 61-4-102, 61-4-106
- financing purchase or sale of vehicles, 61-4-401 — 61-4-406
- franchises, See **Manufacturers, distributors, and importers**
- gross vehicle weight fees, exemption when, 61-10-214
- injunction, 61-4-107
- inspections, 61-4-101, 61-4-104
- installment sales, 31-1-202, 31-1-231
- inventories, 15-8-202, 61-3-103, 61-3-521, 61-3-527, 61-4-101
- junk vehicle disposal fees, exemption, 61-3-508
- license plates, 61-3-301, 61-3-332, 61-4-101 — 61-4-103, 61-4-306
    - special mobile equipment, 61-3-431 — 61-3-434
- licensure
    - application, 61-3-101, 61-4-101, 61-4-102
    - assignment of license plates, 61-4-103
    - enforcement of provisions, 61-3-602, 61-4-105
    - failure to have, 61-4-107
    - financial institutions, exemption, 61-4-108
    - revocation or suspension, 61-3-607, 61-4-103, 61-4-105
    - transfer, 61-4-106
    - transporters, driveaway or towaway — exemption from fees when, 61-4-306
- motorcycle safety training fee, exemption, 20-7-514
- new motor vehicles, specific provisions
    - security interests, perfection, 61-3-103
    - statement of origin, 61-3-502, 61-4-104, 61-4-112
    - towed into state, labeling, 61-4-113
    - transfer provisions, 61-4-112, 61-4-121
- odometer mileage disclosure and record requirements, 61-3-206, 61-3-607, 61-4-104
- off-highway vehicles, 23-2-803, 23-2-811, 23-2-812, 23-2-818
- overtime compensation exclusions for sales and service personnel, 39-3-406
- records, 23-2-812, 23-2-818, 61-3-101, 61-3-206, 61-4-101, 61-4-104, 61-4-106
- registration
    - certificate, transfer, 61-3-203, 61-4-106, 61-4-111
    - fees, 23-2-818, 61-3-203, 61-4-102
    - "purchasers" defined, 15-8-202
- rental businesses, 61-4-108
- restrictions, 61-4-102
- state parks recreational vehicle fee, nonapplicability, 61-3-512
- succession to ownership
    - civil damages, 61-4-137
    - definitions, 61-4-131
    - procedure to determine right, 61-4-134
    - refusal to honor, 61-4-133, 61-4-134
    - right of designated family member, 61-4-132
    - violation and penalty, 61-4-136
    - written designation unaffected, 61-4-135
- taxation
    - fee in lieu of tax, nonapplicability, 61-3-521
    - goods, wares, and merchandise — assessment, 15-8-202
    - vehicles, on, See **Taxes**
- "trailer dealer" defined, 61-1-315
- transfer of ownership, 61-4-106, 61-4-131 — 61-4-137

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Dealers and wholesalers (Continued)

- transporters, driveaway or towaway, Title 61, chapter 4, part 3
- twenty-day permits, 61-4-111, 61-4-112, 61-4-119, 61-4-121
- unlawful conduct, loss or damage caused by, 61-4-101
- used motor vehicles, specific provisions, 61-1-117
  - records, 61-4-104
  - transfer procedures, 61-3-203, 61-4-111, 61-4-121
- violations and penalties, 61-4-101, 61-4-104, 61-4-105, 61-4-111, 61-4-113, 61-4-119, 61-4-121, 61-4-136
- warranty on new vehicles, exemption from liability, 61-4-505

Definitions, 61-1-101
- agencies, Title 61, chapter 1, part 3
- brakes, hydraulic brake fluid, 61-9-314
- child safety restraint systems, "properly restrained", 61-9-419
- commercial tow truck provisions, 61-8-903, 61-9-416
- conviction, 61-5-213, 61-8-714, 61-8-722, 61-11-203
- dealer and wholesaler provisions, 61-1-117, 61-1-314, 61-1-319, 61-4-103, 61-4-131, 61-4-201
- driver license compact, 61-5-402, 61-5-404
- drivers' license provisions, 61-1-135, 61-1-136, 61-1-503 — 61-1-505, 61-5-213, 61-6-102, 61-11-203
- driving under the influence provisions, 61-8-401, 61-8-407
- executive head, 61-2-209, 61-5-404
- financial responsibility provisions, 61-6-102, 61-6-103
- fleet vehicle provisions, 61-3-318, 61-3-323, 61-3-712, 61-3-721
- glass repair shops, 33-18-222, 33-18-223
- habitual traffic offender provisions, 61-11-203
- highway traffic safety program provisions, 61-2-102
- liability insurance provisions, 33-23-201, 33-23-204, 33-23-217, 61-6-103
- license plate provisions, 61-3-401, 61-3-412, 61-3-462
- manufacturer, distributor, and importer provisions, 61-1-316, 61-4-201, 61-4-221, 61-4-402, 61-4-501
- miscellaneous, Title 61, chapter 1, part 5
- motor vehicle(s), 7-14-4103, 33-23-204, 61-1-102, 61-4-111, 61-4-501, 61-13-102, 69-12-101
- new motor vehicle, 61-3-502
- occupied structure, 45-2-101
- off-highway vehicle provisions, 23-2-801
- persons, Title 61, chapter 1, part 3
- private parking services provision, 61-12-102
- registration provisions, 61-1-508, 61-3-313, 61-3-318, 61-3-321, 61-3-323, 61-3-347
- roads, 61-8-110; Title 61, chapter 1, part 2
- salvage vehicle provisions, 61-3-210
- seatbelt provisions, 61-13-102
- size, weight, and load provisions, 61-10-104, 61-10-107, 61-10-124
- speed of vehicle
  - daytime and nighttime, 61-8-303
  - slow-moving vehicle, 61-8-311
- stolen and recovered motor vehicle report provision, 61-3-106
- traffic control, 61-8-101, 61-8-349; Title 61, chapter 1, part 4
- vehicles, 61-3-313; Title 61, chapter 1, part 1
- warranty on new motor vehicle provisions, 61-4-501
- windshield and window provisions, 61-9-405, 61-9-408
- wrecking facility and graveyard provisions, 75-10-501

Destructive device, possession — offense of, 45-8-334, 45-8-337
Diesel powered, permit and taxes, See **TAXATION, GASOLINE AND VEHICLE FUELS**, **Special fuel license tax**; **Special fuel use tax**
Dimensions, See **Size, weight, and load**
Disabled persons, See also **Blind persons**
- hunting from vehicle, 87-2-803

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Disabled persons (Continued)

- identification cards, 61-12-504
- license plates, special, 49-4-304, 61-3-332, 61-3-426
- parking permits and special parking places, 49-4-301 — 49-4-307, 61-3-332
- streams, ordinary high-water mark — operation of vehicle below allowed when, 61-8-371
- wheelchairs, motorized — use and regulation, 49-4-311, 49-4-312

Disabled veterans
- license plates, 61-3-313, 61-3-332, 61-3-426, 61-3-446, 61-3-452, 61-3-453, 61-3-455, 61-3-504
- parking privileges, 49-4-302, 49-4-304, 61-3-454

Dissolution of marriage, summary dissolution proceedings — conditions, 40-4-130
Distribution and distributors, See **Manufacturers, distributors, and importers**
Doors
- opening and closing, 61-8-368
- railroad grade crossings, school buses stopped at — opening doors, 61-8-349
- safety glazing material in, 61-9-408

Drag racing, 61-8-308, 61-8-717, 61-11-203
Driver, 61-1-309
Driver improvement program, 61-2-101, 61-2-103, 61-2-301, 61-2-302, See also **SCHOOLS**, **Traffic education**
Drivers' licenses
- address changes, 61-5-115
- administration of provisions, 61-5-125
- age requirements, 61-5-104 — 61-5-106
- alcoholic beverages, alteration or unauthorized use to obtain, 61-5-206
- applications, 61-5-107
  - cancellation of license, following, 61-1-505
  - fraud or false statements, 61-5-201, 61-5-206, 61-5-302
  - minors, 61-5-108, 61-5-202
  - records, 61-11-102
  - refused when, 61-6-142
  - revocation or suspension of license, following, 61-1-504, 61-5-208
- blind persons, ineligibility, 15-30-303
- cancellation, 61-1-505, 61-5-201
  - appeal when, 61-5-211
  - minors' licenses, 61-5-109, 61-5-202
  - organ donor document of gift, effect on, 72-17-201
- card games, live — dealer's temporary license obtained where, 23-5-308
- carrying and exhibiting, 61-5-116, 61-5-302, 61-7-105, 61-7-107
- chauffeurs, effect of and conversion to commercial driver's license, 61-5-111
- child support information, state information agency to obtain, 40-5-165
- city or town licenses, 61-5-102
- commercial driver's license, 61-1-135
  - accident, leaving the scene — effect, 61-8-809
  - blood, breath, or urine tests, 61-8-806 — 61-8-808
  - classification, 61-5-112
  - controlled substance, felony involving — effect, 61-8-804
  - conviction of traffic violations, effect, 61-5-208, 61-8-803
  - disqualification under federal regulations, effect, 61-8-802
  - driver testing program, 61-5-117, 61-5-118
  - driving under the influence, effect, 61-5-208, 61-8-805, 61-8-806, 61-8-808
  - employing driver without license, 61-5-305
  - enforcement, 61-5-117
  - examination requirements, 61-5-110 — 61-5-112, 61-5-118, 61-8-807
  - fee, 61-5-111, 61-5-121
  - foreign, no operation under — when, 61-5-210
  - issuance, 61-5-106, 61-5-110, 61-5-117

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Drivers' licenses (Continued)
- commercial driver's license (Continued)
  - nonresidents, 61-5-104, 61-5-210, 61-8-806
  - out-of-service vehicle, operation, 61-8-812
  - physician's report regarding driver's ability to operate vehicle, 37-2-311, 37-2-312
  - refusal, 61-5-106
  - residency requirement, 61-5-103
  - school bus drivers, qualification, 20-10-103
  - suspension or revocation, 37-2-311, 61-5-107, 61-5-210, 61-8-802 — 61-8-806, 61-8-808 — 61-8-812
  - temporary permit or license, 61-5-106, 61-8-806, 61-8-812
  - valid when, 61-5-111
- concealed weapon, permit to carry — requirements, 45-8-321, 45-8-322
- confiscation, 45-5-624
- contents, 61-5-111
- definitions, 61-1-135, 61-1-136, 61-1-503 — 61-1-505, 61-6-102, 61-11-203
- driver license compact
  - administrative actions, review, 61-5-406
  - administrator, reimbursement, 61-5-403
  - court abstracts or reports of convictions, disposition, 61-5-405
  - executive head, 61-5-404
  - license suspension or revocation, offenses applicable, 61-5-405
  - licensing authority, 61-5-402
  - text, 61-5-401
- driving record, requirements, 61-5-107, 61-11-105
- duplicate, 15-1-501, 61-5-114, 61-5-121
- enforcement of provisions, 61-5-117, 61-5-125, 61-5-406
- examinations, 37-2-311, 61-2-101, 61-5-105 — 61-5-107, 61-5-110 — 61-5-112, 61-5-206, 61-5-207, 61-8-807
- exemptions, 61-5-104
- exhibiting, 61-5-116, 61-5-302, 61-7-105, 61-7-107
- expiration, 61-5-111, 72-17-201
- false statements or affidavits, 61-5-205, 61-5-302, 61-5-303, 61-5-405
- fees, 61-2-107, 61-5-107, 61-5-110, 61-5-111, 61-5-114, 61-5-214 — 61-5-216
  - disposition, 15-1-501, 61-2-107, 61-2-108, 61-5-121
- foreign, no operation under — when, 61-5-210
- habitual traffic offenders, 61-11-203, 61-11-204, 61-11-210 — 61-11-213
- identification purposes
  - age, to establish, 16-11-305, 45-8-206
  - fishing, hunting, and trapping licenses — requirements, 87-2-106, 87-2-109, 87-2-202
- incompetent persons, 37-2-311, 61-5-206, 61-5-207
- indian tribal laws or regulations requiring alcohol or drug testing, 61-8-402, 61-8-403
- ineligible persons, 15-30-303, 61-5-105, 61-5-201
- instruction permits or traffic education learner licenses and permits, 61-5-105 — 61-5-108, 61-5-114
- interpretation of laws, uniformity, 61-5-308
- issuance unlawful when, 61-5-309
- law enforcement reserve officers, qualification for employment, 7-32-213
- lost or destroyed, 61-5-114
- manufacture, unauthorized, 61-5-309
- minors
  - age requirements, 61-5-104 — 61-5-106
  - alcoholic beverages, alteration or unauthorized use to obtain, 61-5-206
  - applications, 61-5-108, 61-5-202
  - cancellation, 61-5-109, 61-5-202
  - confiscation, 45-5-624
  - exemption when, 61-5-104
  - instruction permits or traffic education learner licenses and permits, 61-5-105 — 61-5-108, 61-5-114

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Drivers' licenses (Continued)
- minors (Continued)
  - liability of parent or responsible adult, 61-5-108, 61-5-109
  - provisional license, 61-5-111
  - restricted licenses, 61-5-105
  - revocation or suspension when, 45-5-624, 61-8-723
- motorcycle endorsement
  - application for, 61-5-107
  - examination requirements, 20-7-511, 61-5-110
  - fee, 15-1-501, 61-5-111, 61-5-121
  - valid when, 61-5-111
- name changes, 61-5-115
- nonresidents
  - commercial driver's license, 61-5-104, 61-5-210, 61-8-806
  - driving record requested when, 61-5-107
  - driving under the influence of alcohol or drugs, 61-8-402
  - driving while license suspended or revoked in another state unlawful, 61-5-212
  - exemption when, 61-5-104
  - renting vehicles, 61-5-306
  - revocation or suspension, 61-5-210
- number allowed, 61-5-102, 61-5-111
- organ donation, document of gift or statement of refusal to make, 61-5-301, 72-17-102, 72-17-201
- peace officers, qualification for employment, 7-32-303
- photograph requirements, 61-5-111
- physician's report regarding driver's ability to operate vehicle, 37-2-311, 37-2-312
- probationary, 45-9-203, 61-2-302, 61-5-206, 61-11-101
  - not allowed when, 61-5-215, 61-8-402, 61-8-805, 61-8-806
- provisional, 61-5-111, 61-5-215
- records and indexes, 61-3-101, 61-5-306, 61-11-102, See also **Records and indexes**
- reinstatement and fees, 61-2-107, 61-2-108, 61-5-214 — 61-5-216
- renewal, 61-5-111, 61-11-102
- renting vehicle to other person, 61-5-306
- required, 61-5-102
- residency requirement, 61-5-103
- restricted licenses, 15-30-303, 61-2-302, 61-5-105, 61-5-106, 61-5-113, 61-5-206, 61-5-207, 61-5-215, 61-6-139, 61-8-811, 61-11-101
  - not allowed when, 61-8-402
- revocation or suspension, 61-1-503, 61-1-504
  - accidents
    - failure to stop and remain at scene, 61-5-205, 61-7-103
    - reports, failure to make, 61-7-111
  - alcohol concentration, excessive, 61-5-205, 61-5-208, 61-8-722
  - alcohol screening test, preliminary — refusal, 61-8-409
  - appeal when, 61-5-211, 61-8-403, 61-8-802, 61-8-805, 61-8-808
  - authority of department of justice, 61-5-206
  - commercial driver's license, 61-5-107, 61-5-210, 61-8-802 — 61-8-806, 61-8-808 — 61-8-812
  - conviction in other state, for, 61-5-204
  - court, recommendation by, 61-11-101
  - driver improvement program, participation, 61-2-302
  - driver license compact, offenses applicable, 61-5-405
  - driving during, unlawful, 61-5-212, 61-6-151, 61-11-203
  - driving under the influence of alcohol or drugs, for, 45-5-624, 61-5-205, 61-5-208, 61-8-402, 61-8-403, 61-8-722, 61-8-805, 61-8-806, 61-8-808
  - drug offenses, sentencing alternative, 45-9-202, 45-9-203

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Drivers' licenses (Continued)

- revocation or suspension (Continued)
  - financial responsibility
    - judgments, for nonpayment, 61-6-122, 61-6-123, 61-6-125
    - proof, furnishing or failure to furnish, 61-6-122, 61-6-123, 61-6-125, 61-6-131, 61-6-141, 61-6-151
  - foreign license, no operation under — during, 61-5-210
  - habitual traffic offenders, 61-11-204, 61-11-210, 61-11-211, 61-11-213
  - incompetent persons, 61-5-207
  - issuance of license during, prohibited, 61-5-105
  - liability insurance, cancellation upon, 33-23-211
  - mandatory when, 61-5-205, 61-5-208, 61-5-211, 61-5-214, 61-11-101
  - minor's license when, 45-5-624, 61-8-723
  - organ donation document of gift, effect on, 72-17-201
  - period of, 45-9-202, 61-5-208, 61-6-123, 61-8-402, 61-8-802 — 61-8-806, 61-8-811, 61-8-812
    - extended when, 61-5-208, 61-5-212
  - physician's report as evidence, 37-2-311
  - provisional license when, 61-5-111
  - reckless driving, for, 61-5-205, 61-5-206, 61-5-405
  - records, 61-11-102
  - reinstatement fees, 61-2-107, 61-2-108, 61-5-214 — 61-5-216
  - restricted licenses, when, 61-5-113
  - surrender of license upon, 61-5-209
- roadblocks to check, 46-5-502, 46-5-510
- rules, 61-5-111, 61-5-112, 61-5-117, 61-5-118, 61-5-125
- sales, 61-5-111
- seizure, 61-8-402, 61-8-806
- selective service system, information to, 2-6-109, 61-5-126
- services, responsibility of department of justice, 61-5-101, 61-5-111
- snowmobiles, required for operation on public roads when, 23-2-631
- surrender
  - cancellation, upon, 61-5-201
  - court to require when, 45-9-203, 61-11-101, 61-11-210
  - driver improvement program, effect of participation, 61-2-302
  - financial responsibility, proof — furnishing or failure to furnish, 61-6-112, 61-6-142, 61-6-151
  - habitual traffic offenders, 61-11-210
  - out-of-state licenses, when, 61-5-102, 61-5-110
  - probationary license, prior to issuance, 61-5-206
  - refusal or failure to, 61-5-206, 61-5-302, 61-6-112, 61-6-151
  - return to licensee, 61-2-302, 61-5-209
  - suspension or revocation, upon, 45-9-203, 61-5-209
- temporary licenses or permits, 61-5-106, 61-8-402, 61-8-806, 61-8-812
- traffic safety program, purpose, 61-2-101
- uniform system, 61-2-103
- use, unauthorized or unlawful, 61-5-206, 61-5-302
- violations, See **Violations**
- voter lists prepared from records, 13-38-103
- voter registration form, attachment to application, 61-5-107

Driver testing programs, 61-5-110, 61-5-118

Driveways, See **Private roads or driveways**

Driving privilege

- habitual traffic offenders, denial, 61-11-201, 61-11-202, 61-11-204, 61-11-211
- nonresidents, 25-3-601, 61-6-102
  - revocation or suspension, 61-5-203, 61-5-204, 61-5-210, 61-6-122, 61-6-123, 61-6-125, 61-6-131, 61-6-141, 61-6-151, 61-7-103, 61-7-111
- suspension or revocation, 61-5-105, 61-5-203 — 61-5-206, 61-5-208, 61-5-210, 61-5-212, 61-5-214, 61-5-217, 61-5-405, 61-8-403, 61-11-204, 61-11-211

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Driving privilege (Continued)
  suspension or revocation (Continued)
    physician's report as evidence, 37-2-311
Driving record, 33-18-210, 61-5-107, 61-5-111, 61-5-207, 61-11-105, 61-11-207, 61-11-210, See also **Records and indexes**
  intoxicating substance, possession — conviction as part of record when, 45-5-624
Driving under the influence of alcohol or drugs, 61-8-401
  absolute liability, 61-8-401, 61-8-406, 61-8-410
  aircraft crewmembers, provisions applicable, 67-1-211
  alcohol concentration, excessive, 61-8-407
    conviction, 61-8-722, 61-11-203
    driver's license, revocation or suspension, 61-5-205, 61-5-208, 61-8-722, 61-8-805, 61-8-806, 61-8-808
    unlawful, 61-8-406, 61-8-722
  alcohol concentration of 0.02, person under age 21 with — operation of vehicle by, 61-8-410
  arrest bond certificates not permitted, 46-9-414
  blood, breath, or urine tests, 23-2-535, 61-8-401, 61-8-402, 61-8-404, 61-8-405, 61-8-806 — 61-8-808, 67-1-211
  boating, waterskiing, and surfboarding — provisions applicable, 23-2-535
  conviction, 61-8-408, 61-8-714, 61-8-722, 61-11-101, 61-11-203
  criminally injurious conduct, 53-9-103
  deferred prosecution prohibited, 46-16-130, 61-8-714, 61-8-722
  definitions, 61-8-401, 61-8-407
  driver's license, revocation or suspension, 61-5-205, 61-5-208, 61-5-405, 61-8-402, 61-8-722, 61-8-805, 61-8-806, 61-8-808
    appeal, right of, 61-8-403, 61-8-805, 61-8-808
  evidence, See also **Evidence**
    admissibility, 23-2-535, 61-8-404, 61-8-405, 67-1-211
    criminally injurious conduct, 53-9-103
    forfeiture of vehicle, rebuttable presumption, 61-8-421
    inferences, 23-2-535, 61-8-401, 67-1-211
  forfeiture of vehicle, 61-8-421, 61-8-422, 61-8-714, 61-8-722
  indian tribal laws or regulations requiring alcohol or drug testing, 61-8-402, 61-8-403
  local authorities, powers, 53-24-106, 61-8-401, 61-12-101
  negligent vehicular assault, 45-5-205, 61-5-205, 61-11-203
  open containers of alcoholic beverages unlawful when, 16-3-106
  penalty, 53-24-106, 61-8-714, 61-8-722
  preliminary alcohol screening test, 61-8-409
  prevention programs, 61-2-106 — 61-2-108
  seizure of vehicle or rendering vehicle inoperable, 61-5-212, 61-8-421, 61-8-422, 61-8-714, 61-8-722
  sentencing, 46-18-201, 61-5-208, 61-5-212, 61-8-410, 61-8-714, 61-8-722
Drugs, dangerous — property subject to criminal forfeiture, 45-9-206
Emergency services, 61-2-101, 61-12-301
Emergency vehicles, See **Authorized emergency vehicles**
Emissions, 61-9-403, 75-2-112, 75-10-602, See also **AIR QUALITY**, **Emissions**
Enforcement
  dealer provisions, 61-3-602, 61-4-105
  drivers' license provisions, 61-5-117, 61-5-125, 61-5-406
  equipment provisions, Title 61, chapter 9, part 5
  financial responsibility provisions, 61-6-105
  fish and game wardens, powers, 87-1-506
  gross vehicle weight provisions, 61-10-231
  justice, department of — civilian inspectors, 44-1-1005
  license plate provisions, 61-3-602
  manufacturer, distributor, and importer provisions, 61-3-602, 61-4-210
  off-highway vehicle provisions, 23-1-122, 23-2-804, 23-2-806, 23-2-814, 87-1-503
  registration provisions, 61-3-602

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Enforcement (Continued)

- size, weight, and load provisions, 61-10-141
- traffic laws, 7-32-201, 44-1-303, 61-8-111, 61-8-112; Title 61, chapter 8, part 7
- transportation, department of — employees as peace officers, Title 61, chapter 12, part 2
- warranty period on new vehicles, after, 61-4-502

Equipment generally, See also specific type of equipment
- application of laws, 61-9-101, 61-9-109
- inspection, 61-9-501, 61-9-503
- obedience to laws and law enforcement officers, 61-9-104, 61-9-105
- public officers and employees, responsibility, 61-9-106
- rules governing, 61-9-504, 61-9-512
- safety equipment, 61-9-504, 61-10-102
- uniformity of provisions, 61-9-102, 61-9-103
- unsafe condition, driving vehicle in, 61-9-109
- violations generally, 61-9-511, 61-9-512, See also **Violations**, specific violation

Equipment Safety Compact, Vehicle
- budget and accounts of commission, 61-2-208
- citation and text, 61-2-201
- documents filed and notices given by commission, 61-2-207
- equipment requirements continued in force, 61-2-203
- executive head, 61-2-209
- governmental agencies, cooperation, 61-2-206
- legislative findings, 61-2-202
- report to legislature, 5-11-210
- retirement of commission employees, 61-2-205
- state commissioner, 61-2-204, 61-2-207

Evidence
- abandoned vehicles, presumption of ownership, 61-8-356
- accident reports not allowed as, 61-7-109
- animals, collision with — negligence not presumed or inferred, 60-7-203
- campers, of purchase, 61-3-519
- certificate of ownership
  - duplicate — facts concerning loss, mutilation, or illegibility, 61-3-204
  - issuance, required when, 61-3-208
  - joint ownership with right of survivorship, presumption, 61-3-202
  - off-highway vehicles, 23-2-801
  - transfer of interest, requirements, 61-3-201
- certificate of registration, requirements for transfer of interest, 61-3-201
- child safety restraint systems, compliance or noncompliance — admissibility without presumption of negligence, 61-9-422
- dealers, prima facie evidence of dealing, 61-4-101
- drivers' licenses
  - appeal hearings from cancellation, revocation, or suspension of license, 61-5-211, 61-8-403
  - minors' applications, death of person signing, 61-5-202
  - physician's reports, 37-2-311
  - probationary, for issuance, 61-5-206
  - reissuance following revocation or suspension, for, 61-5-208
  - restricted, evidence of violation of restrictions imposed, 61-5-113
  - suspension, for, 61-5-206, 61-5-214
- driving privilege, for suspension, 37-2-311, 61-5-206
- driving under the influence of alcohol or drugs
  - admissibility, 61-8-404, 61-8-405
  - blood, breath, and urine tests — inferences from, 61-8-401
  - commercial driver's license, suspension hearing, 61-8-805, 61-8-808
  - criminally injurious conduct, 53-9-103
  - driver's license, hearing on appeal from suspension or revocation, 61-8-403

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Evidence (Continued)
  driving under the influence of alcohol or drugs (Continued)
    forfeiture of vehicle, rebuttable presumption, 61-8-421
  financial responsibility
    appeal hearings, 61-6-106
    money or securities as proof
      certificate, acceptance — evidence required for, 61-6-138
      return of, requirements, 61-6-142
  foreign vehicles, ownership, 61-3-701
  habitual traffic offenders, certified driving record and abstracts of conviction records — admissibility, 61-11-207
  insurance fraud, 61-3-106
  liability insurance, hearings on notice of cancellation or nonrenewal, 33-23-215
  manufacturers, distributors, and importers
    financing purchase or sale of vehicles, threats as prima facie evidence when, 61-4-404
    franchises
      sale by change of ownership, burden of proof on franchisor to prove good cause for withholding consent to, 61-4-205
      termination or discontinuance, hearings and burden of proof on franchisor to establish good cause for, 61-4-206
  off-highway vehicles
    certificate of ownership, 23-2-801
    fee in lieu of tax, evidence of payment required when, 23-2-817
    registration fees, evidence of payment required when, 23-2-804
    security interest, perfection, 23-2-811
  records, reproductions — admissibility, 61-11-102
  registrants as prima facie owners, 61-3-105
  salvage vehicles
    reconstructed vehicles, component parts — verification, 61-3-212
    salvage certificate, prima facie evidence of ownership, 61-3-211
  school bus, passing — registered owner of vehicle prima facie responsible for violation, 61-8-351
  seatbelt provisions, evidence of compliance or noncompliance — nonadmissibility, 61-13-106
  security interest, perfection, 23-2-811, 61-3-103
  speed of vehicle
    bridges, violation of speed limit on — evidence of maximum speed, 61-8-313
    radar measurements, 61-8-702
  theft, 61-3-106
  warranty on new vehicles
    arbitration disputes, 61-4-517, 61-4-518, 61-4-520
    dealers not liable to manufacturer in absence of evidence concerning repairs, 61-4-505
    informal dispute settlement procedure, 61-4-511
    reasonable number of attempts to conform, presumption, 61-4-504
    repair services not available, presumption when, 61-4-502
  wrecking facility, prima facie evidence of, 75-10-502
  "yield" intersections, collision or interference at — evidence of failure to yield right-of-way, 61-8-342
Execution, exemption, 25-13-609
Explosives or flammable liquids, vehicles carrying, 61-9-413
  definitions, 61-1-506, 61-1-507
  railroad grade crossings, stopping at, 61-8-349
  warning devices, 61-9-411, 61-9-412
Farm implements, tractors, or equipment, See **Agriculture**; See also **Implements of husbandry**; **Special mobile equipment**
Fees, See also **Taxes**
  auto auctions, 61-4-120
  certificate of ownership, 23-2-811 — 23-2-813, 61-3-103, 61-3-203, 61-3-204
  county motor vehicle computer, 61-3-511
  custom combiners, 61-10-124, 61-10-130

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Fees (Continued)

- dealers and wholesalers, 23-2-818, 61-4-101, 61-4-102, 61-4-106
- disposition, 7-14-2511, 7-14-2512, 10-2-603, 15-1-501, 20-7-504, 20-7-505, 61-3-108
- driver's license, 15-1-501, 61-2-107, 61-2-108, 61-5-107, 61-5-110, 61-5-111, 61-5-114, 61-5-121, 61-5-214 — 61-5-216
- driving record, for, 61-11-105
- due date, 61-3-501
- fleet vehicle registration, 61-3-321, 61-3-721, 61-3-722, 61-3-725
- gross vehicle weight, See **Gross vehicle weight**
- identification cards, for, 61-12-504
- junk vehicle disposal, 61-3-508, 75-10-513, 75-10-533
- license plates, 2-89-302, 61-3-311, 61-3-312, 61-3-317, 61-3-321, 61-3-332, 61-3-333, 61-3-412, 61-3-422, 61-3-426, 61-3-431, 61-3-453, 61-3-465, 61-3-701, 61-3-722, 61-4-102
- manufacturers, distributors, and importers, 61-4-202, 61-4-221, 61-4-222
- motor carriers, single-state registration, 61-3-708, 61-3-710
- motorcycle safety training, 20-7-514
- off-highway vehicle, 23-2-804, 23-2-807, 23-2-809, 23-2-811 — 23-2-814, 23-2-817, 23-2-818
- proration, 61-3-501
- registration, 19-6-709, 23-2-804, 23-2-817, 23-2-818, 61-3-303, 61-3-317, 61-3-321, 61-3-325, 61-3-332, 61-3-341, 61-3-342, 61-3-411, 61-3-501, 61-4-102
- salvage vehicle inspection, 61-3-202
- security interest, filing, 61-3-103, 61-3-201, 61-3-202
- size, weight, and load permits, 61-10-107, 61-10-124 — 61-10-126, 61-10-144
- state parks recreational vehicle, 61-3-512
- statutes providing for, effective date, 1-2-201
- taxes, fees in lieu of, See **Taxes**
- transporters, driveaway or towaway, 61-4-301 — 61-4-306
- warranty on new vehicles, arbitration — filing fees, 61-4-517, 61-4-520
- weed control, 61-3-510
- wrecking facilities and graveyards, 75-10-511, 75-10-513, 75-10-532, 75-10-533

Felony in commission of which motor vehicle is used, 61-5-205, 61-5-405, 61-8-804, 61-11-203
Fenders, 61-8-366, 61-9-219, 61-9-407, 61-9-515
55 Alive Mature Driving Program, 33-16-203, 33-16-221 — 33-16-225
Financial responsibility

- accident reports, information from, 61-7-109, 61-7-114
- actions, 61-6-108, 61-6-110, 61-6-137
- administration of provisions, 61-6-105
- appeal procedures, 61-6-106
- assigned risk plans, 61-6-144
- citation of motor vehicle safety-responsibility act, 61-6-101
- definitions, 61-6-102, 61-6-103
- enforcement of provisions, 61-6-105
- exceptions, 61-6-109
- hearings, 61-6-105, 61-6-106, 61-6-143
- insurance carriers, See **Liability insurance**
- interpretation, uniformity, 61-6-104
- judgments, 61-6-102
  - appeal, 61-6-106
  - installment payments, 61-6-125
  - insurance carrier, effect of satisfaction of judgment by insured, 61-6-103
  - nonpayment, 61-6-121 — 61-6-123, 61-6-125, 61-6-143
  - satisfaction, 61-6-124, 61-6-138
- liability insurance, See **Liability insurance**
- motor carriers, cooperative registration requirements, 61-3-708
- nonresidents, 61-6-102, 61-6-121, 61-6-134

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Financial responsibility (Continued)

- owners of vehicles
  - employee drivers, liability for, 61-6-201
  - proof for others, permitted to give when, 61-6-139
- proof, 61-6-102
  - bond as, 61-6-112, 61-6-132, 61-6-137, 61-6-140
  - certificate of insurance as, 61-6-132 — 61-6-136
  - duration, 61-6-142
  - failure to provide, 61-5-105, 61-6-112
  - forged or signed without authority, penalty, 61-6-151
  - habitual traffic offenders, filing, 61-11-212
  - judgment debtors to provide when, 61-6-125
  - methods of giving, 61-6-132
  - money or securities as, 61-6-132, 61-6-138, 61-6-140, 61-6-142, 61-6-303
  - other proof required when, 61-6-141
  - owner of vehicle to give proof for others when, 61-6-139
  - required when, 61-6-131
  - self-insurance, 61-6-132
  - substitution, 61-6-140
  - waiver of filing requirement when, 61-6-142
- relief for plaintiff, 61-6-110
- rules, 61-6-105
- self-insurance, 61-6-132, 61-6-143, 61-6-301 — 61-6-304
- uninsured motorist coverage, 33-23-201, 33-23-203, See also **Liability insurance**
- violations and penalties, 61-6-151

Fines and forfeitures, See **Violations**
Fire
- apparatus, following — prohibited, 61-8-363
- damage to vehicle, 61-3-210
- department or patrol vehicles, See **Authorized emergency vehicles**; **FIRE DEPARTMENTS AND FIREFIGHTERS**, **Fire engines and apparatus**
- extinguishers, carrying when, 61-9-413, 61-9-416
- hose, crossing, 61-8-364
- hydrants or stations — stopping, standing, or parking prohibited when, 61-8-354

Firefighters' privately owned vehicles, use of red lights, 61-9-227, 61-9-514
Fireworks — discharge from, inside, or toward prohibited, 50-37-103
Fish and wildlife regulations, See **FISH AND WILDLIFE, Vehicles**
Fishing licenses, residence requirement, 87-2-102
Flag persons or vehicles, 61-1-403, 61-1-411, 61-1-412
- funeral escort vehicle, driver as — when, 61-8-380
- railroad grade crossings, at, 61-8-347, 61-8-349, 61-8-350
- slow-moving vehicles, 61-9-415
- wide loads, for, 61-10-102, 61-10-123

Flag requirements, 49-4-311, 61-8-607, 61-9-213, 61-9-411 — 61-9-413, 61-10-102, 61-10-123
Flammable liquids, vehicles carrying, See **Explosives or flammable liquids, vehicles carrying**
Flaps, requirements, 61-9-407, 61-9-515
Flares, See **Reflectors**; **Warning devices**
Fleet registration, 61-3-323 — 61-3-325
Fleet vehicle registration, See also **Foreign vehicle registration and taxes**
- audits, 61-3-725, 61-3-728
- authority of department of transportation, 61-3-713, 61-3-714
- definitions, 61-3-318, 61-3-712, 61-3-721
- fees, 61-3-721, 61-3-722, 61-3-725
- fuel tax agreement, international, 15-70-104, 15-70-121, 15-70-122, 15-70-302
- laws
  - other, relationship to, 61-3-729

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Fleet vehicle registration (Continued)
  laws (Continued)
    supplemental to registration law, 61-3-733
  liability insurance, exemption when, 61-6-303
  license plates or identification devices, 61-3-722, 61-3-725
  policy, 61-3-711
  proportional registration, 61-3-313, 61-3-716, 61-3-721
    additional vehicles, 61-3-724
    agreements for, 61-3-716, 61-3-732
    application and fee, 61-3-721, 61-3-726
    cards, 61-3-722, 61-3-725
    denial when, 61-3-727
    exclusivity, 61-3-720
    fee, 61-3-321
    jurisdiction, single — applicability, 61-3-723
    new fleet, estimated mileage, 61-3-726
    records, 61-3-728
    withdrawal or replacement of vehicles, 61-3-725
  reciprocity
    agreements, provisions, or standards, 61-3-714, 61-3-731, 61-3-732
    automatic, when, 61-3-719
    base state registration, 61-3-715
    extent, declaration of, 61-3-717
    lack of, effect, 61-3-727
    lessees, extension to, 61-3-718
    suspension of benefits, 61-3-730
  rental fleets, 61-3-313, 61-3-318
  special fuel user's permit, display not required, 15-70-302
  tax payment requirements, 15-24-101 — 15-24-105, 61-3-722
  temporary, 61-3-722
Fleet vehicles
  auto auctions, fleet sales, 61-4-120
  rentals
    new vehicle sales tax, 61-3-502
    registration, 61-3-313, 61-3-318
    taxes, computation, 61-3-504
Following too closely, 61-8-329, 61-8-382
Foreign vehicle registration and taxes, 61-3-701 — 61-3-704, 61-3-707, See also **Fleet vehicle registration**
Forest development and special service roads, laws applicable, 61-8-110 — 61-8-112
Forest lands, spark arresters required, 76-13-125
Four-wheel-drive vehicles, traction equipment, 61-9-406
Franchises, See **Manufacturers, distributors, and importers**
Funeral processions
  definitions, 61-1-413 — 61-1-415
  driving in, 61-8-329, 61-8-382
  hearses, specific provisions, 61-1-414, 61-9-405
  liability, 61-8-384
  lights, requirements, 61-8-381, 61-8-382
  right-of-way, 61-8-380, 61-8-383
  traffic-control devices, obedience to — exceptions, 61-8-201, 61-8-380, 61-8-383
  vehicles not in procession, 61-8-380, 61-8-383
Glass, 61-9-408, 61-9-416, See also **Windshields and windows**
  repair shops, prohibited practices, 30-14-225, 33-18-221 — 33-18-223, 33-18-1006
Grain trucks, 80-4-722
Graveyards, See **Wrecking facilities and graveyards**

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Gross vehicle weight, 61-1-502, See also **Size, weight, and load**
    declared weight, 61-1-510
    enforcement of provisions, 61-10-231, 61-12-201
    excess weight, penalty, 61-10-233
    fees
        custom combiners, special permits in lieu of, 61-10-130
        disposition, 61-10-225, 61-10-226
        enumeration, 61-10-201, 61-10-203
        exemptions, 61-10-214
        farm vehicles, 61-10-130, 61-10-206, 61-10-214
        fleet vehicles, 61-3-725
        nonresidents, 61-10-211 — 61-10-214
        payment, 61-10-209, 61-10-213, 61-10-222
        purpose, 17-5-903, 61-10-221
        special vehicle combinations, 61-10-124
        transporters, driveaway or towaway — election to pay, 61-4-305
    forms, 61-10-225, 61-10-227
    identification of ownership of certain vehicles, 69-12-408
    license, 61-10-209, 61-10-222, 61-10-226, 61-10-227
        transferability, 61-10-224
        validity, period of, 61-10-223
    local tax prohibited when, 61-10-215
    rules, 61-10-155, 61-10-209, 61-10-212
    special fuel-powered vehicles, 15-70-311
    tow trucks, classification standards, 61-8-905
    violations, 61-10-209, 61-10-232, 61-10-233
        jurisdiction of justices' court, 3-10-303
Habitual traffic offenders
    construction of provisions, 61-11-215
    definitions, 61-11-203
    driving record, 61-11-204, 61-11-207, 61-11-210
    financial responsibility, proof of — filing, 61-11-212
    legislative intent, 61-11-202
    license, 61-11-203
        reissuance when, 61-11-212
        revocation, 61-11-204, 61-11-210, 61-11-211, 61-11-213
        surrender, 61-11-210
    operation of motor vehicle prohibited and exception, 61-11-213
    petition challenging declaration and revocation, 61-11-204, 61-11-210
    point system, 61-11-203, 61-11-210, 61-11-211
    purpose of provisions, 61-11-201
    records of convictions and bond forfeitures, 61-11-204, 61-11-207, 61-11-213
Handicapped persons, See **Blind persons**; **Disabled persons**
Hazard lights, 61-9-219, 61-9-226
Hazardous material, 61-1-137
    commercial motor vehicles, transporting, 44-1-1005, 61-1-134, 61-8-805, 61-8-806, 61-8-811
Hazardous or deleterious substance, release, 75-10-701
Hazards
    hay, vehicles hauling — flag vehicle escorts, 61-10-102
    speed of vehicle, 61-8-303, 61-8-309
Height, 61-10-103, See also **Size, weight, and load**
Highway traffic safety program, See **Traffic safety program**
Horns, 61-8-504, 61-9-401
"Household hazardous waste" defined, 75-10-203
Housetrailers, See **MOBILE HOMES, HOUSETRAILERS, AND TRAILER COURTS**

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Hunting from, unlawful and exception, 61-8-369, 87-1-102, 87-2-803, 87-3-101
Hunting licenses, residence requirement, 87-2-102
Husbandry, implements of, See **Implements of husbandry**
Identification cards
  emergency vehicles, privately owned and displaying red light — owners, 61-9-227
  issuance, 61-5-309, 61-12-501 — 61-12-504
  mail delivery vehicles, for use of amber lights, 61-9-229
  off-highway vehicle dealers, 23-2-818
  unauthorized or unlawful use or issuance, 61-5-206, 61-5-302, 61-5-309
Identification numbers, 61-3-101, 61-3-107, 61-3-202, 61-3-210, 61-3-303
  abandoned vehicles, 61-12-402
  accidents, garages to report, 61-7-113
  altering, 45-6-326, 61-3-107, 61-3-202, 61-3-604
  auto auctions, 61-4-120
  collector's item vehicles, 61-3-411
  junk vehicles, 75-10-512, 75-10-513
  odometer disclosure requirements, 61-3-206
  off-highway vehicles, 23-2-811, 23-2-812, 23-2-814
  stolen vehicle file, state automated — checking prior to registration, 61-3-106
  used motor vehicles, 61-4-104
  window tinting or sunscreening standards, waiver — contents, 61-9-428
Implements of husbandry, 61-1-121, See also **Farm tractors and equipment**
  dealers, oversize permits, 61-10-121, 61-10-122, 61-10-124
  driver's license exemption, 61-5-104
  equipment provisions, applicability, 61-9-109
  liability insurance, exemption, 61-6-303
  lighting equipment, 61-9-215, 61-9-216, 61-9-513, 61-10-102
  reflectors, 61-9-215, 61-9-216
  special mobile equipment identification plates, exemption, 61-3-431
  width, 61-10-102
Importers, See **Manufacturers, distributors, and importers**
Impoundment
  abandoned vehicles, See **Abandoned vehicles**, generally
  gross vehicle weight fees, nonpayment, 61-10-209
  minor's vehicle, 61-8-723
  private parking services, by, 61-12-102
Indexes, See **Records and indexes**
Inspections, 61-9-501
  accident reports, 61-7-114
  compliance by owners and drivers, 61-9-503
  dealers and wholesalers, 61-4-101, 61-4-104
  driver's license, 61-5-306
  excess size and weight permits, 61-10-142
  gross vehicle weight provisions, pertaining to, 61-10-231
  identification numbers, 61-3-107, 61-3-202
  license plates, original Montana, 61-3-412
  motor carrier standards and procedures, applicability, 44-1-1005
  motor-driven cycles, brakes, 61-9-315
  peace officers, departmental — by, 44-1-1005, 61-9-501, 61-9-503, 61-10-141, 61-12-205
  records, 61-3-101, 61-4-101, 61-4-104, 61-5-306, 75-10-512
  salvage vehicles, 61-3-202
  school buses, 61-9-502
  special mobile equipment identification plate, receipt, 61-3-434
  tow truck equipment, 61-8-904, 61-8-907
  weigh stations, at, 61-10-141

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Inspections (Continued)

- wrecking facilities and graveyards, 75-10-503, 75-10-512

Insurance, See **Liability insurance**
Intersections, 61-1-212

- approaching or entering, 61-8-339
- "caution" signal, 61-8-207, 61-8-209
- crosswalks, See **Crosswalks**
- divided highways, 61-8-330
- funeral processions, 61-8-380, 61-8-383
- "go" signal, 61-8-207
- overtaking vehicles in or when approaching, 61-8-325
- pedestrians, 61-8-501, See also **PEDESTRIANS**
- right-of-way, 61-8-207, 61-8-339, 61-8-340, 61-8-341, 61-8-380, 61-8-383
- speed of vehicle, 61-8-303, 61-8-309, 61-8-310
- stop intersections, 61-8-207, 61-8-209, 61-8-341, 61-8-344, 61-12-101
- stopping, standing, or parking prohibited when, 61-8-354
- turning methods, 61-8-207, 61-8-321, 61-8-333, 61-8-336, 61-8-340, 61-8-605, 61-12-101
- "yield" intersection, 61-8-342

Judgments

- auto auctions, unlawful conduct — for damage due to, 61-4-120
- dealer's or wholesaler's unlawful conduct, for loss or damage caused by, 61-4-101
- financial responsibility, See **Financial responsibility**

Junk vehicles, See **Wrecking facilities and graveyards**; See also **JUNKYARDS**
Lamps, See **Lighting equipment**
Law enforcement network system (LENS), entries of vehicle theft and recovery, 61-3-106
Leases

- child safety restraint systems, 61-9-423
- county graveyards, property for, 75-10-521
- dealers and wholesalers
  - demonstration vehicles, lease prohibited, 61-10-214
  - license plates, use restrictions, 61-4-103
- default, transfer of interest, 61-3-201
- fleet registration, 61-3-323 — 61-3-325
- fleet vehicle registration, reciprocity, 61-3-718
- government vehicles
  - driver's license exemption, 61-5-104
  - junk vehicle disposal fee, exemption, 61-3-508
  - registration, staggered — exception, 61-3-313
- manufacturers, financing purchase or sale of vehicles, 61-4-402
- "owner" defined, 61-1-310
- seatbelt requirements for leased vehicles, 61-9-409
- special mobile equipment, 61-3-431

Length, See **Size, weight, and load**
Liability insurance

- arrest bond certificates, 46-9-412, 46-9-414
- assigned risk plans, 61-6-144
- bond in lieu of, 61-6-137, 61-6-142, 61-6-301 — 61-6-304
- carriers
  - assigned risk plans, 61-6-144
  - cancellation of policy
    - notice of, 33-23-211 — 33-23-213, 33-23-215, 33-23-216
    - unearned premium, return, 33-23-217
  - financial responsibility, proof — default by carrier, effect, 61-6-134
  - liability, 61-6-103

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Liability insurance (Continued)
  carriers (Continued)
    motor vehicles
      disposal of damaged vehicle as total loss, 75-10-520
      transfer of ownership when, 61-3-205
    nonrenewal of policy, notice, 33-23-214 — 33-23-216
    proof of insurance, card issued for, 61-6-302
    salvage vehicles, 61-3-210, 61-3-211
    theft of vehicle or insurance fraud — information, notice, and liability, 61-3-106
  county sheriff, on privately owned vehicles when, 7-32-2126
  credit history not to affect, when, 33-18-210
  damages
    collateral source reduction, payments as, 27-1-307, 27-1-308
    recovery in excess of last written offer to agent, attorney's fees, 25-10-302, 25-10-303
  definitions, 33-23-201, 33-23-204, 33-23-217, 61-6-103
  driving record, adverse information in — effect, 33-18-210
  exclusion of named family members, 61-6-301
  exempt vehicles, 61-6-302 — 61-6-304
  55 alive mature driving program, 33-16-203, 33-16-221 — 33-16-225
  fraud, 61-3-106
  glass repair shops, prohibited practices, 30-14-225, 33-18-221 — 33-18-223, 33-18-1006
  information and privacy protection, Title 33, chapter 19
  lack of, penalty, 61-6-304, 61-11-203
  limits of liability, 33-23-201, 33-23-203, 61-6-103
  mandatory, 61-6-301, 61-6-303, 61-6-304
    compliance, proof of, 61-6-142, 61-6-302
  medical care savings account funds, nonapplicability, 15-61-204
  minors, negligence — liability, 61-5-108
  motor carriers, cooperative registration requirements, 61-3-708
  points or surcharge prohibited when, 33-18-210
  policies, 33-23-204, 61-6-103
    cancellation or termination, 33-23-211 — 33-23-217, 61-6-103, 61-6-112, 61-6-135
    coverage, limits, 33-18-210, 33-23-201, 33-23-203, 61-6-103, 61-6-301
    mortgagor or vendor, copy to, 33-15-412
    nonrenewal, 33-23-214 — 33-23-216, 61-6-103
    points or surcharge prohibited when, 33-18-210
  premiums
    increase prohibited when, 61-6-103, 61-11-103, 61-13-104
    nonpayment, 33-23-211, 33-23-212, 33-23-214, 33-23-217
    older drivers, discount, 33-16-203, 33-16-221 — 33-16-225
  proof of, certificate of insurance as, 61-6-132 — 61-6-136, 61-6-140
  reimbursement for total loss
    basis, 33-23-202
    disposal of damaged vehicle, 75-10-520
  retail installment sale contracts, nonapplicability, 31-1-231
  roadblocks to check, 46-5-502, 46-5-510
  school buses, 20-10-109
  school transportation, private party contracts, 20-10-124
  seatbelt violations, effect, 61-13-104
  self-insurance, 61-6-132, 61-6-143, 61-6-301 — 61-6-304
  speed limit, fuel conservation — violations, effect, 61-11-103
  state statutes, conformity with, 33-23-103
  surplus lines, See **INSURANCE, SURPLUS LINES**
  tow truck operators, 61-8-904, 61-8-906, 61-8-907
  uninsured motorist coverage, 33-23-201, 33-23-203
License plates, See also **Registration**; **Taxes**
  abandoned vehicles, 61-12-402

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
License plates (Continued)

- amateur radio operators, 61-3-313, 61-3-421 — 61-3-426
- assignment, 61-3-331, 61-3-332
- auto auction, 61-4-120
- centennial, 2-89-301 — 2-89-303, 61-3-448
- collector's item vehicles, 61-3-411, 61-3-412
- collector's license plates, 2-89-302
- collegiate, 61-3-463 — 61-3-467
  - citation of Montana collegiate license plates act, 61-3-461
  - definitions, 61-3-462
  - special plate provisions, nonapplicability, 61-3-332
- custom combiners, special permits in lieu of, 61-10-130
- dealers and wholesalers, motor vehicle, See **Dealers and wholesalers**
- definitions, 61-3-401, 61-3-412, 61-3-462
- disabled persons, 49-4-304, 61-3-426
- disabled veterans, 61-3-332, 61-3-426, 61-3-446, 61-3-452, 61-3-453, 61-3-455, 61-3-504
- display on vehicle, 44-4-205, 49-4-304, 61-3-301, 61-3-312, 61-3-332, 61-3-412, 61-3-448, 61-3-526, 61-3-701, 61-3-702, 61-4-101, 61-4-103, 61-4-120, 61-4-223, 61-4-307
- duplicates, 61-3-332, 61-3-333
- enforcement of provisions, 61-3-602
- exceptions to requirements, 61-3-301
- fees, 2-89-302, 61-3-311, 61-3-312, 61-3-317, 61-3-321, 61-3-332, 61-3-333, 61-3-412, 61-3-422, 61-3-431, 61-3-453, 61-3-465, 61-3-701, 61-3-722, 61-4-102
- fleet registration, 61-3-324
- fleet vehicles, 61-3-722, 61-3-725
- foreign vehicles, 61-3-701, 61-3-702
- gross vehicle weight, See **Gross vehicle weight**
- handicapped persons, 49-4-304, 61-3-332, 61-3-426
- illumination, 61-9-204, 61-9-209
- implements of husbandry, exemption, 61-3-431
- law enforcement agencies, confidential, 44-4-201 — 44-4-206
- lost, 61-3-324, 61-3-332, 61-3-333
- manufacture of, 2-89-303, 53-1-301, 61-3-463, 61-3-465
- manufacturer's plates, 61-4-221 — 61-4-223
- mutilated, 61-3-332, 61-3-333
- national guard members, 61-3-332
- new plates, 61-3-321
- number required, 61-3-301, 61-3-331, 61-3-421
- numbers, assignation, 2-89-302, 61-3-332, 61-3-463, 61-4-223
  - records, 61-3-101
- original Montana license plate, 61-3-412
- out-of-state, residents operating vehicle with, 61-3-302
- personalized, 61-3-401 — 61-3-406
  - centennial plates, 2-89-303
  - collegiate plates, 61-3-466
  - disabled veterans, 61-3-453, 61-3-455
  - veterans, 61-3-407
- pioneer-Montana, 61-3-333, 61-3-411, 61-3-412
- recycling, 61-3-336
- removal from vehicle when, 61-3-332, 61-3-334, 61-3-425
- replacement, 61-3-332, 61-3-333, 61-3-448
- reserve armed forces members, 61-3-332, 61-3-446
- special mobile equipment, 61-3-431 — 61-3-434, 61-10-124
- special plates, 2-89-302, 49-4-304, 61-3-332; Title 61, chapter 3, part 4
- stickers
  - centennial plates, 2-89-302

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
License plates (Continued)
  stickers (Continued)
    collegiate plates, county designation, 61-3-463
    manufacturer's plates, county designation, 61-4-223
    personalized plates, county designation, 61-3-403
    registration numbers, 61-3-332
    window, 61-3-342
  stolen, 61-3-324, 61-3-332
  surrendered when, 61-3-201, 61-3-324, 61-3-332, 61-3-425, 61-6-304
  suspension, 61-6-304
  tax-exempt vehicles, 61-3-332
  transfer, 61-3-301, 61-3-317, 61-3-321, 61-3-332, 61-3-335, 61-3-406, 61-3-425, 61-3-446, 61-3-452
  transit plates, 61-4-301, 61-4-307, 61-4-308
  veterans, 61-3-332, 61-3-407, 61-3-426, 61-3-446
  vintage-Montana, 61-3-411, 61-3-412
  window stickers in lieu of, 61-3-342
Liens, See **Security interests**
Lighting equipment, See also **Reflectors**
  alternate equipment, 61-9-224
  amber color, 20-10-111, 61-8-351, 61-8-381, 61-9-209, 61-9-214, 61-9-215, 61-9-218, 61-9-219, 61-9-229, 61-9-402, 61-9-416, 61-10-102
  auxiliary driving or passing lamps, 61-9-204, 61-9-217, 61-9-220, 61-9-225
  backup lamps, 61-9-209, 61-9-219
  bicycles, 61-8-607
  blue color, 61-9-402
  clearance lamps, 61-9-207 — 61-9-212, 61-9-228
  disabled vehicle, 61-9-416
  fender lamps, 61-9-219
  flashing lights
    authorized emergency vehicles, 61-9-226, 61-9-402
    funeral procession vehicles, 61-8-382
    haystack movers, 61-10-123
    hazard or warning lamps, 61-9-219, 61-9-226, 61-10-102
    mail delivery vehicles, 61-9-229
    police vehicles, 61-9-402
    prohibited when, 61-9-226
    school buses, 20-10-111, 61-8-301, 61-8-351, 61-8-352, 61-9-226, 61-9-402
    signal lamps, 61-9-218, 61-9-226
    snow-removal equipment, 61-9-226, 61-9-228
    tow trucks, 61-9-416
  fog lamps, 61-9-217
  funeral processions, vehicles in, 61-8-381, 61-8-382
  green color, 61-9-402
  hay, vehicles hauling, 61-10-102
  hazard lamps, 61-9-219, 61-9-226
  headlamps, 61-9-203, 61-9-215, 61-9-217, 61-9-223
    beam indicators, 61-9-220
    dimmed when, 61-9-214, 61-9-221
    funeral procession vehicles, 61-8-382
    multiple-beam, 61-9-215, 61-9-220, 61-9-221, 61-9-223
    number required or permitted, 61-9-225
    single-beam, 61-9-215, 61-9-222, 61-9-223
    snow-removal equipment, 61-9-228
  lack of, 61-9-109, 61-9-513
  lighted lamps required when, 61-8-359, 61-9-201, 61-9-207, 61-9-224
  mounted height, 61-9-202 — 61-9-205, 61-9-210, 61-9-217, 61-9-402, 61-9-416
  obstructed lights not required, 61-9-212

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Lighting equipment (Continued)

- passing lamps, 61-9-217, 61-9-220
- projecting load, on, 61-9-213
- red color
  - animal-drawn vehicles, 61-9-216
  - authorized emergency vehicles, 61-9-402
  - backup lamps, 61-9-209
  - bicycles, 61-8-607
  - blinker-type, 61-9-227
  - clearance lamps, 61-9-209
  - emergency vehicles, privately owned — use, 61-9-227, 61-9-514
  - farm tractors and equipment, 61-9-215, 61-9-216, 61-9-513
  - hazard or warning lamps, 61-9-219
  - implements of husbandry, 61-9-215, 61-9-216, 61-9-513, 61-10-102
  - parked or stopped vehicles, 61-9-214
  - prohibited when, 61-9-226
  - projecting load, on, 61-9-213
  - revolving, 61-9-227, 61-9-402
  - road tractors, 61-9-216, 61-9-513
  - school buses, 20-10-111, 61-8-301, 61-8-351, 61-9-402
  - side marker lamps, 61-9-209
  - signal lamps, 61-9-218
  - special mobile equipment, 61-9-216, 61-9-513
  - stoplights, 61-9-209, 61-9-218
  - taillamps, 61-9-204
  - tow trucks, 61-9-416
- restrictions, special, 61-9-226
- running board courtesy lamps, 61-9-219
- side cowl lamps, 61-9-219
- side marker lamps, 61-9-207 — 61-9-211
- signal lamps or devices, 20-10-111, 61-8-337, 61-8-382, 61-9-209, 61-9-218, 61-9-226, 61-9-402
- snow-removal equipment, 61-9-226, 61-9-228
- spot lamps, 61-9-217, 61-9-225
- stoplights, 61-9-206 — 61-9-209, 61-9-218, 61-9-416
- taillamps, 61-9-204, 61-9-205, 61-9-416
  - funeral procession vehicles, 61-8-382
  - reflectors, incorporated with, 61-9-210
- visibility distance, 61-9-202
  - alternate equipment, requirements, 61-9-224
  - animal-drawn vehicles, lamps on, 61-9-216
  - authorized emergency vehicles, 61-9-402
  - clearance and side marker lamps on certain vehicles, lighting not required when, 61-9-207
  - farm tractors and equipment, lamps on, 61-9-215, 61-9-216
  - funeral escort or lead vehicles, lamps on, 61-8-381
  - hazard or warning lamps, 61-9-219
  - headlamps, 61-9-220 — 61-9-222
  - implements of husbandry, lamps on, 61-9-215, 61-9-216
  - motorcycles, collector's item — driven without lights when, 61-8-359
  - motor-driven cycles, lamps on, 61-8-312, 61-9-223
  - parked vehicles, lamps on, 61-9-214
  - police vehicles, 61-9-402
  - projecting loads, lamps or flags on, 61-9-213
  - road tractors, lamps on, 61-9-216
  - school buses, 61-9-402
  - signal lamps, 61-9-218
  - special mobile equipment, lamps on, 61-9-216

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Lighting equipment (Continued)
  visibility distance (Continued)
    stoplights, 61-9-218
    taillamps, 61-9-204
    tow trucks, 61-9-416
  warning lamps, 61-8-382, 61-9-219, 61-9-226, 61-9-402, 61-9-416, 61-10-102, 61-10-123
  white color
    animal-drawn vehicles, 61-9-216, 61-9-513
    bicycles, 61-8-607
    farm tractors and equipment, 61-9-215, 61-9-216, 61-9-513
    fender or side cowl lamps, 61-9-219
    hazard or warning lamps, 61-9-219
    implements of husbandry, 61-9-215, 61-9-216, 61-9-513, 61-10-102
    license plates, illumination, 61-9-204, 61-9-209
    parked or stopped vehicles, 61-9-214
    road tractors, 61-9-216, 61-9-513
    running board courtesy lamps, 61-9-219
    signal lamps, 61-9-218
    special mobile equipment, 61-9-216, 61-9-513
  yellow color, 61-9-209
Livestock
  collision with, 60-7-203
  vehicles hauling, 44-1-1004, 61-8-101, 61-9-101, See also **LIVESTOCK, Transporting and transporters**
Loads, See **Size, weight, and load**
Local authorities, 61-1-306
  accident reports required by, 61-7-116
  counties, specific provisions
    computer system for registration purposes, 61-3-345 — 61-3-347, 61-3-511
    drinking and driving prevention programs, 61-2-106 — 61-2-108
    license plates, designation on, 2-89-302, 61-3-332, 61-3-403, 61-3-463, 61-4-223
    local option vehicle tax, 61-3-537
    recycling and disposal programs, 75-10-503, 75-10-521, 75-10-534
    speed limits, establishment, 7-14-2113
  drivers' licenses required by, 61-5-102
  driving under the influence of alcohol or drugs, ordinances, 53-24-106, 61-8-401
  equipment regulations, additional, 61-9-103
  farm tractors or equipment, permits for highway use, 61-9-406
  funeral processions, ordinances, 61-8-380
  licensing, taxation, and regulation by cities and towns, 7-21-4201, 7-21-4205
  motorcycle safety training, 20-7-510
    fee, vehicles exempt when, 20-7-514
  off-highway vehicles, regulation precluded, 23-2-808
  parking regulations, 61-8-355
  private parking services, impoundment of vehicles and citations, 61-12-102
  private roads or driveways, permission for construction when, 60-5-111, 61-8-331
  railroad grade crossings, designation and signing, 61-8-348
  reckless driving ordinance, 61-8-301
  sidewalks, regulation upon, 7-14-4123
  size, weight, and load
    excess size and weight permits, issuance, 61-10-121, 61-10-122
    limitations, imposition, 61-10-128
  speed of vehicle
    contests, 61-8-308
    limits, authority, 7-14-2113, 7-14-4103, 61-8-303, 61-8-306, 61-8-309, 61-8-310, 61-8-313, 61-10-128
    minimum, 61-8-311

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Local authorities (Continued)
  speed of vehicle (Continued)
    radar, signs stating use, 61-8-704
  stop intersections, designation and signing, 61-8-344
  through highways, designation and signing, 61-8-344
  tow truck rotation system, 61-8-908
  traffic-control devices, authority for placement, 61-8-203, 61-8-206, 61-8-333
  traffic regulations, 7-5-108, 7-14-4102, 7-14-4103, 61-12-101
    additional, 61-8-103, 61-9-103
  traffic safety program, 61-2-101 — 61-2-105
  wheelchairs, motorized — regulation, 49-4-312
  "yield" intersections, designation, 61-8-342
Logging trucks, 61-3-321, 61-9-414, 61-10-104, 61-10-124
Machine gun found in, 45-8-306
Mail delivery vehicles, lighting requirements, 61-9-229
Manufacturers, distributors, and importers, See also **Dealers and wholesalers**
  administrative actions, 61-4-210
  administration of provisions, 61-4-203
  auto auctions, fleet sales, 61-4-120
  cease and desist orders, 61-4-209
  certificates or statements of origin, 61-3-502, 61-4-104, 61-4-112
  coercion prohibited, 61-4-208
  definitions, 61-1-316, 61-4-201, 61-4-221, 61-4-402, 61-4-501
  delivery and preparation obligations, 61-4-204
  enforcement of provisions, 61-3-602, 61-4-210
  fees, 61-4-202, 61-4-221, 61-4-222
  financing purchase or sale of vehicles
    action for injury to business or property, 61-4-406
    agreements prohibited when, 61-4-403
    definitions, 61-4-402
    policy, 61-4-401
    threats prima facie evidence, 61-4-404
    violations and penalty, 61-4-405
  franchises, 61-4-201
    additional dealerships, 61-4-205, 61-4-206
    agreements, filing or revisions to, 61-4-204, 61-4-210
    appointment, certificate — filing, 61-4-204
    auto auctions, fleet sales, 61-4-120
    cancellation or termination, 61-4-133, 61-4-134, 61-4-205 — 61-4-207
    change in ownership, effect, 61-4-205
    coercion prohibited, 61-4-208
    off-highway vehicle dealers, 23-2-818
    succession to dealership ownership, 61-4-131 — 61-4-137
  hearings, 61-4-134, 61-4-203, 61-4-206
  injunction, 61-4-209
  license plates, manufacturer's, 61-4-221 — 61-4-223
  license requirements, 61-4-202, 61-4-205, 61-4-209, 61-4-223, 61-4-512
  off-highway vehicle dealers, franchise or sales agreements, 23-2-818
  product or warranty liability, 61-4-204
  records, 61-3-101
  rules, 61-4-203
  serial numbers on vehicles, restoration, 61-3-107
  transporters, driveaway or towaway, Title 61, chapter 4, part 3
  violations and penalties, 61-4-210, 61-4-405
  warranty, Title 61, chapter 4, part 5
Military right-of-way, 10-1-602

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Minors
    child safety restraint systems, 61-9-419 — 61-9-423
    drivers' licenses, See **Drivers' licenses**
    driving privilege, suspension or revocation, 61-5-217
    identification cards, alteration or unauthorized use to obtain alcoholic beverages, 61-5-206
    motorcycles or quadricycles, headgear requirement, 61-9-417, 61-9-518
    offenses, conviction — effect, 61-8-723
    unauthorized, driving prohibited, 61-5-304
Mirrors, 61-9-404
Mobile homes, See **MOBILE HOMES, HOUSETRAILERS, AND TRAILER COURTS**
Mopeds, See **BICYCLES**, generally
Mortgages, See **Security interests**
Motion pictures, vehicles used for filming
    registration and license plates, exception, 61-3-301
    taxes, 15-6-215, 15-24-305, 61-3-507, 61-3-520
Motorbikes, See **Motor-driven cycles**
Motorcades, 61-8-329
Motor carriers generally, Title 69, chapter 12
Motor carriers, single-state registration, 61-3-708
    "for hire" defined, 61-1-511
    identification of ownership of certain vehicles, 61-3-709
    "motor carrier" defined, 61-1-320
    rulemaking authority, 61-3-710
Motor club service companies, Title 61, chapter 12, part 3
Motorcycles, 61-1-105, 61-1-106
    brake requirements, 61-9-304, 61-9-312
    child safety restraint systems, exception, 61-9-421
    dealers and wholesalers, See **Dealers and wholesalers**
    drivers' licenses, See **Drivers' licenses**, motorcycle endorsement
    fee in lieu of tax, 61-3-509, 61-3-527
        school district funding, consideration in computation, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146
    headgear requirement, 61-9-417, 61-9-518
    liability insurance, exemption, 61-6-303
    license plates, 61-3-301, 61-3-332, 61-3-401, See also **License plates**
    lighting requirements, 61-8-359, 61-9-203 — 61-9-206
    noise suppression devices and mufflers, 61-9-418, 61-9-518
    off-highway vehicles, 23-2-801, 23-2-802, 23-2-804
    reflectors, 61-9-205
    registration, See also **Registration**
        fee, 20-7-504, 23-2-804, 61-3-321
        mail registration or reregistration, 61-3-535
        staggered, exception, 61-3-313
    riding on, 61-8-359
    safety training, 20-7-510 — 20-7-514
    seatbelts not required, 61-13-103
    sidecars, 61-9-304
    unauthorized use, 45-6-308
    weed control fee, 61-3-510
Motor-driven cycles, 61-1-106, See also **BICYCLES**, generally
    brake requirements, 61-9-304, 61-9-312, 61-9-315
    controlled-access highways, use restrictions, 61-8-332
    dealers and wholesalers, See **Dealers and wholesalers**
    lighting requirements, 61-8-312, 61-9-203 — 61-9-206, 61-9-223
    reflectors, 61-9-205

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Motor-driven cycles (Continued)

- registration, 61-3-313, 61-9-315, See also **Registration**
- seatbelts not required, 61-13-103
- sidecars, 61-9-304
- speed limitations, 61-8-312
- weed control fee, 61-3-510

Motor homes, 61-1-130, 61-1-132, 61-9-405
- fee in lieu of tax, 61-3-509, 61-3-521, 61-3-522
  - school district funding, consideration in computation, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146
- license plates, 61-3-401, 61-3-526, See also **License plates**
- registration, 61-3-313, 61-3-526, 61-3-535, See also **Registration**
- state parks recreational vehicle fee, 61-3-512
- tax exemption, 15-6-201
- warranty on new vehicles, Title 61, chapter 4, part 5
- window tinting or sunscreening restrictions and exceptions, 61-9-405, 61-9-428, 61-9-429

Mountain highways, driving on, 61-8-361
Mounts, rules for, 61-9-504
Mud flaps, requirements, 61-9-407, 61-9-515
Mufflers, 61-9-403, 61-9-418
National Crime Information Center (NCIC), access to state automated stolen vehicle file, 61-3-106
Nonresidents, 61-1-313
- agricultural workers, 20-7-514, 61-3-502, 61-3-508
- compressed natural gas, vehicles powered by — temporary trip permit, 15-71-102
- conviction in this state, record requirements, 61-11-102
- custom combiners, special permits and fees, 15-70-311, 15-70-312, 61-10-124, 61-10-130
- disabled, parking privileges, 49-4-302
- drivers' licenses, See **Drivers' licenses**
- financial responsibility, 61-6-121, 61-6-131, 61-6-134
- fleet vehicles, See **Fleet vehicle registration**; **Foreign vehicle registration and taxes**
- gross vehicle weight fees, 61-10-211 — 61-10-214, See also **Gross vehicle weight**
- highway use conditional, 25-3-601
- liability insurance, exemption when, 61-6-303
- liquefied petroleum gas powered vehicles, temporary trip permit, 15-71-102
- off-highway vehicles, temporary-use permits, 23-2-814
- operating privilege, 25-3-601, 61-6-102
  - revocation or suspension, 61-5-203, 61-5-204, 61-5-210, 61-6-122, 61-6-123, 61-6-125, 61-6-131, 61-6-141, 61-6-151, 61-7-103, 61-7-111
- renting vehicles, 61-5-306
- service of process on, 25-3-601 — 25-3-604, 25-10-206
- special fuel users
  - courtesy vehicle permit, 15-70-302
  - temporary trip permit, 15-70-311 — 15-70-314, 61-12-206
- taxation and assessment, 15-24-301, 15-24-302
- temporary employment in state, 61-3-701, 61-3-707

Obstructing or rendering traffic impassable, 27-30-101, 45-8-101, 45-8-111
Obstructions
- disabled vehicles, placement of warning devices, 61-9-412
- driver's view or driving mechanism, to, 61-8-360
- illegally stopped or unattended vehicles, removal, 61-8-705
- tow trucks, placement of warning devices, 61-9-416
- window tinting or sunscreening, 61-9-405

Occupied structure, defined as, 45-2-101
Odometer mileage disclosure and record requirements, 61-3-201, 61-3-206, 61-3-607, 61-4-104, 61-4-120
Offenses, See **Violations**

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Off-highway vehicles
  administration of provisions, 23-2-811, 23-2-812, 23-2-814, 23-2-818
  certificate of ownership, 23-2-801, 23-2-811 — 23-2-814, 23-2-817
  crossings of public roads, 23-2-821
  dealers, 23-2-818
    certificates of ownership, duties, 23-2-811, 23-2-812
    demonstration vehicles, 23-2-812, 23-2-818
    fee in lieu of tax, exception, 23-2-803
    inventory, 23-2-803, 23-2-811
    purchase stickers, 23-2-812
  decal, 23-2-804, 23-2-807, 23-2-809, 23-2-810, 23-2-812
  definitions, 23-2-801
  enforcement, 23-1-122, 23-2-804, 23-2-806, 23-2-814, 87-1-503
  exemptions, 23-2-802
  fee in lieu of tax, 23-2-803, 23-2-810
    decal as proof of payment, 23-2-804
    registration fee, payment with, 23-2-817
    school district funding, consideration in computation, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146
  fees, 23-2-804, 23-2-807, 23-2-809, 23-2-811 — 23-2-814, 23-2-817, 23-2-818
  gasoline license tax, allocation and use, 60-3-201
  identification numbers, 23-2-811, 23-2-812, 23-2-814
  local government regulation precluded, 23-2-808
  mail renewal and recertification, 23-2-810
  nonresident temporary-use permit, 23-2-814
  operator responsibilities, 23-2-822
  out-of-state vehicles, temporary use, 23-2-802
  registration, 23-2-804, 23-2-810, 23-2-812, 23-2-817
    computer system for, 61-3-345 — 61-3-347
    county motor vehicle computer fee, 61-3-511
    dealer certificate and fees, 23-2-818
  safety and education programs, 23-2-814, 23-2-818, 23-2-823, 60-3-201
  security interest, 23-2-811, 23-2-812
  streams, ordinary high-water mark — operation below prohibited when, 61-8-371
  transfer of interest, 23-2-812, 23-2-817
  violations, 23-2-807
On-scene command and control vehicles, 61-9-402, See also **Authorized emergency vehicles**
Operating requirements, Title 61, chapter 8, part 3
Operator, 61-1-311
Oversize permits, See **Size, weight, and load**, excess size and weight permits
Overtaking and passing
  driving on right side of road, exception, 61-8-321
  funeral processions, prohibited when, 61-8-383
  laned roadways, on, 61-8-328
  no-passing zones, 61-8-326, 61-8-724
  on the left, 61-8-323, 61-8-325, 61-9-415
  on the right, permitted when, 61-8-324
  pedestrian crossing, vehicle stopped for, 61-8-502
  school buses, 61-8-301, 61-8-351
  slow-moving vehicles, 61-8-311, 61-9-415
  trucks and truck tractors, 61-8-329
  vehicles proceeding in opposite directions, 61-8-322
  warning or hazard lamps, 61-9-219, 61-9-226
Owner, specific provisions, 61-1-310
  abandoned vehicle, presumption of ownership, 61-8-356

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Owner, specific provisions (Continued)

  death, transfer of interest, 61-3-201
  employee drivers, liability for, 61-6-201
  financial responsibility, proof for others — permitted to give when, 61-6-139, See also **Financial responsibility**
  inspection of vehicle, compliance, 61-9-503
  registrant as prima facie owner, 61-3-105
  seizure or forfeiture, vehicle subject to — sale or transfer prohibited, 61-8-422
Parked vehicle
  lighting requirements, 61-9-201, 61-9-214, 61-9-225
  starting, 61-8-335
  tow trucks, 61-9-416
Parking, 61-1-407, See also **PARKING**, generally
  additional regulations, 61-8-355
  authorized emergency vehicles, 61-8-107
  brakes, 61-9-303
  disabled persons, permits and special spaces for, 49-4-301 — 49-4-307, 61-3-332
    "notice of violation" cards for vehicles illegally parked in spaces for disabled, 7-5-2109, 7-5-4104
  disabled vehicles, 61-8-353
  fire prevention and safety rules, 50-3-103
  local authorities, regulation, 61-8-355, 61-12-101
  long-term care facilities, permits, 49-4-310
  outside business or residence districts, 61-8-353
  police vehicles, 61-8-107
  private parking services, impoundment of vehicles and citations, 61-12-102
  prohibited when, 61-8-354, 61-8-355
  public property, prohibited on, 61-8-356, 61-8-719
  starting parked vehicle, 61-8-335
  university system regulations, See **UNIVERSITY SYSTEM**, **Motor vehicle regulations**
Passengers
  accidents, notice given by and reports, 61-7-110, 61-7-114
  child safety restraint systems, See **Child safety restraint systems**
  doors, opening and closing, 61-8-368
  driver's view, obstruction or interference, 61-8-360
  fenders or running boards, riding on prohibited, 61-8-366
  motorcycles, 61-1-105, 61-8-359, 61-9-417
  owner's liability for employee driver's negligence, 61-6-201
  quadricycles, 61-8-359, 61-9-417
  seatbelts, See **Seatbelts**
  "trailer" defined, 61-1-111
Passing, See **Overtaking and passing**
Peace officers, departmental
  appointment, 61-10-141, 61-12-201
  arrests by and bail fixing and acceptance, 44-1-1005, 61-10-141, 61-12-202, 61-12-203, 61-12-206, 61-12-208
  certification standards, 44-4-301
  cooperation with other agencies, 61-12-207
  inspection powers, 44-1-1005, 61-3-107, 61-3-202, 61-3-212, 61-10-141, 61-12-205, 61-12-206
  justice, department of — civilian inspectors, 44-1-1005
  out-of-state personnel, appointment when, 61-12-201
  tow truck inspections, 61-8-907
  trees and boughs, coniferous — bill of sale or authorization exhibited on request by, 76-13-601
  uniform, badge, and firearms, 61-12-203, 61-12-204
  weighing of vehicles, 61-10-141
Pedestrian malls, traffic control, 7-14-4702
Pedestrians, See **PEDESTRIANS**

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Penalties, civil, See also **Violations**, specific violation
  campers, failure to pay fee in lieu of tax or apply for decal during grace period, 61-3-519
  dealer and wholesaler violations, 61-4-105
  manufacturer, distributor, and importer violations, 61-4-210
  registration applications, failure to make during grace period, 61-3-201, 61-3-317
  wrecking facilities and graveyards, 75-10-541, 75-10-542
Pole trailers, 61-1-114
  brake requirements, 61-9-301, 61-9-304 — 61-9-306, 61-9-309, 61-9-310
  fenders, splash aprons, or flaps — requirements, 61-9-407, 61-9-515
  gross vehicle weight license, transferability, 61-10-224, See also **Gross vehicle weight**
  lighting equipment, 61-9-204, 61-9-205, 61-9-207 — 61-9-213
  logs, hauling — length limitations, 61-10-104
  reflectors, 61-9-205, 61-9-207 — 61-9-211
  towing unit, chain or cable on, 61-9-208
  warning devices, 61-9-412
Police vehicles, 61-1-118, See also **Authorized emergency vehicles**
  approach of, operation of vehicles upon, 10-1-602, 61-8-346
  audible and visual signals, 61-8-107, 61-8-346, 61-9-402
  commercial motor vehicle, exception, 61-1-134
  lighting equipment, 61-9-402
  military right-of-way not to interfere with, 10-1-602
  on-scene command and control vehicles, designation, 61-9-402
  right-of-way, 61-8-346
  traffic regulations, exemptions when, 61-8-107
Power of attorney
  insurance carriers, for service of process when, 61-6-134
  statutory, authority, 72-31-233
Private roads or driveways, 61-1-205
  construction along highways, 60-5-111, 61-8-331
  entering highway from, 61-8-343
  fire hose, vehicle crossing, 61-8-364
  owners of property, rights, 61-8-109, 61-9-108
  stopping, standing, or parking prohibited when, 61-8-354
  turning into, 61-8-321, 61-8-336, 61-8-605
Propane powered vehicles, 15-30-164, 15-31-137, 15-71-101 — 15-71-105, 15-71-110, 61-12-206
Property
  public, parking or leaving vehicles prohibited, 61-8-356, 61-8-719, See also **Abandoned vehicles**
  real property, owners' rights, 61-8-109, 61-9-108
  taxes, See **Taxes**
Public grounds, regulation upon, 7-14-4102
Quadricycles, 61-1-133
  assessment, 61-3-503
  brake requirements, 61-9-304, 61-9-312
  child safety restraint systems, exception, 61-9-421
  dealers and wholesalers, See **Dealers and wholesalers**
  drivers' licenses, See **Drivers' licenses**, motorcycle endorsement
  headgear requirement, 61-9-417, 61-9-518
  liability insurance, exemption, 61-6-303
  license plates, 61-3-301, 61-3-332, 61-3-401, See also **License plates**
  lighting requirements, 61-8-359, 61-9-203 — 61-9-206
  noise suppression devices and mufflers, 61-9-418, 61-9-518
  off-highway vehicles, 23-2-801, 23-2-802, 23-2-804
  reflectors, 61-9-205
  registration, See also **Registration**
    fee, 23-2-804, 61-3-321

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Quadricycles (Continued)
  registration (Continued)
    mail registration or reregistration, 61-3-535
    staggered, exception, 61-3-313
  riding on, 61-8-359
  taxes, See **Taxes**, generally
  unauthorized use, 45-6-308
  weed control fee, 61-3-510
Railroad crossings, See **RAILROADS**, **Highway crossings**; **Signaling devices**
Railroad or railroad train, 61-1-124, 61-1-317, See **RAILROADS**
Rearview mirrors, 61-9-404
Reckless driving, 61-5-205, 61-5-206, 61-5-405, 61-8-301, 61-8-715, 61-11-203, See also **Careless driving**
Records and indexes, 61-3-101
  accidents, 61-7-114, 61-7-116, 61-11-102
  assignments, 61-3-201
  auto auctions, 61-4-120
  certificates of ownership, 61-3-202, 75-10-512
  certification, 61-11-102, 61-11-105, 61-11-204
  child support information, state information agency to obtain, 40-5-165
  commercial vehicle operators, 61-8-802, 61-8-803, 61-8-806, 61-8-811
  confidentiality, 44-4-201 — 44-4-206, 61-7-114, 61-7-116, 61-8-714, 61-11-105
  convictions, of, 45-5-624, 61-5-205, 61-5-212, 61-6-142, 61-8-714, 61-8-722, 61-8-803, 61-8-811, 61-11-101, 61-11-102, 61-11-204, 61-11-207, 61-11-213
  dealers and wholesalers, 23-2-812, 23-2-818, 61-3-101, 61-3-206, 61-4-101, 61-4-104, 61-4-106
  drivers' license, 61-3-101, 61-5-306, 61-11-102
    voter lists prepared from, 13-38-103
  driving record, 61-5-107, 61-5-111, 61-5-207, 61-11-105, 61-11-207, 61-11-210
    liability insurance, effect of adverse information in record, 33-16-201, 33-18-210
  fleet vehicles, proportional registration, 61-3-728
  forfeiture of bail, 61-11-101
  identification numbers, 61-3-101, 61-3-107
  inspection, 61-3-101, 61-4-101, 61-4-104, 61-5-306, 75-10-512
  justices of the peace, availability, 61-11-104
  law enforcement agencies, confidential license plates and certificates of registration, 44-4-201 — 44-4-206
  mailing list provisions, 2-6-109
  minors, 41-5-604
  off-highway vehicles, 23-2-811, 23-2-812, 23-2-818
  registration, 2-6-109, 61-3-101
  release of information, 2-6-109, 61-3-101, 61-11-105
  rentals of vehicles, 61-5-306
  seatbelt violations not recorded, 61-13-104
  security interest information, 61-3-101, 61-3-103
  speed limit, fuel conservation — violations, effect, 61-11-103
  traffic safety program, purpose, 61-2-101
  warranty disputes, 61-4-526
  wrecking facilities and graveyards, 61-12-402, 75-10-503, 75-10-512, 75-10-513
Recreational use of streams
  landowner permission required when, 23-2-302
  ordinary high-water mark, operation below allowed when, 61-8-371
Recreational use on state lands, restrictions, 77-1-804
Recreational vehicles, 61-1-132
  campers, See **Campers**
  construction standards, 50-60-401 — 50-60-403
  dealers and wholesalers, See **Dealers and wholesalers**
  fenders, splash aprons, or flaps — requirements, 61-9-407, 61-9-515
  household appliances, warranty repair and maintenance, 61-4-204

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Recreational vehicles (Continued)

- motor homes, See **Motor homes**
- off-highway vehicles, Title 23, chapter 2, part 8
- overtime compensation exclusions for sales and service personnel, 39-3-406
- primitive park development, sanitary dumpsites prohibited, 23-1-117
- state parks recreational vehicle fee, disposition and use, 61-3-512
- weighing of vehicles not required, 61-10-141

Recycling of license plates, 61-3-336, See also **Wrecking facilities and graveyards**

Reflectors, See also **Lighting equipment**; **Warning devices**
- additional, on certain vehicles, 61-9-207, 61-9-208
- animal-drawn vehicles, 61-9-216, 61-9-513
- bicycles, 61-8-607
- color, 61-8-607, 61-9-205, 61-9-209 — 61-9-211, 61-9-215, 61-9-216
- emergency, 61-9-411, 61-9-412
- farm tractors and equipment, 61-9-215, 61-9-216, 61-9-513
- implements of husbandry, 61-9-215, 61-9-216, 61-9-513
- license plates, reflectorized background, 61-3-332, 61-3-463
- mounting height, 61-9-205, 61-9-210
- new motor vehicles, 61-9-205
- road tractors, 61-9-216, 61-9-513
- special mobile equipment, 61-9-216, 61-9-513
- taillamps, incorporated with, 61-9-210
- tow trucks, 61-9-416
- visibility distance, 61-9-205, 61-9-211

Registration, 61-1-508, 61-3-301, See also **License plates**; **Taxes**
- abandoned vehicles, 61-12-402
- accidents, registration number reported, 61-7-113
- affidavit when, 61-3-324
- agricultural workers, nonresident, 20-7-514, 61-3-508
- amateur radio operators, compliance, 61-3-422
- applications, 61-3-303
  - collector's item vehicles, 61-3-411, 61-3-412
  - filing, 61-3-101, 61-3-303, 61-3-311, 61-3-322, 61-3-456, 61-3-503
  - fleet registration, 61-3-324
  - foreign vehicles, 61-3-701
  - forms, 61-3-303, 61-3-305
  - off-highway vehicles, 23-2-812, 23-2-817
  - replacement of certificate of registration, for, 61-3-341
  - transfer of license plates, 61-3-335
  - transferred vehicles, for, 61-3-317
  - used motor vehicles, 61-4-111
- assessment, 61-3-503, 61-3-507
- campers, 61-3-519
- certificate of registration, 61-3-322
  - dealers and wholesalers, transfers, 61-4-106
  - duplicate, 61-3-341
  - foreign vehicles, 61-3-701
  - inspection, 61-12-205
  - issuance, 61-3-201, 61-3-322, 61-3-701, 61-4-111, 61-4-112
  - law enforcement agencies, confidential, 44-4-201 — 44-4-206
  - records, 61-3-101
  - surrender when, 61-3-201, 61-3-324, 61-3-335
  - transfer of interest, 61-3-201
  - transfer of plates, 61-3-335
  - used motor vehicles, 61-3-203, 61-4-111
  - validity, period of, 61-3-312

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Registration (Continued)
- certificate of registration (Continued)
  - vehicle
    - carrying in, 61-3-322
    - operation without, when, 61-3-317
- collector's item vehicles, 61-3-313, 61-3-411, 61-3-412
  - motorcycles, 61-8-359, 61-9-203, 61-9-204
- computer system for, 61-3-345 — 61-3-347
- county motor vehicle computer fee, 61-3-511
- dealers, See **Dealers and wholesalers**
- definitions, 61-1-508, 61-3-313, 61-3-318, 61-3-321, 61-3-323, 61-3-347
- disabled veterans, 61-3-332, 61-3-426, 61-3-504
- enforcement of provisions, 61-3-602
- exemptions, 61-3-301, 61-3-313, 61-3-321, 61-3-431, 61-3-432
- expiration, 61-3-311, 61-3-312, 61-3-334, 61-3-335, 61-3-526
- fees, 19-6-709, 23-2-804, 23-2-817, 23-2-818, 61-3-303, 61-3-317, 61-3-321, 61-3-325, 61-3-332, 61-3-341, 61-3-342, 61-3-411, 61-3-426, 61-3-456, 61-3-501, 61-4-102
- financial responsibility, proof required, 61-6-132
- fleet registration, 61-3-323 — 61-3-325
- fleet vehicles, See **Fleet vehicle registration**
- foreign vehicles, 61-3-701 — 61-3-704, 61-3-707
- gross vehicle weight fees, 61-10-209, 61-10-222, 61-10-233
- housetrailers, 61-3-321
- inspection, 61-12-205
- junk vehicle disposal fee, 61-3-508
- law enforcement agencies, confidential, 44-4-201 — 44-4-206
- mail registration or reregistration, 61-3-525, 61-3-526, 61-3-535
- military duty, active — residents on and stationed outside Montana, 15-6-201, 61-3-456, 61-3-502, 61-3-504
- motor carriers, single-state registration, 61-3-708 — 61-3-710
- motorcycles, 20-7-514, 23-2-804, 61-3-321
- motor-driven cycles, 61-3-313, 61-9-315
- motor homes, 61-3-313, 61-3-526
- multiple vehicles having common ownership, 61-3-315
- new registrations, 61-3-316, 61-3-317
- off-highway vehicles, 23-2-804, 23-2-812, 23-2-817, 23-2-818
- proportional, See **Fleet vehicle registration**
- quadricycles, 23-2-804, 61-3-321
- receipt, 61-3-201, 61-3-322, 61-3-331, 61-12-205
  - fleet registration, 61-3-324
  - foreign vehicles, 61-3-701
  - liability insurance, statement concerning, 61-6-302
- reciprocal, See **Fleet vehicle registration**; **Foreign vehicle registration and taxes**
- records and indexes, 2-6-109, 61-3-101, See also **Records and indexes**
- registrant as prima facie owner of vehicle, 61-3-105
- renewal, 23-2-818, 61-3-311, 61-3-312, 61-3-332, 61-3-411
- rental fleets, 61-3-313, 61-3-318
- revocation when, 61-9-315
- roadblocks to check, 46-5-502, 46-5-510
- salvage vehicles, temporary permit, 61-3-212
- special mobile equipment, exemption, 61-3-431
- staggered registration, 61-3-313 — 61-3-316, 61-3-501
  - assessment of vehicle, 61-3-503, 61-3-507
  - fleet registration, 61-3-325
  - new vehicle sales tax, 61-3-502
- statements of origin, 61-3-502, 61-4-112
- state parks recreational vehicle fee, 61-3-512

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Registration (Continued)

- stickers in lieu of, 23-2-812, 61-3-317, 61-3-342, 61-3-519, 61-3-707
- stolen vehicle file, state automated — checking prior to, 61-3-106
- surrendered when, 61-3-324, 61-6-304
- suspension when, 33-23-211, 61-6-141, 61-6-304, 61-9-315
- titles, See **Certificates of ownership**
- traffic safety program, purpose, 61-2-101
- trailers or semitrailers, 61-3-313, 61-3-321
- transfer of interest, 23-2-812, 23-2-817, 61-3-201, 61-3-203
- transferred vehicles, 61-3-311, 61-3-317, 61-3-334, 61-3-411, 61-3-526
- travel trailers, 61-3-526, 61-3-535
- used motor vehicles, 61-3-203, 61-4-111
- violations, 44-1-1003, 61-3-201, 61-3-601, 61-3-704, 61-12-206
- weed control fee, 61-3-510

Rental fleets
- new vehicle sales tax, 61-3-502
- registration, 61-3-313, 61-3-318
- taxes, computation, 61-3-504

Renting to another person, 61-5-306

Repossession, 61-3-201, 61-4-108, 61-4-202

Residence district, 61-1-409
- alleys, driveways, or buildings — vehicles emerging from, 61-8-345
- turning movements and signals, 61-8-336

Right-of-way, 61-1-406
- abandoned vehicles upon, 61-12-401
- alley, driveway, or building — when emerging from, 61-8-345
- authorized emergency vehicles, on approach of, 61-8-346, 61-8-380, 61-9-402
- entering highway from private road, driveway, or public approach ramp, 61-8-343
- entering through highway or stop intersection, 61-8-341
- funeral processions, 61-8-380, 61-8-383
- intersections, 61-8-207, 61-8-339, 61-8-340, 61-8-341, 61-8-380, 61-8-383
- loads in excess of maximum weight unloaded upon, care and removal, 61-10-141
- military, obstructing, 10-1-602
- off-highway vehicles, 23-2-821
- parking or leaving vehicle on, 61-8-356
- pedestrians, See **PEDESTRIANS**, **Right-of-way**
- police vehicles, on approach of, 61-8-346, 61-9-402
- traffic-control devices, unauthorized — removal, 61-8-706
- "yield" sign, vehicle approaching, 61-8-342

Roadblocks, 46-1-202, 46-5-502, 46-5-510

Road construction or maintenance machinery, See **Special mobile equipment**

Road tractors, See **Truck or road tractors**

Roadways, 61-1-206
- controlled-access, driving or use restrictions, 61-8-331, 61-8-332
- crosswalks, See **Crosswalks**; **PEDESTRIANS**
- divided highways, driving on, 61-8-330
- driving on right side of and exceptions, 61-8-321
- illegally stopped vehicles, removal, 61-8-705
- intersections, See **Intersections**
- laned roadway, 61-1-207, 61-8-328
- one-way, 61-8-321, 61-8-324, 61-8-325, 61-8-327, 61-8-355, 61-8-605, 61-12-101
- two-lane
  - left turns, 61-8-333
  - passing vehicles proceeding in opposite directions, 61-8-322
- unattended vehicles, removal, 61-8-705

Roller skaters, clinging to vehicles prohibited, 61-8-604

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Running boards, 61-8-366, 61-9-219
Safety, See specific subject in this heading
Sales
  abandoned vehicles, 61-12-404 — 61-12-407
  auto auctions, 61-4-120
  "broker" defined, 61-1-318
  collector's item vehicles, 61-3-411
  custom combiners' units, identifying devices and fees nontransferable, 61-10-130
  dealers and wholesalers, See **Dealers and wholesalers**
  financing, See **Manufacturers, distributors, and importers**; See also **CREDIT TRANSACTIONS, Retail installment sales**
  junk vehicles, 75-10-503, 75-10-521, 75-10-532, 75-10-534
  new vehicle sales tax, 15-16-202, 61-3-303, 61-3-501, 61-3-502, 61-3-506, 61-3-605, 61-12-206
  odometer mileage disclosure and record requirements, 61-3-201, 61-3-206, 61-3-607
  overtime compensation exclusions for sales personnel, 39-3-406
  salvage vehicles, 61-3-211, 61-3-212
  seizure or forfeiture, vehicles subject to — prohibited, 61-8-422
  warranty on new vehicles, Title 61, chapter 4, part 5
Salvage vehicles, 61-3-202, 61-3-210 — 61-3-212
  farming or ranching operations, 75-10-505
Salvage yards, See **Wrecking facilities and graveyards**
Schools
  buses, See **SCHOOL TRANSPORTATION, Buses**
  caution signs for traffic control, portable — placement, 61-8-210
  driver education course, See **SCHOOLS, Traffic education**
  motorcycle safety training, 20-7-510 — 20-7-514
  safety patrols, 61-8-502
  school district vehicles
    license plates, 61-3-332
    new vehicle sales tax, exemption, 61-3-502
    registration fees, exemption, 61-3-321
    weed control fee, exemption, 61-3-510
  speed limit near, 61-8-310
  traffic safety program, 61-2-101 — 61-2-105
Search and rescue personnel, privately owned vehicles — use of red lamps, 61-9-227
Seatbelts
  child safety restraint systems, effect, 61-9-420, 61-13-103
  citation of Montana seatbelt use act, 61-13-101
  definitions, 61-13-102
  education program, 61-13-105
  evidence of compliance or noncompliance, admissibility, 61-13-106
  new vehicles, requirements, 61-9-409, 61-9-410, 61-9-516
  specifications, 61-9-410
  use required and exceptions, 61-13-103
  violations, 61-9-409, 61-9-516, 61-13-103, 61-13-104
Security interests, See also **SECURED TRANSACTIONS**, generally
  abandoned vehicles, procedures, 61-12-402, 61-12-403
  applicability of laws, 30-9-203
  assignment, 23-2-811, 61-3-103, 61-3-201, 61-3-603
  "broker" defined, 61-1-318
  certificate of ownership, 23-2-811, 61-3-202, 61-3-208
  child support liens, 40-5-248
  filing and fee, 30-9-302, 61-3-103, 61-3-201, 61-3-202
  forfeiture of vehicle upon conviction of driving under the influence, effect, 61-8-421, 61-8-714, 61-8-722
  indemnification when, 61-3-208

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Security interests (Continued)

- insurance
    - company or adjuster, release secured by, 61-3-205, 61-3-211
    - fraud, 61-3-106
    - policy, copy to mortgagor or pledgor, 33-15-412
- new motor vehicles, 61-4-112
- notice of lien, 23-2-811, 61-3-103
- off-highway vehicles, 23-2-811, 23-2-812
- "owner" defined, 61-1-310
- perfection, 23-2-811, 61-3-103, 61-3-201
- records, 61-3-101
- registration applications, contents, 23-2-812, 61-3-303
- salvage vehicles, 61-3-211
- taxes and fees as lien, 61-3-503
- theft of vehicle, 61-3-106
- transfer of interest, 23-2-812, 61-3-201
- used motor vehicles, 61-4-111
- warranty, nonconformity to — refund to consumer and lienholder when, 61-4-503

Seizure of vehicle when, 61-3-202, 61-5-212, 61-8-422, 61-8-714, 61-8-722
Semitrailers, See **Trailers or semitrailers**
Shooting from or across highway, 61-8-369, 87-1-102, 87-2-803, 87-3-101
Shoulder of road, driving on, See **HIGHWAYS, Shoulders**
Signals, See also **Traffic-control devices**

- hand and arm, 61-8-336 — 61-8-338
- lights, 61-8-337, 61-8-382, 61-9-209, 61-9-218, 61-9-226, 61-9-402
- turning, 61-8-336, 61-8-337, 61-8-382, 61-9-416

Signs, See **Traffic-control devices**
Sirens, 61-9-401, 61-9-402
Size, weight, and load, See also **Gross vehicle weight**

- axles, 61-1-128
    - brake requirements, specific vehicles, 61-9-310 — 61-9-312
    - distance between, measuring, 61-10-106
    - loads, permissible, 61-10-107, 61-10-124, 61-10-130
        - exceeding when, 61-10-125, 61-10-144, 61-10-233
        - reduction when, 61-10-108
    - railroad crossings, moving heavy equipment at, 61-8-350
    - retractable, failure to use, 61-10-145
    - stinger-steered automobile or boat transporter, 61-10-104
- blanket permits, 61-10-123, 61-10-124
- conditions of permits, violation and confiscation of permits, 61-10-143, 61-10-146
- custom combiners' units, 61-10-124, 61-10-130
- dolly or converter gear, 61-1-113
- enforcement of provisions, 61-10-141
- excessive loads, removal, 61-10-141
- excess permitted when, 61-10-109, 61-10-110, 61-10-144
- excess size and weight permits, 61-10-121, 61-10-122, 61-10-124, 61-10-141, 61-10-144, 61-10-145
    - display, 61-10-142
    - fees, 61-10-124, 61-10-125
    - inspection, 61-10-142
    - interstate agreements, 61-10-113
- excess weight penalties, 61-10-144, 61-10-145
- federal laws, effect, 61-10-110
- fees for permits, 61-10-107, 61-10-124 — 61-10-126, 61-10-144
- fines, 61-10-130, 61-10-144 — 61-10-148
- governmental entities, permits for, 61-10-127
- gross weight permit, 61-10-107, 61-10-145, 61-10-146

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Size, weight, and load (Continued)

- hay, vehicles hauling, 61-10-102, 61-10-123, 61-10-145
- height, 61-10-103
- highway routing specified in permits, 61-10-107, 61-10-110, 61-10-124, 61-10-128
- length, 61-10-104, 61-10-124
- misrepresentations, 61-10-146
- multistate highway transportation agreement, 5-11-210, 61-10-1101
- perishable seed potatoes, vehicles carrying, 61-10-128
- records, 61-3-101
- restrictions imposed when, 61-10-128, 61-10-130, 61-10-147, 61-12-101
- rules, 61-10-129, 61-10-130, 61-10-155
- secured load requirement and exceptions, 61-8-370
- single trip permits, 61-10-104, 61-10-107, 61-10-121, 61-10-124, 61-10-125, 61-10-130, 61-10-144
- special vehicle combinations, 61-10-124, 61-10-129, 61-10-146
- speed limitations imposed when, 61-8-312, 61-10-128, 61-10-130, 61-10-147
- standards, 61-10-101, 61-10-144, 61-10-145
- term permits, 61-10-104, 61-10-107, 61-10-123 — 61-10-125, 61-10-145
- tolerance, 61-10-130, 61-10-144
- violations, 61-10-143 — 61-10-148, 61-12-206
  - jurisdiction of justices' court, 3-10-303
- weighing vehicles, 61-10-141
- width, 61-10-102, 61-10-124

Sledders, clinging to vehicles prohibited, 61-8-604
Slow-moving vehicles, 49-4-311, 61-8-311, 61-8-321, 61-8-328, 61-9-415, 61-9-513
Snowmobiles, operation in traffic, See **SNOWMOBILES, Roads and streets, operation on**
Snow-removal equipment, 61-9-226, 61-9-228
Solid waste, transportation — secured load requirement, 61-8-370
Spark arresters required when, 76-13-125
Special fuels use, Title 15, chapter 70, part 3, See **TAXATION, GASOLINE AND VEHICLE FUELS**
Special mobile equipment, 61-1-104

- brake requirements, exceptions, 61-9-302, 61-9-304
- cranes, excess weight permit, 61-10-124
- dealers, See **Dealers and wholesalers**
- identification plates, 61-3-431 — 61-3-434, 61-10-124
- liability insurance, exemption, 61-6-303
- registration exemptions, 61-3-313, 61-3-431
- road machinery, specific provisions
  - equipment provisions, applicability, 61-9-109
  - lighting equipment, 61-9-216, 61-9-513
  - reflectors, 61-9-216
  - slow-moving vehicle provisions, 61-9-415, 61-9-513
- seatbelts not required, 61-13-103
- taxation, assessment, 15-8-201, 61-3-431

Speed of vehicle

- basic rule, 61-8-303 — 61-8-305
- contests, 61-8-308, 61-8-717, 61-11-203
- custom combiners, limitations when, 61-10-130
- decrease, signal for, 61-8-336
- following too closely, 61-8-329
- funeral processions, 61-8-382
- habitual traffic offenders, 61-11-203
- harvest season products, vehicles carrying, 61-10-144
- haystack movers, 61-10-123
- limit
  - alteration, 61-8-303, 61-8-305, 61-8-309, 61-8-310, 61-10-128, 61-12-101
  - authorized emergency vehicles, 61-8-107

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Speed of vehicle (Continued)
  limit (Continued)
    disabled vehicles, warning signs, 61-9-416
    fuel conservation speed limit, 61-8-304 — 61-8-307, 61-8-718, 61-11-103
    hay, vehicles hauling, 61-10-102
    local authority, 7-14-2113, 7-14-4103, 61-8-306, 61-8-310, 61-8-313, 61-10-128
    lower, 61-8-306
    minimum set when, 61-8-311
    nighttime, 61-8-303, 61-8-309, 61-8-310, 61-8-312
    police vehicles, 61-8-107
    signs stating, 61-8-704, 61-10-128
  limitations, special, 61-8-309, 61-8-312, 61-8-313, 61-10-128, 61-10-130, 61-10-147
  parks, public — in, 61-12-101
  radar as measurement, 61-8-702 — 61-8-704
  restrictions, 61-8-303, 61-8-305, 61-10-128
  school bus, meeting or passing, 61-8-351
  slow-moving vehicles, 61-8-311, 61-9-415
  trucks, limitations, 61-8-312, 61-10-130
  violations, charging, 61-8-701
  "yield" intersection, 61-8-342
  zones, special, 61-8-309
Splash aprons, requirements, 61-9-407, 61-9-515
State lands, recreational use restrictions, 77-1-804
State-owned, See **STATE GOVERNMENT**, **Motor vehicles**
Stolen vehicles
  highway patrol officers, jurisdiction, 44-1-1001
  motor club services, 61-12-301
  salvage vehicles, 61-3-212
  state automated file, 61-3-106
  wrecking facility licenses — denial, suspension, or revocation when, 75-10-514
Stop, investigative — when, 46-5-401, See also **SEARCH AND SEIZURE**
Stop signs
  intersections, vehicles entering, 61-8-341
  railroad grade crossings, 61-8-348
  stopping, standing, or parking prohibited when, 61-8-354
  vehicles must stop at and exceptions, 61-8-107, 61-8-344, 61-8-380, 61-8-383, 61-8-502
Stop, stopping, or standing, 61-1-407
  alley, driveway, or building — before emerging from, 61-8-345
  authorized emergency vehicles, 61-8-107
    approach of, operation of vehicle on, 61-8-346, 61-9-402
  brakes, See **Brakes**
  disabled vehicles, 61-8-353
  funeral processions, 61-8-380
  illegally stopped vehicles, removal, 61-8-705
  local authorities, regulation, 61-12-101
  off-highway vehicles, 23-2-821
  outside business or residence districts, 61-8-353
  police vehicles, 61-8-107
    approach of, operation of vehicle on, 61-8-346, 61-9-402
  prohibited when, 61-8-354, 61-8-355
  railroad grade crossings, 61-8-347 — 61-8-350
  school buses, upon meeting or overtaking, 61-8-301, 61-8-351
  school safety patrols, 61-8-502
  signal for, 61-8-336 — 61-8-338
  starting parked vehicle, 61-8-335
  tow trucks, 61-9-416
  trains, on approach of, 61-8-347

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Stream access law, landowner permission required when, 23-2-302
Streams, ordinary high-water mark — operation below prohibited when, 61-8-371
Taxes, See also **Fees**
  assessment, 15-8-111, 15-8-201, 15-8-202, 15-24-305, 61-3-303, 61-3-431, 61-3-503, 61-3-507, 61-3-520
  average trade-in or wholesale value, 15-1-101, 61-3-503
  computation, 61-3-504
  disposition, 15-24-102, 15-24-105, 15-71-104, 61-3-325, 61-3-502, 61-3-509, 61-3-537
  due when, 61-3-501
  exemptions, 15-6-201, 15-6-215, 61-3-332, 61-3-502, 61-3-507, 85-7-2011
    gross vehicle weight fee exemption, 61-10-214
  fees in lieu of
    campers, 61-3-509, 61-3-519, 61-3-521, 61-3-523
    disabled veterans, 61-3-332
    motorcycles, 61-3-509, 61-3-527
    motor homes, 61-3-509, 61-3-521, 61-3-522
    off-highway vehicles, 23-2-803, 23-2-804, 23-2-810, 23-2-817
    travel trailers, 61-3-509, 61-3-521, 61-3-523
  fleet registration, 61-3-325
  fleets, international fuel tax agreement, 15-70-104, 15-70-121, 15-70-122, 15-70-302
  fleets, property tax, 15-24-101 — 15-24-105, 61-3-722
  foreign vehicles, 61-3-701, 61-3-703, 61-3-704, 61-3-707
  fuel taxes, Title 15, chapter 70
  irrigation district vehicles, exemption, 85-7-2011
  liquefied petroleum gas
    alternative fuel conversion, income tax credits, 15-30-164, 15-31-137
    license tax on vehicles propelled by, 15-71-101 — 15-71-105, 15-71-110, 61-12-206
  local option, 61-3-509, 61-3-537, 61-3-701
  market value, 15-8-111, 15-8-202, 61-3-503
  migratory property, taxed as, 15-24-301, 15-24-302
  minimum value, 61-3-503
  motion pictures, vehicles used for filming, 15-6-215, 15-24-305, 61-3-507, 61-3-520
  new vehicle sales tax, 15-16-202, 61-3-303, 61-3-501, 61-3-502, 61-3-506, 61-3-605, 61-12-206
  nonresidents, temporary employment in state, 61-3-701, 61-3-707
  payment, 15-16-202, 61-3-201, 61-3-303, 61-3-317, 61-3-325, 61-3-506, 61-3-701
  propane powered vehicles
    alternative fuel conversion, income tax credits, 15-30-164, 15-31-137
    license tax on, 15-71-101 — 15-71-105, 15-71-110, 61-12-206
  proration, 61-3-501, 61-3-506, 61-3-520
  rate of tax, 15-6-138, 61-3-504
  registration, payment required prior to, 15-16-202, 61-3-303
  rulemaking authority, 61-3-506
  school district funding, consideration in computation, 15-24-102, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146
  special mobile equipment, 15-8-201, 61-3-431
  statutes providing for, effective date, 1-2-201
  television commercials, vehicles used for filming, 15-6-215, 15-24-305, 61-3-507, 61-3-520
  trailers, See **TAXATION, PROPERTY**, **Recreational vehicles**
  trailers and semitrailers — classification, exemption, and rate of tax, 15-6-138, 15-6-201
  transferred vehicles, 61-3-317
  trucks and truck tractors, 15-24-2501
  trucks — classification, market value, exemption, and rate of tax, 15-6-138, 15-6-201, 15-8-111
Television commercials, vehicles used for filming
  registration and license plates, exception, 61-3-301
  taxes, 15-6-215, 15-24-305, 61-3-507, 61-3-520

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Theft, 61-3-106, 61-8-356, 61-12-301
Theft alarm signal devices, 61-9-401
Tires
  chains or traction devices, 61-9-406, 61-9-519, 61-9-520
  load limit per inch of tire width, 61-10-107, 61-10-130, 61-10-144
  metal tire, 61-1-127, 61-9-406
  pneumatic tire, 61-1-125, 61-3-321, 61-9-406
  recycled materials, from — purchase by state government, 75-10-806
  restrictions, 61-9-406, 61-9-519
  snow tires, 61-9-406, 61-9-519, 61-9-520
  solid tire, 61-1-126, 61-8-313, 61-9-406
Title, See **Certificates of ownership**
Tow bars, rules for, 61-9-504
Towed vehicles, brake requirements, 61-9-304, 61-9-309, 61-9-311
Towing companies, Title 61, chapter 12, part 3
Towing units
  brake requirements, 61-9-304 — 61-9-306, 61-9-308, 61-9-310, 61-9-311
  chain or cable required, 61-9-208, 61-9-504
  following other vehicles, 61-8-329
  length, 61-10-104, See also **Size, weight, and load**
  speed limitations, 61-8-312
Tow trucks, 61-9-416, See also **Authorized emergency vehicles**
  citation of Montana professional tow truck act, 61-8-901
  classification standards, 61-8-905, 61-8-907, 61-8-908
  definitions, 61-8-903, 61-9-416
  "emergency service vehicles" defined, 61-1-120
  good faith immunity, 61-8-909
  inspections, 61-8-904, 61-8-907, 61-8-908, 61-8-910
  law enforcement rotation system, 61-8-904, 61-8-905, 61-8-907, 61-8-908
  liability insurance, 61-8-904, 61-8-906 — 61-8-908, 61-8-910
  prohibitions and exceptions, 61-8-904
  purpose of provisions, 61-8-902
  rulemaking authority, 61-8-905, 61-8-911
  storage requirements, 61-8-906
  violations, 61-8-910, 61-9-517
Trackless trolley coach, 61-1-122
Track-type vehicles, 61-9-406
Traffic, 61-1-401
  rotary traffic islands, 61-8-327
Traffic-control devices, 61-1-402, 61-1-403, See also **Signals**
  advertising upon, prohibited, 61-8-210
  approach of — stopping, standing, or parking prohibited when, 61-8-354
  caution signs, portable, 61-8-210
  controlled-access roadways, 61-8-332
  crossings, to mark, 61-8-101, 61-9-101
  flag persons or vehicles, See **Flag persons or vehicles**
  flashing signals, 61-8-209
  funeral processions, 61-8-201, 61-8-380, 61-8-383
  green light or "go", 61-8-207
  highways, placement on, 60-2-204, 61-8-203
  injury to or removal of, 61-8-204, 61-8-205, 61-8-713
  intersections, 61-8-207, 61-8-333
    at place other than, 61-8-207
  local authorities, placement by, 61-8-203, 61-8-206, 61-8-333, 61-12-101
  manufacture of signs, institutional industry, 53-1-301

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Traffic-control devices (Continued)

- motorist information signs, restrictions, 60-5-513, 60-5-521
- no-passing zones, 61-8-326
- obedience to and exceptions, 61-8-201, 61-8-344, 61-8-354, 61-8-380, 61-8-383
- one-way roadways, 61-8-327
- pedestrian control signals, 61-8-208, 61-8-501, See also **PEDESTRIANS**
- radar, signs stating use of, 61-8-704
- railroad grade crossing signal, nonapplicability to — when, 61-8-349
- red light or "stop", 61-8-207, 61-8-209
- red with green arrow, 61-8-207
- slow-moving vehicles, 61-8-328
- speed limits, 61-8-310, 61-8-313, 61-10-128
- speed zones, 61-8-309
- traction equipment requirements, signs, 61-9-406
- turnouts, 61-8-311
- unauthorized, 61-8-210, 61-8-706, 61-8-712
- underground communication lines, Title 69, chapter 4, part 3
- uniform system, manual for, 60-5-513, 60-5-514, 61-8-202
- weight limitations, designating, 61-10-128
- yellow light or "caution", 61-8-207, 61-8-209, 61-8-210

Traffic regulation generally
- application of laws, 61-8-101, 61-9-101
- bicycles, applicability, 61-8-602, 61-8-609
- county roads, limitations or prohibitions when, 7-14-2127
- enforcement, 7-32-201, 44-1-303, 61-8-111, 61-8-112; Title 61, chapter 8, part 7
- funeral processions, 61-8-201, 61-8-382
- local authorities, powers, 7-5-108, 7-14-4102, 7-14-4103, 61-8-103, 61-9-103, 61-12-101
- obedience to, 61-8-104, 61-8-105, See also **Traffic-control devices**
- parking regulations subject to, 7-14-4622
- pedestrians, subject to, 61-8-501, See **PEDESTRIANS**
- public officers and employees, responsibilities, 61-8-106
- roadblocks, 46-1-202, 46-5-502, 46-5-510
- uniformity, 61-8-102, 61-8-103, 61-9-103

Traffic safety program, 2-15-2007
- definitions, 61-2-102
- duties of governor and department of justice, 61-2-103
- 55 alive mature driving program, 33-16-203, 33-16-221 — 33-16-225
- funds, 61-2-104
- local programs, 61-2-105
- purpose, 61-2-101
- seatbelt use, education program for, 61-13-105

Trailers or semitrailers, 61-1-102, 61-1-111, 61-1-112, See also **Size, weight, and load**
- bicycle trailers or semitrailers, 61-8-604
- brake requirements, 61-9-301, 61-9-304 — 61-9-307, 61-9-309, 61-9-310, 61-9-312
- custom combiners, 61-10-124, 61-10-130
- dealers and wholesalers, See **Dealers and wholesalers**
- "dolly or converter gear" defined, 61-1-113
- fenders, splash aprons, or flaps — requirements, 61-9-407, 61-9-515
- fleet registration, 61-3-721, See also **Fleet vehicle registration**
- gross vehicle weight, See also **Gross vehicle weight**
  - fees, 61-10-203, 61-10-206, 61-10-211 — 61-10-213, 61-10-232, 61-10-233
  - license, transferability, 61-10-224
- hitches, rules for, 61-9-504
- identification numbers, 61-3-107
- length, 61-10-104
- license plates, 61-3-301, 61-3-332, 61-3-401, See also **License plates**

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Trailers or semitrailers (Continued)

- lighting equipment, 61-9-204, 61-9-205, 61-9-207 — 61-9-213
- lowboy trailers, 61-10-206, 61-10-224
- manufacturers, See **Manufacturers, distributors, and importers**
- new vehicle sales tax, exemption, 61-3-502
- overtime compensation exclusions for sales and service personnel, 39-3-406
- pole trailers, See **Pole trailers**
- records, 61-3-101
- reflectors, 61-9-205, 61-9-207 — 61-9-211
- registration, See also **Registration**
  - fees, 61-3-321
  - staggered, exception, 61-3-313
- tax classification, exemption, and rate of tax, 15-6-138, 15-6-201, See also **Taxes**
- tire equipment, 61-9-406
- tow bars, rules for, 61-9-504
- towing unit, chain or cable on, 61-9-208
- travel trailers, 61-1-131, 61-1-132
  - fees in lieu of taxes, 61-3-509, 61-3-521, 61-3-523
    - school district funding, consideration in computation, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146
  - registration, 61-3-526, 61-3-535
  - state parks recreational vehicle fee, 61-3-512
  - tax exemption, 15-6-201
- warning devices, 61-9-412, See also **Warning devices**

Transient retail merchants, premises for, See **TRANSIENT RETAIL MERCHANTS**, generally
Transporters, driveaway or towaway

- brake requirements, 61-9-304
- disposition of fees, 61-4-303
- exemptions from fees, 61-4-306
- gross vehicle weight fees, applicability, 61-4-305
- motor carrier fees, fees in addition to, 61-4-304
- one-trip fee, 61-4-302
- permit and transit plates or devices, 61-4-301, 61-4-307, 61-4-308
- violations, 61-12-206

Transporters, stinger-steered automobile or boat, 61-10-104
Trapping licenses, residence requirement, 87-2-102
Travel trailers, See **Trailers or semitrailers**
Trespass, criminal, 45-6-201, 45-6-202
Truck or road tractors, 61-1-108, 61-1-110, See also **Size, weight, and load**

- brake requirements, 61-9-304, 61-9-306, 61-9-310, 61-9-311
- fenders, splash aprons, or flaps — requirements, 61-9-407, 61-9-515
- following other vehicles, 61-8-329
- gross vehicle weight, See also **Gross vehicle weight**
  - fees, 61-10-201, 61-10-203, 61-10-209, 61-10-211 — 61-10-213, 61-10-232, 61-10-233
  - license, transferability, 61-10-224
- lighting equipment, 61-9-204, 61-9-207 — 61-9-213, 61-9-216
- reflectors, 61-9-207 — 61-9-211, 61-9-216
- speed limitations, 61-8-312
- taxation, 15-24-2501, See also **Taxes**
- warning devices, 61-9-411, 61-9-412, See also **Warning devices**
- weight fees, 61-10-201
- windshields and windows, safety glazing material, 61-9-408

Trucks, 61-1-107, See also **Size, weight, and load**; **MOTOR CARRIERS**, generally

- agricultural commodity dealers, 80-4-601, 80-4-602, 80-4-605
- brake requirements, 61-9-304, 61-9-306, 61-9-310, 61-9-311
- custom combiners, 61-10-124, 61-10-130

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Trucks (Continued)

- fenders, splash aprons, or flaps — requirements, 61-9-407, 61-9-515
- following other vehicles, 61-8-329
- grain trucks, 80-4-722
- gross vehicle weight, See also **Gross vehicle weight**
    - fees, 61-10-201, 61-10-203, 61-10-206, 61-10-209, 61-10-211 — 61-10-213, 61-10-232, 61-10-233
    - license, transferability, 61-10-224
- length, 61-10-104
- license plates, 61-3-332, See also **License plates**
- lighting equipment, 61-9-205, 61-9-207 — 61-9-213
- logging, 61-3-321, 61-9-414, 61-10-104, 61-10-124
- reflectors, 61-9-205, 61-9-207 — 61-9-211
- speed limitations, 61-8-312
- tax classification, market value, exemption, and rate of tax, 15-6-138, 16-6-201, 15-8-111, 15-24-2501, See also **Taxes**
- tow trucks, See **Tow trucks**
- warning devices, 61-9-411, 61-9-412, See also **Warning devices**
- weight fees, 61-10-201
- windshields and windows, safety glazing material, 61-9-408

Turning
- authorized emergency vehicles, 61-8-107
- curve or crest of grade, prohibited, 61-8-334
- funeral processions, 61-8-380
- intersections, at, 61-8-207, 61-8-321, 61-8-333, 61-8-336, 61-8-340, 61-12-101
- left turns, 61-8-207, 61-8-321, 61-8-324, 61-8-328, 61-8-331, 61-8-333, 61-8-336, 61-8-338, 61-8-340, 61-9-226
- movements, 61-8-336
- police vehicles, 61-8-107
- right turns, 61-8-207, 61-8-333, 61-8-336, 61-8-338, 61-8-502, 61-9-226
- signals, requirements, 61-8-336 — 61-8-338, 61-8-382, 61-9-209, 61-9-218, 61-9-226, 61-9-416
- u-turns, 61-8-331

Turnouts, 61-8-311
Unattended vehicles, 61-8-357, 61-8-705
Uninsured motorist coverage, 33-23-201, 33-23-203, See also **Liability insurance**
University system regulations, See **UNIVERSITY SYSTEM, Motor vehicle regulations**
Unsafe condition, driving vehicle in, 61-9-109, 61-9-501
Urban district, 61-1-410
- speed limit, 61-8-303, 61-8-305, 61-8-310
- turning movements and signals, 61-8-336

Vans, 61-1-138, 61-9-405, 61-9-407, 61-9-515
Violations
- abandoned vehicle provisions, 61-12-408
- accidents
    - failure to stop and remain at scene, 61-7-103, 61-7-104, 61-11-203
    - report provisions, 61-7-110, 61-7-118
- arrests, 44-1-1001, 44-1-1003, 61-1-304, 61-1-305, 61-8-703, 61-8-704, 61-10-148, 61-12-206, 61-12-701
    - guaranteed arrest bond certificates, 46-9-412, 46-9-414
    - peace officers, by, 44-1-1005, 61-10-141, 61-12-202, 61-12-203, 61-12-206, 61-12-208
    - reports concerning, 61-2-106
- auto auction provisions, 61-4-105, 61-4-120
- brake lights, failure to have, 61-9-206
- camper decal requirements, 61-3-606
- careless driving, 61-8-716
- certificates of ownership
    - certificate or assignment of, alteration or forgery, 61-3-603

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Violations (Continued)
- certificates of ownership (Continued)
  - dealers or wholesalers, assignment — failure to take, 61-4-104
  - erroneous, failure to return, 61-3-201
- child safety restraint systems, failure to have, 61-9-423
- commercial vehicle operators, 61-8-801 — 61-8-806, 61-8-809 — 61-8-812
- controlled-access highways, use restrictions, 61-8-331, 61-8-332, 61-8-720
- convictions, 61-5-213, 61-8-714, 61-8-722, 61-11-203, See also specific violation
  - abstracts, 61-5-405, 61-11-102, 61-11-204, 61-11-207
  - accidents, inclusion in driving record, 61-11-105
  - driver license compact
    - court abstracts or reports of convictions, disposition, 61-5-405
    - validity under, 61-5-406
  - drivers' licenses
    - false statements or affidavits, 61-5-303, 61-5-405
    - out-of-state convictions, effect, 61-5-204
    - revocation or suspension, 61-5-205, 61-5-206, 61-5-208, 61-5-405, 61-8-722, 61-8-803, 61-8-804, 61-8-809 — 61-8-812
  - driving
    - alcohol concentration, excessive, 61-5-205, 61-5-208, 61-8-722
    - privilege, suspension or revocation, 61-5-205, 61-5-206, 61-5-208, 61-6-131
    - record, inclusion, 61-11-105
    - under the influence of alcohol or drugs, 61-5-205, 61-5-208, 61-5-405, 61-8-408, 61-8-421, 61-8-714, 61-8-722, 61-11-203
  - felony in commission of which motor vehicle is used, 61-5-205, 61-5-405
  - forfeiture of bail
    - disposition, 20-7-505, 53-9-109, 61-12-701
    - failure to forfeit, 61-5-214
    - older drivers, insurance premium discount — effect on, 33-16-223
    - records, 61-6-142, 61-11-101
  - nonresidents, 61-6-131, 61-11-102
  - older drivers, insurance premium discount — effect on, 33-16-223
  - out-of-state, effect, 61-5-204, 61-8-714, 61-8-722
  - point system, 61-11-203, 61-11-210, 61-11-211
  - records, 61-5-205, 61-5-212, 61-6-142, 61-8-714, 61-8-722, 61-8-803, 61-8-811, 61-11-101, 61-11-102, 61-11-204, 61-11-207, 61-11-213
    - dissemination, 44-5-301
  - reports, 61-2-106, 61-5-405, 61-11-101
  - speed limit, fuel conservation — violations, 61-11-103
- criminal charge, filing when offense committed in transit, 46-3-114
- criminal history record information, exclusion, 44-5-103
- custom combiner's trucks and trailers, exceeding weight tolerance, 61-10-130
- deaf persons, interpreters for — applicability of provisions, 49-4-503
- dealers and wholesalers, 61-4-105
  - certificates of ownership or origin, assignment — failure to take, 61-4-104
  - judgment for loss or damage caused by, 61-4-101
  - new vehicles towed into state, failure to label and issue certificate, 61-4-113
  - succession to ownership provisions, 61-4-136
  - twenty-day permit provisions, 61-4-111, 61-4-119, 61-4-121
- deliberate homicide, 61-11-203
- drag racing, 61-8-717, 61-11-203
- drivers' licenses, 61-5-307, 61-12-206
  - false statements or affidavits, 61-5-302, 61-5-303, 61-5-405
  - issuance unlawful when, 61-5-309
  - manufacture, unauthorized, 61-5-309
  - possession or control of more than one, 61-5-111
  - restricted, violation of restrictions imposed in, 61-2-302, 61-5-113, 61-11-101

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Violations (Continued)
- drivers' licenses (Continued)
  - surrender, failure to, 61-6-151
  - suspension for offenses, when, 61-5-214
  - use unlawful when, 61-5-302
- driving privilege, suspension for offenses when, 61-5-214
- driving while
  - alcohol concentration excessive, 61-8-406, 61-8-722
  - license suspended or revoked, 61-5-212, 61-6-151, 61-11-203
  - under the influence of alcohol or drugs, 61-8-401, 61-8-406, 61-8-408, 61-8-714, 61-8-722, 61-11-203
- emergency vehicles privately owned, unauthorized use of red light, 61-9-514
- equipment provisions generally, 61-9-104, 61-9-511, 61-9-512
- felonies, 61-11-203
- fender, splash apron, or flap provisions, 61-9-407, 61-9-515
- financial responsibility provisions, 61-6-151
- fines and forfeitures, See also specific violation
  - cities and towns, prescribing and enforcement, 7-14-4103, 61-8-401
  - court costs and county fees and expenses, 61-12-702
  - crime victims compensation and assistance account, funding, 53-9-109
  - disposition, 20-7-505, 23-2-814, 53-9-109, 61-10-148, 61-12-701, 61-12-702
  - driver's license reinstatement fee in addition to, 61-2-107, 61-5-214 — 61-5-216
  - failure to pay, 61-5-214, 61-7-118, 61-8-711, 61-9-511
  - minors, offenses committed by, 61-8-723
  - traffic education account, apportionment and transmittal, 20-7-505
- fingerprinting and photographing of accused when, 44-5-202
- foreign vehicle registration provisions generally, 61-3-704
- gross vehicle weight, 61-10-232
  - excess weight, 61-10-130, 61-10-233
  - fees, failure to make payment, 61-10-209
  - jurisdiction of justices' court, 3-10-303
  - license expiration, operation of vehicle following, 61-10-209
- habitual traffic offenders, operation of vehicle when, 61-11-213
- highway patrol officers' authority, 44-1-1001, 44-1-1003
- hunting or shooting from, 61-8-369, 87-1-102, 87-3-101
- identification cards, unlawful issuance or use, 61-5-302, 61-5-309
- identification numbers, altering or obscuring, 45-6-326, 61-3-604
- insurance fraud, reporting, 61-3-106
- junk vehicles as reinforcement in rivers and streams, 75-7-106
- liability insurance
  - cancellation, termination, nonrenewal, or premium increase as result of violations, 61-6-103
  - carriers, notice of cancellation provisions, 33-23-212
  - lack of, 61-6-301, 61-6-302, 61-6-304, 61-11-203
- license plate provisions, 61-3-301, 61-3-455, 61-3-601, 61-4-105
- lighting equipment
  - lack of, 61-9-109, 61-9-206, 61-9-513
  - red light, unauthorized use on privately owned emergency vehicles, 61-9-514
- littering, 61-8-365
- machine gun found in, 45-8-306
- manufacturers, distributors, and importers, 61-4-210, 61-4-405
- minors, committed by — punishment, 61-8-723
- mitigated deliberate homicide, 61-5-405, 61-11-203
- motorcycles
  - headgear or noise suppression device provisions, 61-9-518
  - unauthorized use, 45-6-308
- moving violations, 33-16-223, 61-8-803, 61-11-203, 61-13-104
- negligent homicide, 61-5-205, 61-5-405, 61-11-203

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Violations (Continued)

- negligent vehicular assault, 45-5-205, 61-5-205, 61-11-203
  - home arrest, ineligibility, 46-18-1001, 46-18-1004
- new vehicle sales tax, nonpayment, 61-3-605, 61-12-206
- no-passing zone, passing in, 61-8-724
- odometers, tampering or violation of requirements, 61-3-607
- off-highway vehicles
  - decal, failure to display, 23-2-807
  - nonresident temporary-use permit, failure to display or false statements, 23-2-814
- older drivers, insurance premium discount — effect on, 33-16-223
- out-of-state, effect, 61-5-206
- parking, citations by private parking services, 61-12-102
- public property, leaving vehicle on, 61-8-719
- quadricycles
  - headgear or noise suppression device provisions, 61-9-518
  - unauthorized use, 45-6-308
- reckless driving, 61-5-205, 61-5-405, 61-8-715, 61-11-203
- refuse on highway, 61-8-365
- registration provisions generally, 44-1-1003, 61-3-601, 61-3-704, 61-12-206
  - receipts, erroneous — failure to return, 61-3-201
- salvage vehicle provisions, noncompliance, 61-3-212
- school
  - buses
    - flashing lights, operation when, 61-8-352
    - meeting or passing, failure to stop — when, 61-8-351
    - passing, in either direction — when, 61-8-715
  - children, driving through groups of, 61-8-502
- seatbelts, failure to use or lack of, 61-9-409, 61-9-516, 61-13-103, 61-13-104
- seizure or forfeiture, vehicle subject to — sale or transfer, 61-8-422
- size, weight, and load, 61-10-143 — 61-10-148, 61-12-206
  - jurisdiction of justices' court, 3-10-303
- slow-moving vehicles, operation when, 61-9-415, 61-9-513
- snow-removal equipment, noncompliance with lighting provisions, 61-9-228
- speed of vehicle
  - charging violations, 61-8-701
  - contests or drag racing, 61-8-717, 61-11-203
  - limit, speed in excess of, 61-8-303, 61-8-304, 61-8-718, 61-10-147, 61-11-103, 61-11-203
  - radar used in measurement, 61-8-702 — 61-8-704
- switchblade knives within, 45-8-331
- theft, reporting, 61-3-106
- tires
  - chains or traction equipment, failure to use, 61-9-520
  - restrictions, 61-9-519
- tow truck requirements, 61-8-910, 61-9-517
- traffic-control devices
  - injury to or removal of, 61-8-204, 61-8-205, 61-8-713
  - placement on highways, when, 61-8-203
  - unauthorized, erection, 61-8-712
- traffic, obstructing, 10-1-602, 45-8-101, 45-8-111
- traffic regulations
  - obedience to, lack of, 61-8-104
  - violations generally, 61-8-104, 61-8-711
- transporters, driveaway or towaway, 61-12-206
- trespass, criminal, 45-6-201, 45-6-202
- unsafe condition, driving vehicle in, 61-9-109
- use of vehicle unlawful when, 45-6-308, 61-6-304, 61-10-209

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Violations (Continued)

- warranty on new vehicle provisions, penalty, 61-4-533
- window tinting or sunscreening, 61-9-429
- wrecking facilities and graveyards generally, 75-10-542

Volunteer emergency medical personnel, privately owned vehicles — use of red lamps, 61-9-227
Warning devices, 61-9-401, 61-9-411, 61-9-412, See also **Reflectors**; **Traffic-control devices**
- brakes, for, 61-9-311
- flag persons or vehicles, See **Flag persons or vehicles**
- horns, 61-8-504, 61-9-401
- lighting equipment, 61-8-382, 61-9-219, 61-9-226, 61-9-402, 61-10-123
- school buses, 20-10-111
- slow-moving vehicles, 61-9-415
- tow trucks, 61-9-416

Warranty on new vehicles
- affirmative defenses, 61-4-506
- annual audit of manufacturer, filing, 61-4-512
- arbitration, 61-4-515
  - appeals, 61-4-519, 61-4-520
  - decisions, 61-4-519, 61-4-526
  - de novo, 61-4-520
  - implementation, 61-4-517
  - nonconforming procedures, 61-4-520
  - panel, 61-4-515, 61-4-516, 61-4-518 — 61-4-520
  - role of department of commerce, 61-4-518
- dealers
  - exemption and liability to manufacturer, 61-4-505
  - repair and maintenance, performance and compensation, 61-4-204, 61-4-505
- definitions, 61-4-501
- informal dispute settlement procedure, 61-4-507, 61-4-511, 61-4-512, 61-4-515, 61-4-520
- nondelegable liabilities and obligations, 61-4-531
- notices
  - arbitration, request for — filing, 61-4-517
  - informal dispute settlement procedure certification, suspension or revocation, 61-4-512
  - nonconformity, of — to manufacturer, 61-4-501, 61-4-502
  - resale of replaced vehicle, disclosure statement, 61-4-525
- penalty for violations, 61-4-533
- period of warranty, 61-4-501, 61-4-502
- product liability, dealer and manufacturer, 61-4-204
- reasonable number of attempts to conform, 61-4-503, 61-4-504
- records of disputes, 61-4-526
- remedies
  - arbitration decisions to provide, 61-4-519
  - federal law, exhaustion under, 61-4-507
  - informal dispute settlement, effect, 61-4-511
  - provisions nonexclusive, 61-4-506
- repair of vehicle, 61-4-502, 61-4-519
- replacement or return of vehicle and refund, 61-4-502, 61-4-503, 61-4-507, 61-4-511, 61-4-512, 61-4-519
  - resale, disclosure statement, 61-4-525
- rules, 61-4-525, 61-4-532
- uniform commercial code, applicability, 61-4-506

Weigh stations, 15-24-203, 15-24-206, 60-4-103, 61-10-141, 61-12-201
Weight, See **Gross vehicle weight**; **Size, weight, and load**
Wheelchairs, motorized — use and regulation, 49-4-311, 49-4-312
Wholesalers, See **Dealers and wholesalers**
Wide loads, See **Size, weight, and load**

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Windshields and windows
- collector's item vehicles, original license plate validating decal, 61-3-412
- obstructions prohibited, 61-9-405
- safety glazing material, 61-9-405, 61-9-408
- sticker provisions, 61-3-317, 61-3-342, 61-3-707
- tinting or sunscreening, 61-9-405, 61-9-428, 61-9-429
- twenty-day permit provisions, 61-4-111, 61-4-112, 61-4-121, 61-10-222
- vehicle purchase sticker, display, 61-3-317
- wipers, 61-9-405

Wreckers, See Tow trucks

Wrecking facilities and graveyards
- abandoned vehicles in possession, notice requirements, 61-12-402
- administration of provisions, 75-10-503, 75-10-533
- application for facility or graveyard, 75-10-516
- auto auctions, 61-4-120
- certificates of ownership for vehicles, 61-3-211, 75-10-512 — 75-10-514, 75-10-522
- county recycling and disposal programs, 75-10-503, 75-10-521, 75-10-534
- crushing and recycling of vehicles, 75-10-531, 75-10-532
- dealer and wholesaler provisions, nonapplicability, 61-4-101
- definitions, 75-10-501
- evidence of facility, 75-10-502
- fees, 75-10-511, 75-10-513, 75-10-532, 75-10-533
- individuals' use of graveyard, 75-10-522
- injunction, 75-10-541
- inspections, 75-10-503, 75-10-512, 75-10-521, 75-10-541
- insurance companies, disposal of vehicle, 75-10-520
- junk vehicles, 75-10-501, See also **JUNKYARDS**
  - abandoned vehicles as, 61-12-402
  - control, rules, 75-10-503
  - crushing and recycling, 75-10-531
  - disposal, 61-3-508, 61-12-402, 75-10-513, 75-10-521, 75-10-522, 75-10-532, 75-10-533
  - floodplains, as obstructions within, Title 76, chapter 5, See **FLOODPLAINS AND FLOODWAYS, Obstructions**
  - license plate exemption, 61-3-301
  - possession as evidence of wrecking facility, 75-10-502
  - records, 61-12-402, 75-10-512, 75-10-513
  - removal to facility, 61-4-310, 75-10-505
  - rivers and streams, as reinforcement — prohibited, 75-7-106
  - sale, 75-10-503, 75-10-521, 75-10-532, 75-10-534
  - salvage value, 75-10-534
  - shielding, 75-10-503, 75-10-505
  - single movement permit exemption, 61-4-310
  - transporters, exemption from motor carrier laws, 69-12-102
- licenses, 75-10-503, 75-10-504, 75-10-511, 75-10-514 — 75-10-516, 75-10-532
- records, 61-12-402, 75-10-503, 75-10-512, 75-10-513
- recycling and crushing of vehicles, 75-10-531, 75-10-532
- relocation or removal, 75-15-223
- report of fees required, 75-10-533
- rules, 75-10-503, 75-10-513, 75-10-514, 75-10-521, 75-10-541, 75-10-542
- salvage vehicles, 61-3-211, 61-3-212
- shielding, 75-10-501, 75-10-503 — 75-10-505, 75-15-223
- violations and penalties, 75-10-541, 75-10-542

MOUNTAIN VIEW SCHOOL, 20-25-421, 41-5-103, 41-5-526, 52-5-108, 52-5-109, 52-5-112, 53-1-104
- See **YOUTH COURT, Correctional facilities**

MULES
  See generally **HORSES AND HORSERACING; LIVESTOCK; MEAT AND MEAT PRODUCTS; TAXATION, PROPERTY, Livestock**

MULTISTATE HIGHWAY TRANSPORTATION AGREEMENT, 61-10-1101

MULTISTATE TAX COMPACT, COMMISSION, AND ADVISORY COUNCIL, 2-15-1311, 15-1-601 — 15-1-603, See also **TAXATION, GENERAL PROVISIONS**

MUNICIPAL COMMISSION GOVERNMENT
Abandonment of form, 7-3-4227
Accounts and Finance, Department of, 7-3-4253
Accounts, Finance, and Public Property — Department of, 7-3-4253, 7-3-4254
Actions of former government, continuation, 7-3-4206
Affidavit required when, 7-3-4207
Aldermen, See **Councilmen**
Appropriations, 7-3-4222, 7-3-4267
Authorization, 7-3-4202
Business, conduct, 7-3-4221
Cemetery trustees, 7-3-4254
Civil service
  applicability of provisions, 7-3-4264
  commission business, conduct, 7-3-4261
  commissioners, 7-3-4257
  discharge of employees, 7-3-4259
  examinations, 7-3-4258
  investigatory powers of council, 7-3-4260
  nonpartisan appointments, 7-3-4262
  violation of provisions, 7-3-4265
Claims of former government, continuation, 7-3-4206
Contracts, 7-3-4222, 7-3-4256
Council
  appeals to, 7-3-4259
  appropriations, revision when, 7-3-4267
  business, conduct, 7-3-4221, 7-3-4253
  bylaws, alteration or repeal, 7-3-4204
  civil service, See **Civil service**
  councilmen, filling vacancy in office, 7-3-4218
  departments, 7-3-4253, 7-3-4254
  election, call for, 7-3-4213
  financial statement, 7-3-4266
  mayor, filling vacancy in office, 7-3-4218
  meetings, 7-3-4220, 7-3-4221, 7-3-4251
  officers and employees, See **Officers and employees**
  offices, 7-3-4219
  ordinances and resolutions, 7-3-4204, 7-3-4222
  powers, 7-3-4252, 7-3-4260
  proceedings, report, 7-3-4266
  reorganization, petition filed with, 7-3-4208
Councilmen, 7-3-4201
  city, to govern, 7-3-4205
  compensation, 7-3-4255
  election of, 7-3-4213 — 7-3-4215
  meetings called by, when, 7-3-4220
  oath, 7-3-4217

MUNICIPAL COMMISSION GOVERNMENT (Continued)
Councilmen (Continued)

  official bonds, 7-3-4217, See also **SURETY BONDS, City officers and employees; Official bonds**
  ordinances and resolutions, signing, 7-3-4221
  term of office, 7-3-4214, 7-3-4216
  vacancy in office, 7-3-4218
  voting rights, 7-3-4205
Definitions, 7-3-4201
Departments
  structure and operation, 7-3-4253
  supervision, 7-3-4221, 7-3-4254
Effect of provisions, 7-3-4203
Elections, 13-1-104, 13-1-107, 13-1-301, 13-1-302, 13-1-401
  abandonment of commission form, for, 7-3-4227
  ballot, form, 7-3-4210, 7-3-4227, 7-3-4231
  call for, 7-3-4208, 7-3-4213
  conduct of, 7-3-4211, 7-3-4213
  “electors” defined, 7-3-4201
  franchises, authorization or approval, 7-3-4223
  general provisions, 7-3-4231
  officers, for, 7-3-4213 — 7-3-4215, 7-3-4218
  ordinances, regarding, 7-3-4222
  proclamation and notice, 7-3-4209, 7-3-4213
  reorganization, for, 7-3-4208 — 7-3-4212
  results, effect, 7-3-4212, 7-3-4227
Employees, See **Officers and employees**
Fire departments
  applicability of provisions, 7-33-4102
  employees, 7-3-4259
Franchises, 7-3-4201
  ordinances regarding, 7-3-4222, 7-3-4223
  transportation, free — for city officials, 7-3-4256
Laws, 7-3-4203, 7-3-4204
Liability of former government, continuation, 7-3-4206
Library Trustees, Board of, 7-3-4252, 7-3-4254
Mayor
  city, to govern, 7-3-4205
  compensation, 7-3-4255
  council, 7-3-4221, 7-3-4252
  departments, supervision, 7-3-4221, 7-3-4254
  election of, 7-3-4213 — 7-3-4215
  elections, proclamation, 7-3-4209, 7-3-4213
  meetings called by, when, 7-3-4220
  oath, 7-3-4217
  official bond, 7-3-4217, See also **SURETY BONDS, City officers and employees; Official bonds**
  powers, 7-3-4251
  reorganization, election for, 7-3-4209, 7-3-4212
  term of office, 7-3-4214, 7-3-4216
  vacancy in office, 7-3-4218, 7-3-4221
  voting rights, 7-3-4205, 7-3-4251
Moratoriums
  abandonment of commission form, 7-3-4227
  reorganization, 7-3-4212
Notices, 7-3-4209
Officers and employees
  abandonment of commission form, effect, 7-3-4227
  bonds, Title 2, chapter 9, part 8, See **SURETY BONDS, City officers and employees**

MUNICIPAL COMMISSION GOVERNMENT (Continued)
Officers and employees (Continued)

  civil service, See **Civil service**
  compensation, 7-3-4254, 7-3-4255
  conflict of interest, 7-3-4256
  councilmen, See **Councilmen**
  departments, powers and duties, 7-3-4253
  election of, 7-3-4213 — 7-3-4215, 7-3-4218
  fines for violations, 7-3-4256
  mayor, See **Mayor**
  nonpartisan appointments, 7-3-4262
  political activities, restrictions, 7-3-4256
  removal, 7-3-4254, 7-3-4265
  selection and supervision, 7-3-4254
  transportation, free — prohibited when, 7-3-4256
Ordinances and resolutions
  adoption, requirements, 7-3-4221, 7-3-4222
  appropriations, revision, 7-3-4267
  civil service, See **Civil service**
  effective date, 7-3-4222
  existing, continuation, 7-3-4204
  franchises, granting, 7-3-4222, 7-3-4223
  meetings, time for, 7-3-4220
  officers and employees, See **Officers and employees**
  offices, consolidation, 7-3-4254
  protests against, 7-3-4222
  repeal not allowed when, 7-3-4227
  signing, 7-3-4221
  transportation, free — for city officials, 7-3-4256
Park Commissioners, 7-3-4252
Parks and Public Property, Department of, 7-3-4253
Petitions
  abandonment of commission form, for, 7-3-4227
  ordinances, protests against, 7-3-4222
  reorganization, for, 7-3-4208
  requirements, 7-3-4207
Police, 7-3-4252, 7-3-4254, 7-3-4256, 7-3-4259, 7-32-4102
Police and Fire Commissioners, Board of, 7-3-4252
Property, 7-3-4206, 7-3-4227
Public Affairs, Department of, 7-3-4253, 7-3-4254
Public Safety and Charity, Department of, 7-3-4253
Public Works, Board of, 7-3-4252
Resolutions, See **Ordinances and resolutions**
Rights, See **Franchises**
Street and Public Improvements, Department of, 7-3-4253
Street Commissioner, 7-3-4254
Streets, Public Improvements, and Parks — Department of, 7-3-4253
Territorial limits, 7-3-4206
Utilities, 7-3-4223, 7-3-4256
Waterworks Trustees, Board of, 7-3-4252
Weights and Measures, Commissioner of, 7-3-4254

MUNICIPAL COMMISSION-MANAGER GOVERNMENT
Accounting procedures, 7-3-4432
Actions
  existing, continuation, 7-3-4304
  prosecution, 7-3-4461

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)
Actions (Continued)

- public service commission, effect, 7-3-4302
- sue and be sued, power to, 7-3-4313

Administrative officer, See **City manager**
Advertising, public, 7-3-4374
Advisory boards, 7-3-4404
Affidavit required when, 7-3-4327
Alleys, See **Streets and alleys**
Appropriations

- civil service provisions, for, 7-3-4405, 7-3-4406
- emergency purchases, 7-3-4434
- estimates of expenditures and revenues, 7-3-4371
- ordinances for, 7-3-4324, 7-3-4326, 7-3-4372
- property, 7-3-4313, 7-3-4369
- reversion, 7-3-4373
- supplies, purchase of — procedures, 7-3-4434
- transfer, 7-3-4371, 7-3-4373

Assessments, 7-3-4313, 7-3-4431, See also **Taxes**

- public improvements, 7-3-4442
- snow, ice, weed, and rubbish removal, 7-3-4453
- utility connections, 7-3-4443

Authorization for, 7-3-4301
Bond issues, 7-3-4313
Bonds, preparation, 7-3-4461
Bridges, 7-3-4441, 7-3-4447, 7-3-4449
Buildings

- county, use, 7-3-4370
- powers regarding, 7-3-4313, 7-3-4464

Chief administrative officer, See **City manager**
City attorney, 7-3-4367, 7-3-4461
City judge, 7-3-4462
City manager

- advisory boards, request for appointment, 7-3-4404
- appointment, 7-3-4314, 7-3-4361
- appropriations, 7-3-4371, 7-3-4372
- "chief executive" defined, 7-1-4121
- civil service chief examiner, consultations with, 7-3-4409, See also **Civil service**
- claims, countersignature, 7-3-4433
- compensation, 7-3-4364, 7-3-4417
- contracts, approval required when, 7-3-4435
- departments, See **Departments**
- expenditure and revenue estimates, 7-3-4371
- fire force employees, determination, 7-3-4466
- investigatory powers, 7-3-4366
- meetings called by, when, 7-3-4322
- officers and employees, 7-3-4417, 7-3-4431
- park commissioners, board of — appointment, 7-16-4202
- police, duties, 7-32-4103, 7-32-4108, 7-32-4113, 7-32-4151, 7-32-4153, 7-32-4155, 7-32-4156, 7-32-4160, 7-32-4164
- powers and duties, 7-3-4363
- property, purchase and sale, 7-3-4368, 7-3-4434
- real property, execution of conveyance, 7-3-4368
- role, 7-3-4362
- sinking fund, trustee, 7-3-4436
- streets and alleys, resolution for vacating or change of name, 7-3-4374, 7-3-4448
- supplies, purchase and sale, 7-3-4434

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)
City manager (Continued)

  transportation, free — provisions regarding, 7-3-4367
City treasurer, 7-3-4373
Civil service
  appointments subject to, when, 7-3-4363
  chief examiner, 7-3-4406, 7-3-4409
  classification, 7-3-4407, 7-3-4417
  code of rules, 7-3-4408
  discrimination prohibited, 7-3-4415
  employee discharge, demotion, or suspension, 7-3-4411
  existing positions, retention, 7-3-4412
  probationary period, 7-3-4410
  salary, certification required, 7-3-4413
  violations, 7-3-4416
Claims, 7-3-4433, See also **Actions**
  former government, continuation, 7-3-4304
Commission
  advertising, public — contract rules, 7-3-4374
  appropriations and ordinances for, 7-3-4372, 7-3-4373
  assessments for snow, ice, weed, and rubbish removal, 7-3-4453
  authority generally, 7-3-4314
  boards, appointment, 7-3-4404, 7-3-4405
  buildings, inspection and regulation, 7-3-4464
  business, conduct, 7-3-4323
  bylaws, alteration or repeal, 7-3-4303
  city attorney, authorization for assistants, 7-3-4461
  city judge, qualifications and appointment, 7-3-4462
  city manager, powers relating to, 7-3-4361, 7-3-4371, 7-3-4417
  civil service, See **Civil service**
  clerk of the commission, duties, 7-3-4323, 7-3-4324
  commissioners
    absence, 7-3-4322
    compensation, 7-3-4321
    conflict of interest, 7-3-4367
    county buildings, rental, 7-3-4370
    county officials or employees, contracts for work by, 7-3-4370
    election of, 7-3-4310, 7-3-4311
    forfeiture of office, 7-3-4367
    meetings, 7-3-4322
    multimunicipality organization, effect, 7-3-4312
    ordinances and resolutions, signing, 7-3-4324
    police officers, gifts to — approval for retention by officer, 19-19-304
    qualifications, 7-3-4315
    quorum, 7-3-4323
    recall, 7-3-4317, 7-3-4319
    removal, 7-3-4367
    sinking fund, trustees, 7-3-4436
    term of office, 7-3-4316
    transportation, free — provision regarding, 7-3-4367
  composition, 7-3-4314
  contracts, approval required when, 7-3-4435
  departments and divisions, 7-3-4363, 7-3-4401, 7-3-4417
  eight-hour day, establishment, 7-3-4418
  election of, 7-3-4301
  employees' salaries, 7-3-4417
  expenditures and revenues, 7-3-4371, 7-3-4373

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)
Commission (Continued)

- finance, director of — duties required by, 7-3-4431
- governing body, as, 7-3-4314
- highways, grant of right to use or occupy, 7-3-4449, 7-3-4451
- investigations by, 7-3-4365
- local improvements, ordinances regarding, 7-3-4442
- mayor, See **Mayor**
- meetings, 7-3-4322, 7-3-4323, 7-3-4363
- ordinances, See **Ordinances and resolutions**
- powers and duties, 7-3-4303
- president pro tempore, 7-3-4320
- presiding officer, duties, 7-3-4320, 7-3-4324, 7-3-4365
- proceedings, 7-3-4323
- public places, 7-3-4447, 7-3-4449, 7-3-4451
- public health regulations, 7-3-4463
- purchases and sales, rules for, 7-3-4434
- records, 7-3-4323
- resolutions, See **Ordinances and resolutions**
- rules, 7-3-4323, 7-3-4374, 7-3-4434
- salaries, ordinance for, 7-3-4417
- streets and alleys, See **Streets and alleys**
- subpoenas, issuance, 7-3-4365
- utilities
    - connections, assessments, 7-3-4443
    - franchises, renewal, 7-3-4450, 7-3-4451
    - operation, grants for, 7-3-4451, 7-3-4452
- vacancies, 7-3-4317
- witnesses, 7-3-4365, 7-3-4366

Commissioners, See **Commission**
Construction of provisions, 7-3-4302
Contracts

- advertising, by, 7-3-4374
- approval required when, 7-3-4435
- conflict of interest, 7-3-4367
- county officials or employees, for work by, 7-3-4370
- preparation, 7-3-4461
- supplies, 7-3-4434

County buildings, use, 7-3-4370, See also **Buildings**
County officials or employees, work by, 7-3-4370
Departments

- accounting procedures, 7-3-4432
- accounts, 7-3-4431
- administration, 7-3-4362
- attorney for, 7-3-4461
- civil service, See **Civil service**
- directors
    - appointment and removal, 7-3-4363, 7-3-4402
    - civil service provisions, See **Civil service**
    - claims, procedures, 7-3-4433
    - property, condemnation, 7-3-4434
    - role, 7-3-4403
    - salaries, 7-3-4417
- enumeration, 7-3-4401
- expenditure and revenue estimates, 7-3-4371
- financial statements, 7-3-4431, 7-3-4432
- functions, powers, and duties, 7-3-4303, 7-3-4401

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)
Departments (Continued)

investigations, 7-3-4365, 7-3-4366, 7-3-4433
Elections, 13-1-104, 13-1-107, 13-1-301, 13-1-302, 13-1-401
  ballot, form, 7-3-4307
  conduct of, 7-3-4308, 7-3-4310, 7-3-4311
  general provisions, 7-3-4341
  order for, 7-3-4305, 7-3-4310
  proclamation and notice, 7-3-4306, 7-3-4310, 7-3-4311, 7-3-4374
  reorganization, for, 7-3-4305 — 7-3-4309
  results, effect, 7-3-4309
Emergency measures, 7-3-4325, 7-3-4326, 7-3-4434, 7-3-4463, 7-3-4465, 7-3-4466
Employees, See **Officers and employees**
Evidence, powers regarding, 7-3-4365, 7-3-4366, 7-3-4414
Expenditures, 7-3-4371, 7-3-4373
Finance, Department of, 7-3-4401, 7-3-4431, 7-3-4434
Financial administration
  accounting procedures, 7-3-4432
  appropriations, See **Appropriations**
  city manager, duties, 7-3-4363
  claims, 7-3-4433
  contracts, See **Contracts**
  expenditures and revenues, 7-3-4371, 7-3-4373
  finance department, 7-3-4401, 7-3-4431, 7-3-4434
  investigation, 7-3-4365
  sinking fund trustees, 7-3-4436
  supplies and property, purchase and sale, 7-3-4434
Firearms, restrictions on regulation, 45-8-351
Fire department, 7-3-4466
Foodstuffs, inspection and supervision, 7-3-4463
Franchises
  exclusivity prohibited, 7-3-4451
  ordinances and resolutions for, 7-3-4326
  utilities, for, See **Utilities**
Gifts, 7-3-4313
Governing body, See **Commission**
Grants, 7-3-4450 — 7-3-4452
Health officer, 7-3-4463
Hearings, public, 7-3-4372
Highways
  public service, director of — management, 7-3-4441
  right to use or occupy, grant of, 7-3-4449, 7-3-4451
  supervision, 7-3-4447
  utility construction or operation, consent of property owner when, 7-3-4452
Improvements, 7-3-4313, 7-3-4431, 7-3-4442
Indebtedness, effect of multimunicipality organization, 7-3-4312
Initiatives, See also **Referendums**
  ordinances submitted by, 7-3-4324
  petition for, 7-3-4327
Institutions, 7-3-4463
Instruments to be in writing, 7-3-4461
Law, Department of, 7-3-4401, 7-3-4461
Laws
  enforcement, 7-3-4363
  existing, continuation, 7-3-4302
  governing city, 7-3-4303

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)

Liability
    department directors, 7-3-4433
    former government, continuation, 7-3-4304
Libraries, 7-3-4463
Licenses, 7-3-4313, 7-3-4431, 45-8-351, 49-3-204
Local improvements, 7-3-4313, 7-3-4431, 7-3-4442
Mayor, 7-3-4319, 7-3-4320, See also **MAYORS**
    compensation, 7-3-4321
    elections
        certificate, transmittal, 7-3-4309
        proclamation, 7-3-4306, 7-3-4310
    meetings called by, when, 7-3-4322
    ordinances and resolutions, signing, 7-3-4324
    powers, 7-3-4320
    real property, execution of conveyances, 7-3-4368
    reorganization, certificate of adoption, 7-3-4309
    term of office, 7-3-4316
Moratorium, reorganization, 7-3-4309
Multimunicipality organization, 7-3-4311, 7-3-4312
Municipal plan board, 7-3-4404
Nuisances, powers regarding, 7-3-4313, 7-3-4463
Officers and employees
    appointment, 7-3-4363
    attorney for, 7-3-4461
    bonds, Title 2, chapter 9, part 8, See **SURETY BONDS**, **Officers and employees**
    civil service provisions, See **Civil service**
    commissioners, See **Commission**
    commission, of, 7-3-4323
    conflict of interest, 7-3-4367
    county, work by, 7-3-4370
    department directors, responsibilities, 7-3-4403
    eight-hour day, 7-3-4418
    election of, 7-3-4341
    employment officer, See **Civil service**, chief examiner
    fees and money collected by, disposition, 7-3-4373
    investigations, 7-3-4365, 7-3-4366, 7-3-4431
    legal adviser, 7-3-4461
    multimunicipality organization, effect, 7-3-4312
    powers and duties, 7-3-4303
    removal from office, 7-3-4363, 7-3-4367, 7-3-4411
    salaries and compensation, 7-3-4313, 7-3-4417
    term of office, cessation when, 7-3-4312, 7-3-4316
    transportation, free — provision regarding, 7-3-4367
Offices, 7-3-4313, 7-3-4431
Ordinances and resolutions
    adoption, 7-3-4323
    advertising or publication, procedure, 7-3-4374
    amendment, 7-3-4324, 7-3-4327
    appropriations, for, 7-3-4324, 7-3-4326, 7-3-4372, 7-3-4374
    assessments, for, 7-3-4453
    boards, powers and duties prescribed by, 7-3-4404
    city attorney, authorization for assistants, 7-3-4461
    city judge, qualifications, 7-3-4462
    city manager
        duties prescribed by, 7-3-4363

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)
Ordinances and resolutions (Continued)
- city manager (Continued)
  - salary prescribed by, 7-3-4364
- civil service
  - board, abolishment, 7-3-4405
  - violations, penalties, 7-3-4416
- commissioners, compensation set by, 7-3-4321
- compensation set by, 7-3-4321, 7-3-4417
- departments
  - directors, appointment, 7-3-4402
  - discontinuance of functions and duties, 7-3-4401
- effective date, 7-3-4325
- eight-hour day, establishment, 7-3-4418
- emergency, 7-3-4325, 7-3-4326
- enacting clause, 7-3-4324
- enactment, procedures, 7-3-4324, 7-3-4374
- enforcement, 7-3-4363, 7-3-4463, 7-3-4464
- existing, continuation, 7-3-4303
- finance, director of — duties prescribed by, 7-3-4431
- generally, 7-3-4313
- highways, grant of right to use or occupy, 7-3-4449
- initiative
  - petition, 7-3-4327
  - submission by, 7-3-4324
- licenses and fees, payment provisions, 7-3-4431
- mayor, imposition of powers and duties, 7-3-4320
- meetings, times prescribed by, 7-3-4322
- officers' terms, cessation, 7-3-4312, 7-3-4316
- powers regarding, 7-3-4313, 7-3-4314
- property, rules regarding, 7-3-4313, 7-3-4368
- publication, 7-3-4324, 7-3-4327, 7-3-4374
- public health ordinances, enforcement, 7-3-4463
- public improvements, regarding, 7-3-4442
- public money, regarding, 7-3-4431
- public places
  - right to use or occupy, grant of, 7-3-4449
  - supervision, 7-3-4447
- public service commission actions, effect, 7-3-4302
- real property, authority to execute conveyances, 7-3-4368
- recording, 7-3-4324
- referendum, subject to, 7-3-4326
- rejection, 7-3-4323
- repeal, 7-3-4303, 7-3-4326, 7-3-4327
- revision, 7-3-4303, 7-3-4324
- sinking fund, management and control, 7-3-4436
- storerooms and storehouses, provision for, 7-3-4434
- streets and alleys
  - dedication, acceptance and confirmation, 7-3-4446
  - right to use or occupy, grant of, 7-3-4449
  - vacating or changing name, 7-3-4448
- transportation, free to public officials — regarding, 7-3-4367
- utility
  - connections, work regulations, 7-3-4443
  - construction or operation, grant for, 7-3-4452
  - franchises, renewal, 7-3-4450
- weights and measures, enforcement of ordinances regarding, 7-3-4464

Parks and playgrounds, 7-3-4463, See also **PARKS, Municipalities**; **RECREATION, Municipalities**

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)

Petitions
    initiative, for, 7-3-4327
    multimunicipality organization, for, 7-3-4311
    reorganization, for, 7-3-4305
    utility construction or operation
        extension of appliances and services, 7-3-4452
        franchise renewal, 7-3-4450
Plats, supervision and written approval, 7-3-4444
Police, 7-3-4465
    city manager's duties, See **City manager**
    enforcement of regulations, 7-3-4313
    free tickets, passes, or services, 7-3-4367
    public safety, department of — powers and duties of director, 7-3-4464, 7-3-4465
    tax levies for services, 7-3-4464
Powers of municipalities, 7-3-4313
Property, 7-3-4304, 7-3-4313
    appropriation, 7-3-4369
    assessments, See **Assessments**
    multimunicipality organization, effect, 7-3-4312
    purchase and sale, 7-3-4434
    real, conveyances, 7-3-4368
Public hearings, 7-3-4372
Public money, 7-3-4431
Public places
    public service, director of — management, 7-3-4441
    right to use or occupy, grant of, 7-3-4449, 7-3-4451
    supervision, 7-3-4447
    utilities, manner of use, 7-3-4452
Public Safety, Department of, 7-3-4401, 7-3-4464
Public Service Commission actions, effect, 7-3-4302
Public Service, Department of, 7-3-4401, 7-3-4441
Public Welfare, Department of, 7-3-4401, 7-3-4463
Public works and improvements, 7-3-4313, 7-3-4431, 7-3-4442
Quarantines, 7-3-4463
Real property, See **Property**
Referendums, See also **Initiatives**
    franchises, renewal, 7-3-4450, 7-3-4451
    ordinances subject to, 7-3-4326
    utilities, extension of appliances and services, 7-3-4452
Reorganization for, 7-3-4305
Resolutions, See **Ordinances and resolutions**
Revenues, 7-3-4371, 7-3-4373
Rules, 7-3-4313
Sanitary regulations, 7-3-4313, 7-3-4463
Sinking fund trustees, 7-3-4436
Streets and alleys
    acceptance, 7-3-4446
    platting of lands, requirements, 7-3-4444
    powers regarding, 7-3-4313, 7-3-4447
    public service, director of — management, 7-3-4441
    right to use or occupy, grant of, 7-3-4449, 7-3-4451
    supervision, 7-3-4447
    utilities, manner of use, 7-3-4452
    vacating or name changing, 7-3-4447, 7-3-4448
Subdivisions, Title 76, chapters 3 and 4, See **SUBDIVISIONS**

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)

Sue and be sued, power to, 7-3-4313
Supplies, 7-3-4431, 7-3-4433, 7-3-4434
Taxes, 7-3-4312, 7-3-4313, 7-3-4431, 7-3-4464, See also **Assessments**
Utilities
    accounting summaries and schedules concerning, 7-3-4432
    annual report, 7-3-4302
    connections, 7-3-4443
    construction or operation, 7-3-4313
        franchises or grants for, 7-3-4450 — 7-3-4452
    powers regarding, 7-3-4313
    public service, director of — management, 7-3-4441, 7-3-4443
    rates, ordinances and resolutions for, 7-3-4326
Vital statistics, records, 7-3-4463
Warrants, 7-3-4431, 7-3-4433
Weapons, regulation, 45-8-351
Weights and measures, enforcement of laws and ordinances, 7-3-4464
Witnesses, 7-3-4365, 7-3-4366, 7-3-4414

MUNICIPAL COUNCIL-MAYOR FORM OF GOVERNMENT, 7-1-114, 7-3-113

MUNICIPAL COURTS
    See also generally **COURTS GENERALLY**
Administrative expenses, 3-6-301
Answer, time for, 25-30-103, 25-30-104
Appeals to district court, 3-6-104, 3-6-110, 25-30-108, 40-15-302
    criminal proceedings, 46-17-311, 46-17-404
    rules of appellate procedure, applicability, Title 25, chapter 21, M.R.App.P., Rule 52
City and town judicial powers vested in, 7-1-4122
City courts, conduct of municipal court business applicable to, 3-11-206
Clerk of the court, 1-6-101, 3-6-301, 3-6-302, 25-30-103
Contempt, See **CONTEMPT**
Costs, 25-30-107
Counterclaim, reply, 25-30-104
Court of justice, enumeration as, 3-1-101
Court of record, enumeration as, 3-1-102, 3-6-101
Criminal procedure, See also **CRIMINAL PROCEDURE**
    appeals, 46-17-311, 46-17-404
    assigned counsel, 46-8-201
    charges upon defendant's conviction or forfeiture, imposition and disposition, 46-18-236, 46-18-251
    complaint, filing, 3-6-103
    district court rules, applicability, 46-17-401
    fees and fines, 46-8-201, 46-17-402
    guaranteed arrest bond certificates, 46-9-414
    jurisdiction, 3-6-101, 3-6-103, 46-2-204
    jury trial, 46-17-202, 46-17-311, 46-17-403
    postconviction hearing, petition, 46-21-101
    records, 3-6-302
    sentencing limitations, 46-18-202
Dissolution of marriage or legal separation, restraining orders, 40-4-122 — 40-4-125
District court
    appeals to, See **Appeals to district court**
    applicability of rules, 25-30-101, 25-30-106, 25-30-107, 46-17-401
Establishment, 3-6-101
Facilities and supplies, 3-6-105
Fees and fines, 25-30-102, 46-17-402
Handicapped persons' employment preference, Title 39, chapter 30

MUNICIPAL COURTS (Continued)

Judge pro tempore, 3-6-204
Judges, 1-1-202, 3-1-1501, See also **JUDGES AND JUSTICES**, generally
  appointment, 3-1-1503
  city court judge to serve as, when, 3-6-102
  disqualification, 3-1-803, 3-1-805, 3-1-1507, 3-6-202, 3-6-204, 25-30-101
  drivers' licenses, demand for exhibit, 61-5-116
  drug users, report to county attorney, 46-9-203
  election, 3-1-1503, 3-6-101, 3-6-102, 3-6-201, 13-15-405
  expenses, 3-1-1506, 3-6-202, 3-6-203
  jurisdiction and responsibility, 3-6-103
  law, practice prohibited when, 3-1-603, 3-1-604
  motor vehicle liability insurance cards, demand for exhibit, 61-6-302
  number required, determination, 3-6-201
  political party, office in — prohibited, 3-1-604
  qualifications and residence, 3-6-202
  salary, 3-6-203
  search warrants, issuance, 46-5-220
  sessions, designation, 3-6-106
  substitution, 3-1-805, 3-6-204
  term of office, 3-6-201
  training and certification, 3-1-1501 — 3-1-1503, 3-1-1506 — 3-1-1508, 3-6-202, 13-15-405
  vacancy in office, 3-1-1507, 3-6-202
  youth court, probable cause hearings, 41-5-303
Judgments, 3-6-110, 25-30-106
Juries and jurors, 25-30-105, 46-17-202, 46-17-311, See also **JURIES AND JURORS, Limited jurisdiction, courts of**
Jurisdiction, 3-6-103
  alcoholic beverage violations by minors, 41-5-203
  assumed from or continuing over city court, 3-6-101
  concurrent
    city court, 40-4-123, 40-15-301
    district court, 3-6-103, 40-4-123, 40-15-301
    justices' courts, 40-4-123, 40-15-301
    youth court, 41-5-203
  criminal, 3-6-103, 46-2-204; Const., VII, 4
  gambling violations by minors, 23-5-158, 41-5-203
Justices' courts, applicability of laws, 25-30-101, 25-30-105, 25-30-107
Misdemeanor probation office, establishment, 46-23-1005
New matters, reply, 25-30-104
Officers of the court, 3-6-303
Orders, service, 3-6-303
Partner or family member assault or stalking victims, order for protection, 40-15-201, 40-15-203, 40-15-301 — 40-15-303
Pawnbrokers, stolen property — appeal of validity of administrative warrant to hold, 46-5-212
Powers and duties, 3-6-104
Preliminary hearings, 3-6-103
Process, execution, 3-6-303
Records, 3-6-302
Rules of court, power to make, 3-1-112
Rules of practice and procedure, adoption, 3-6-104, 25-30-101
Seal of the court, 1-4-202, 3-1-201, 3-1-205
Search warrants, application for, 3-6-103
Sessions, 3-6-106
Summons, 25-30-103

- **MUNICIPAL FINANCE CONSOLIDATION ACT OF 1983**, Title 17, chapter 5, part 16
  - See **BONDS AND BOND ISSUES, Municipal finance consolidation**

- **MUNICIPALITIES**
  - See **CITIES AND TOWNS**; **LOCAL GOVERNMENT**; specific form of government

- **MUNICIPAL POLICE OFFICERS' RETIREMENT ACT**, Title 19, chapter 9
  - See **POLICE OFFICERS' RETIREMENT SYSTEM, STATE PLAN**

- **MUNICIPAL REVENUE BOND ACT OF 1939**, Title 7, chapter 7, part 44
  - See **CITY FINANCE, Revenue bonds**

- **MUSEUMS**
  - See also generally **ANTIQUITIES**; **ARTS AND CULTURE**; **HISTORICAL SOCIETY**
- **Antiquities permits**, 22-3-432
- **Beer and table wine license for certain nonprofit arts organizations**, 16-4-303, 16-4-501
- **Boards, districts, or commissions** — transition, 7-1-202
- **County**
  - budget, 7-16-2204, 7-16-2205
  - defined, 7-16-2201
  - erection and maintenance, 7-8-2102, 7-16-2101, 7-16-2204, 7-16-2205
  - establishment and acquisition, 7-16-2202, 7-16-2205
  - gifts and donations, 7-16-2204
  - land, acquisition and use limitation, 7-16-2105, 7-16-2106, 7-16-2321
  - management, 7-8-2103, 7-16-2204
  - tax levy for, 7-16-2205
  - trustees, board of, 7-16-2203, 7-16-2204
- **Cultural and aesthetic project grants**, Title 22, chapter 2, part 3, See **ARTS AND CULTURE**
- **Fire protection and safety regulation**, 50-61-103, See **FIRES AND FIRE PROTECTION**
- **Gambling devices, illegal** — possession or display, 23-5-152
- **Gifts**, 7-16-2204
- **Grizzly bears or parts**, donation, 87-1-511
- **Historical museum**, 22-3-102, 22-3-103, See also **HISTORICAL SOCIETY**
- **Insurance**, See **INSURANCE, MARINE**, generally
- **Law Enforcement Officers' Memorial**, 22-3-701
- **Loans of property to**
  - agreements, written, 22-3-506, 22-3-508
  - applicability of provisions, 22-3-523
  - citation of museum loan act, 22-3-501
  - definitions, 22-3-503
  - injury to or loss of property, 22-3-508, 22-3-509, 22-3-521
  - interest in property, notice of intent to preserve, 22-3-506, 22-3-521
  - lender, notices to, 22-3-505, 22-3-509, 22-3-510, 22-3-521
  - limitation on actions, 22-3-521
  - loaned property, conservation or disposal, 22-3-508, 22-3-521
  - notices
    - intent to preserve interest, of — filing, retention, and form, 22-3-506, 22-3-521
    - lender, to
      - injury to or loss of property, 22-3-509, 22-3-521
      - manner of giving, 22-3-505
      - termination of loan, 22-3-510, 22-3-521
    - owner of property
      - change of address or transfer of ownership, 22-3-502, 22-3-507
      - intent to preserve interest, of, 22-3-506, 22-3-521
  - purpose of provisions, 22-3-502
  - recovery of property, 22-3-521

MUSEUMS (Continued)
Loans of property to (Continued)
  termination of loan, notice, 22-3-510, 22-3-521
  terms, indefinite or specified, 22-3-504
  title to property, 22-3-502, 22-3-521
  unclaimed property
    title vested to, 22-3-502
    uniform act superseded, 22-3-522, 70-9-106
Mines and Geology, Bureau of — deposit of material collected by, 20-25-212
Montana Agricultural Center and Museum of the Northern Great Plains, 23-1-109
Motor vehicles, gross vehicle weight fee exemption, 61-10-214
Municipalities
  establishment, 7-16-4103
  financing, 7-16-4104, 7-16-4105
  tax levy, 7-16-4105
Obscene material, public display or dissemination to minors — nonapplicability of provisions when, 45-8-206
Park Commissioners, County Board of — powers, 7-16-2321, 7-16-2327
Predatory animal skins, hides, and specimens — presentation to, 81-7-105, 81-7-120
Public, county contributions to, 7-16-2202, 7-16-2205
Slot machines, antique — possession permitted, 23-5-153
Smoking in, prohibited, 50-40-105
Tax exemption, 15-6-201

N

NAMES
Actions, in, 25-5-102, 25-5-104
Assumed business name, Title 30, chapter 13, part 2
Banks and trust companies, 32-1-301, 32-1-302, 32-1-402
Building and loan associations, 32-2-201, 32-2-401
Business trusts, 35-5-201
Change of, See also **SPECIAL PROCEEDINGS**, generally
  actions, 27-31-101, 27-31-102
  adoption proceedings, child, 40-8-121
  assumed business names, 30-13-209, 30-13-210, See also **ASSUMED OR FICTITIOUS NAMES**
  building and loan associations, 32-2-401
  conservation districts, 76-15-801, 76-15-803
  corporations, 35-1-226, 35-1-233, 35-1-308, 35-1-310
  counties, 7-2-2501 — 7-2-2514
  deaf and blind, Montana school for the — effect, 20-8-101
  dental hygienists, 37-4-406
  dentists, 37-4-307
  dismissal, 27-31-204
  dissolution of marriage, wife's former name restored, 40-4-108
  drivers' licenses, notice, 61-5-115
  foreign corporations, 35-1-1029, 35-1-1031, 35-2-822, 35-2-826
  hearing, 27-31-201, 27-31-203
  invalidity of marriage, wife's former name restored, 40-4-108
  jurisdiction of district court, 27-31-101 — 27-31-103
  minors, 27-31-101, 27-31-201, 40-8-121
  nonprofit corporations, 27-31-102, 35-2-222, 35-2-228
  objections, 27-31-202
  order for change, 27-31-204
  person, availability, 27-31-101

NAMES (Continued)
Change of (Continued)

- petition, 27-31-101, 27-31-102, 27-31-201
- physical therapists, 37-11-201
- physicians, 37-3-310
- real property conveyances, 70-20-109
- secured transactions, filing of financial statements — effect, 30-9-402
- state parks, historical sites, or monuments, 23-1-102, 23-2-404
- streets, 7-3-4448, 7-14-4112
- unclaimed property, effect, 70-9-301
- venue, 27-31-101, 27-31-102
- voter registration, effect, 13-2-511, 13-2-512
- watercourses, 2-15-401, 85-2-131 — 85-2-134
- witnesses, 27-31-203

Cities and towns, 7-1-4102
City-county consolidated governments, 7-3-1203, 7-3-1204, 7-3-1209
Community college districts, 20-15-102
Condominiums, exclusivity, 70-23-303, 70-23-304
Conservation districts, 76-15-213, 76-15-801, 76-15-803
Corporate credit unions, 32-3-801
Corporate names exclusive, 30-13-202, 35-1-308, 35-1-309, 35-1-311

- banking corporations, 32-1-301, 32-1-302, 32-1-402
- building and loan associations, 32-2-201
- business corporations, 35-1-308, 35-1-309, 35-1-311
- credit unions, 32-3-103
- development corporations, 32-4-201
- dissolution, effect, 35-6-203
- nonprofit corporations, 35-2-305, 35-2-306, 35-2-826
- professional corporations, 35-4-206
- ranches, 30-13-112
- reinstatement, effect, 35-6-203
- utilities, rural cooperatives, 35-18-201

Corporations, See **CORPORATIONS**
Counties, 7-1-2102, See also **Change of**
Drugs, dangerous — scheduled drugs, 50-32-206
Farm names, 30-13-112
Fictitious, Title 30, chapter 13, part 2
Fraternal benefit societies, 33-7-208
Goodwill, name excluded, 30-13-121
Grazing districts, 76-16-201, 76-16-204
Health maintenance organizations, 33-31-312
Identity of person presumed from, 26-1-602
Insurers

- domestic stock and mutual, 33-3-201
- farm mutual, 33-4-103, 33-4-202, 33-4-203
- generally, conflict, 33-2-107
- reciprocal, 33-5-103

Limited liability companies, See **LIMITED LIABILITY COMPANIES**
Limited partnerships, See **LIMITED PARTNERSHIPS**
Montana university system, 20-25-102
Negotiable instruments, See **NEGOTIABLE INSTRUMENTS**, **Endorsement**; **Signatures**
Nonprofit corporations, See **NONPROFIT CORPORATIONS**
Partnerships, See **PARTNERSHIPS**
Political party name, use, 13-10-602
Postsecondary educational institutions, 20-30-202
Professional corporations, 35-4-206, 35-4-502
Ranch names, 30-13-112

NAMES (Continued)

Religious corporations sole, 35-3-202, 35-3-205, 35-3-209
Service marks, See **TRADE REGULATION AND COMPETITION, Trademarks and service marks**
Solid waste management district, 7-13-204
State parks, historical sites, or monuments, 23-1-102, 23-1-103, 23-2-404
Trademarks and trade names , See **TRADE REGULATION AND COMPETITION, Trademarks and service marks**
Utilities, rural cooperative, See **UTILITIES, RURAL COOPERATIVE**
Water quality districts, 7-13-4505

NATIONAL CRIME INFORMATION CENTER (NCIC), 44-2-503, 44-2-505, 61-3-106

NATIONAL GUARD REENLISTMENT OR EXTENSION ACT OF 1981, Title 10, chapter 1, part 8
See **MILITARY AFFAIRS, National guard**

NATIONWIDE INLAND MARINE DEFINITION ACT, 33-1-221 — 33-1-229
See **INSURANCE, MARINE**

NATIVE AMERICANS
See **INDIANS**

NATURAL AREAS, Title 76, chapter 12
See **LAND USE PLANNING**

NATURAL DISASTER
See **EMERGENCIES AND EMERGENCY POWERS**, generally

NATURAL GAS
See generally **OIL AND GAS; UTILITIES**

NATURALIZATION
Arrest authority of officers, 46-6-412
Birth date, judicial determination — effect, 27-32-101, 27-32-102
Criminal proceedings, guilty plea — effect, 46-12-210
Declarations of intention, 3-5-514
Fees, 3-5-515
Final papers, records kept by clerk of the district court, 3-5-514
Jurisdiction in district court, 3-5-302; Const., VII, 4

NATURAL RESOURCES
Community service advisory council, representation, 90-14-104
Community service corps and volunteer projects, Title 90, chapter 14, part 1
Conservation
  cooperative agreements for, 76-11-102
  solid waste management, through, Title 75, chapter 10, See **SOLID WASTE MANAGEMENT**
County zoning, effect, 76-2-209
Defined, 75-10-950
Economic development bonds, Title 17, chapter 5, part 15
Environmental Policy Act, Title 75, chapter 1, parts 1 — 3
Facility Siting Act, Title 75, chapter 20
Federal returns on, Title 17, chapter 3, part 2
Fire protection
  cooperative agreements for, 76-11-102
  general provisions, 76-11-101
  rural, Title 7, chapter 33, part 22, See **FIRES AND FIRE PROTECTION, Rural fire protection**
Flathead Basin Commission, Title 75, chapter 7, part 3
Forests, See **FORESTS AND FORESTRY**
Hazardous or deleterious substance, remedial action upon release, Title 75, chapter 10, part 7

NATURAL RESOURCES (Continued)

Information system, 90-15-101, 90-15-103, 90-15-301, 90-15-302
  availability of information, 90-15-304
  cooperation, interagency, 90-15-303
  definitions, 90-15-102
  funding, 90-15-103
  ground water assessment steering committee, representation on, 2-15-1523
  natural heritage program, 90-15-101, 90-15-102, 90-15-201, 90-15-302, 90-15-303
  natural resource data system advisory committee, 2-15-1514; Title 90, chapter 15
  purpose of provisions, 90-15-101
Land Commissioners, Board of — rules for fire protection, 76-11-101
Landscape architects, Title 37, chapter 66
Megalandfill siting
  damage or impairment by facilities — reclamation, restoration, or replacement, 75-10-950 — 75-10-954
  purpose of provisions, 75-10-902
Mines and mining, Title 82, chapters 2 — 4
Mint and mint oil production, legislative findings, 80-11-401
Montana Conservation Corps work experience projects, Title 23, chapter 1, part 3
Natural areas, Title 76, chapter 12, part 1
Oil and gas, Title 82, chapters 10 and 11
Open-space lands for preservation, Title 76, chapter 6
Park rangers, enforcement of state parks laws, 23-1-121
Perpetuation, 76-11-102
Planning and zoning district recommendations, effect, 76-2-109
Planning board provisions, effect, 76-1-113
Port authorities, purpose, 7-14-1104
Principal and income determinations, 72-34-404, 72-34-410 — 72-34-412
Protection, Const., IX, 1
Reclamation, 75-10-950 — 75-10-954; Const., IX, 2
Reclamation and development grants program, Title 90, chapter 2, part 11
Right to clean and healthful environment, Const., II, 3; IX, 1
Smith River management, Title 23, chapter 2, part 4
Soil, conservation and erosion control, 76-11-102
Soil survey and mapping program, 76-11-201, 76-11-202
Solid waste management, conservation by, Title 75, chapter 10, See **SOLID WASTE MANAGEMENT**
State lands, See **STATE LANDS**
State Lands, Department of — fire protection duties and agreements, 76-11-101, 76-11-102
Supervision, Const., VI, 8
Tax to protect, Title 15, chapter 38; Const., IX, 2
Transportation of products, regulation exception when, 61-8-101, 61-9-101
Underground storage tank installation or closure to protect, 75-11-202
Water, See **WATER USE**
Wilderness areas, Title 76, chapter 12, part 1

NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF, Title 2, chapter 15, part 33
  See also **EXECUTIVE BRANCH**
Agriculture, Department of — transfer of funds to, 80-7-720
Bond interest rate, nonapplicability, 17-5-101
Conservation districts, duties, Title 76, chapter 15
Dams, authority, Title 85, chapter 15
Director, 2-15-3301
Drought Advisory Committee, 2-15-3308
Environmental contingency grant program, 75-1-1101
Facility siting, responsibilities, Title 75, chapter 20
Fire protection and conservation of natural resources, 76-11-101, 76-11-102; Title 76, chapter 13, part 2
Firewardens, appointment and supervision, 77-5-103, 77-5-104

NATURAL RESOURCES AND CONSERVATION, DEPARTMENT... (Continued)

Floodplains and floodways, duties, Title 76, chapter 5
Forest resources, duties, Title 76, chapter 13; Title 77, chapter 5
Grazing districts, duties, Title 76, chapter 16
Irrigation districts, duties, 85-7-102, 85-7-103, 85-7-1910
Lakes, regulation of construction projects affecting, 75-7-209
Local government infrastructure projects, rules for, 90-6-703
Mines and Geology, Bureau of — examinations of state land and written reports, 20-25-212
Montana Conservation Corps program, Title 23, chapter 1, part 3
Natural areas, management, Title 76, chapter 12, part 1
Natural gas, authority, Title 82, chapter 11
Natural resource information system data source agency, 90-15-102
Oil and gas, authority, Title 82, chapter 11
Oil and Gas Conservation, Board of — allocation, 2-15-3303
Railroad right-of-way, abandoned — administration when, 60-11-111
Rangeland resources, administration, Title 76, chapter 14
Rangeland Resources Committee, allocation, 2-15-3305
Rangeland resources, state coordinator for, 2-15-3304
Reclamation and development grants program, Title 90, chapter 2, part 11
Reservoirs, authority, Title 85, chapter 15
Safe drinking water treatment revolving fund, duties, Title 75, chapter 6, part 2
Sawmills, portable — licenses, Title 76, chapter 13, part 5
State lands, duties, Title 77
Streambed protection, rules and arbitration agreement, 75-7-117
Transportation of coniferous trees, authority, 76-13-601
Wastewater treatment works revolving loan program, duties, Title 75, chapter 5, part 11
Water conservancy districts, authority, Title 85, chapter 9
Water use, authority, Title 85
Water well contractors and drillers, duties, Title 37, chapter 43
Water Well Contractors, Board of — allocation, 2-15-3307
Weather modification, authority, Title 85, chapter 3
Weed management, 80-7-720

NATURAL STREAMBED AND LAND PRESERVATION ACT OF 1975, Title 75, chapter 7, part 1
  See **RIVERS AND STREAMS**, **Streambed protection**

NATUROPATHY AND NATUROPATHIC PHYSICIANS
Administration of provisions, 37-26-201
Affidavits, 37-26-403
Alternative Health Care Board, 2-15-1840; Title 37, chapter 26, part 2
Anesthetics, 37-26-103
Childbirth attendance, 37-26-103
  certification for specialty practice required, 37-26-304
  therapeutic substances, drugs, and therapies prescribed for, 37-26-301
Citation of Naturopathic Health Care Practice Act, 37-26-101
Communicable diseases, responsibility, 37-26-303
Contraception, barrier devices for, 37-26-301
Counseling by, 37-26-301
Diagnostic procedures, 37-26-301
Diseases, responsibility, 37-26-303
Drugs
  definitions, 37-26-103
  prescription, dispensation or administration, 37-26-301, 37-26-302
Enforcement of provisions, 37-26-201, 37-26-414
Exemptions, 37-26-302
Falsification, 37-26-201
Fines, 37-26-414

NATUROPATHY AND NATUROPATHIC PHYSICIANS (Continued)

Health, local boards of — applicability of provisions, 37-26-303
Homeopathic preparations
  defined, 37-26-103
  prescription, dispensation, or administration, 37-26-301, 37-26-302
Injunction when, 37-26-401
Investigations, 37-26-103, 37-26-403
Laboratory tests, 37-26-301
Legislative findings, 37-26-102
Licenses and licensing, Title 37, chapter 26, part 4
  affidavits and certificates, 37-26-403
  applications, 37-26-403
  denial, suspension, or revocation — grounds for, 37-26-403
  discrimination in issuance prohibited, 49-3-204
  examinations, 37-26-201, 37-26-402, 37-26-403
  fees, 37-26-201, 37-26-403
  issuance, 37-26-201, 37-26-401, 37-26-403, 37-26-405
    discrimination prohibited, 49-3-204
  qualifications, 37-26-402, 37-26-403, 37-26-405
  reciprocity, 37-26-201
  renewal, 37-26-201
  required, 37-26-401, 37-26-402
  restrictions, 37-26-201
  standards, 37-26-102
  titles and terms, use without, 37-26-401
Medical colleges, 37-26-103
  approval, 37-26-103, 37-26-201
  license qualifications, 37-26-402, 37-26-403
Midwives, provisional license to work with, 37-27-205
Minor surgery, See **Surgery, minor**
Nutrition and nutritional counseling, 37-26-301, 37-26-302
Practice of, 37-26-103
  license required, 37-26-401
  restrictions, 37-26-301
Prescriptions, authority, 37-26-301
Public health duties, 37-26-303
Purpose of provisions, 37-26-102
Reciprocity, 37-26-201
Regulation generally, See **PROFESSIONS AND OCCUPATIONS**
Restrictions, 37-26-201, 37-26-301
Scope of practice, 37-26-201, 37-26-301 — 37-26-304
Specialty practice, certification, 37-26-201, 37-26-304
Surgery, minor, 37-26-103
  performance of procedures, 37-26-301
  restrictions, 37-26-201
  therapeutic substances, drugs, and therapies prescribed for, 37-26-301
Title and terms, use, 37-26-401
Therapeutic substances, drugs, and therapies — prescription and administration, 37-26-103, 37-26-301
Topical drugs, 37-26-103, 37-26-301, See also **Drugs**
Unprofessional conduct
  alternative health care board members, 2-15-1840
  licenses — denial, revocation, or suspension, 37-26-403
Violations
  disciplinary actions, 37-26-201
  drug dispensation when, 37-26-301
  injunction to restrain, 37-26-401

NATUROPATHY AND NATUROPATHIC PHYSICIANS (Continued)
Violations (Continued)

  prosecution, 37-26-414
  title and terms, use without license, 37-26-401
Vital statistics, responsibility, 37-26-303

NEGLECT
Aged persons, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Children, See generally **CHILD ABUSE AND NEGLECT; MINORS, Interstate Compact on Juveniles; PUBLIC ASSISTANCE, Aid to families with dependent children (AFDC)**
Defined, 1-1-204
Developmental disabilities, persons with, See **DEVELOPMENTAL DISABILITIES, Abuse, neglect, or exploitation; Mistreatment**
Duty, of, See specific office, profession, or occupation
Excusable neglect
  appeals
    notice of, extension of time for filing, Title 25, chapter 21, M.R.App.P., Rule 5
    record on, extension of time for transmittal, Title 25, chapter 21, M.R.App.P., Rule 10
  conservation district boards of adjustment, failure to urge contention in variance proceedings, 76-15-727
  counterclaim, omission, Title 25, chapter 20, M.R.Civ.P., Rule 13(f)
  extension of time as result of, Title 25, chapter 20, M.R.Civ.P., Rule 6(b); Title 25, chapter 21, M.R.App.P., Rule 5; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 6B
  judgment, relief from
    extension of time, Title 25, chapter 20, M.R.Civ.P., Rule 6(b)
    ground for, Title 25, chapter 20, M.R.Civ.P., Rule 60(b); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 22A
    stay of execution pending appeal, Title 25, chapter 21, M.R.App.P., Rule 7
  objections, failure to raise, 2-18-1003, 2-18-1013, 39-31-109
  water rights, adjudication — objections to decrees allowed when, 85-2-233, 85-2-237

NEGLIGENCE
  See also generally **DAMAGES; REMEDIES; TORTS**
Accountants, 37-50-401
Agent, of, 27-1-703, 28-10-602
AIDS testing and counseling provisions, 50-16-1013
Alcoholic beverages, agency liquor store agents, 16-2-101
Animals, cruelty to, 27-1-222, 27-1-301, 45-8-211
Apportionment, 27-1-703
Bailment and bailees, 70-6-103, 70-6-203, 70-6-204, 70-6-501
Bank officers, directors, or employees, 32-1-464, 32-1-468
Blood and blood products, services related to, 50-33-103
Blood banks, 50-33-104
Boats and boating
  liability of owner, 23-2-505
  operation of boat, 23-2-523, 23-2-525
Boiler or steam engineers, 50-74-314
Building and loan association directors, officers, or employees, 32-2-107, 32-2-304
Care, duty of, 27-1-701, 28-1-201, See also **PROPERTY, GENERALLY, Care, duty of; TORTS, Care**
Carriers, 69-11-105, 69-11-421, 70-9-405
Chiropractors, Title 27, chapter 12
Commission merchants, 30-11-403
Comparative negligence, 27-1-701 — 27-1-703
  affirmative defenses, 27-1-719; Title 25, chapter 20, M.R.Civ.P., Rule 8(c)
  blind pedestrians, failure to carry cane or use guide dog — effect, 49-4-216
  mining company employees, 39-2-704
  products liability actions, affirmative defenses, 27-1-719
  railroad employees, effect, 39-2-703, 69-14-1006
  snowmobile area operators, effect on, 23-2-656

NEGLIGENCE (Continued)

Complaint, forms, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 8; Form 9; Form 13
Concealed weapons, permits to carry — actions arising from, 45-8-326
Construction blasters, in practice of blasting, 37-72-203
Consumer reports, in preparation and disclosure, 31-3-141, 31-3-143
Contract to exempt unlawful, 28-2-702
Contributory negligence, 27-1-701, 27-1-702, 27-1-719, 61-6-103; Title 25, chapter 20, M.R.Civ.P., Rule 8(c), See **Comparative negligence**
County clerk and recorder, 7-4-2623
County officers, 7-4-2113, 7-4-2517
County weed management districts, 7-22-2111
Credit reports, in preparation and disclosure, 31-3-141, 31-3-143
Crematoriums and crematory operators, limitation on liability, 37-19-707
Criminal, See **CRIMES**
Dam or reservoir owners, 85-15-305
Defined, 1-1-204
Dentists, 41-1-407
Disaster and emergency services personnel, 10-3-111
Documents of title, 30-7-204, 30-7-309
Drug offenses, community service as sentencing alternative — supervisory personnel, 45-9-204
Emergency medical care, 27-1-714, 27-1-734, 37-27-311, 41-1-405, 50-6-317
Eminent domain, surveys for — damage to property, 70-30-110
Employment situations, See **LABOR AND EMPLOYMENT, Negligence**
Engineers, 37-67-331, 50-74-314
Equine activities, liability, 27-1-725 — 27-1-728
Evidence
    insurance agreement, Title 26, chapter 10, M.R.Ev., Rule 411
    personal representative, inference, 72-3-916
    subsequent remedial measures, Title 26, chapter 10, M.R.Ev., Rule 407
    voluntary payment of claims, Title 26, chapter 1, part 7
Exculpatory contracts unlawful, 28-2-702
    employer liability, 39-2-705
    mining company fellow servant liability, 39-2-704
    railway corporation fellow servant liability, 39-2-703
Farm mutual insurers, directors or officers, 33-4-413
Fire reports, delays in receiving or transmitting, 7-33-4114
Food, donated — liability when unfit for human consumption, 27-1-716
Forest fires
    burning permits, noncompliance, 76-13-122
    campfires, failure to extinguish, 76-13-123
    landowner negligence, 76-13-201
Frozen food lockers, liability of owner for loss of food, 50-50-403
Funeral processions, 61-8-384
Good Samaritan Law, 27-1-714, 41-1-405, 61-8-909
Grain inspectors, samplers, or weighers, 80-4-703
Guardian of minor, liability, 72-5-231
Hazardous or deleterious substance, release — remedial action contractor, 75-10-718
Health care facility services, 27-1-734, 37-27-311, 41-1-407, 50-33-103
Health care information violations caused by, damages, 50-16-553
Hearing aid dispensers, revocation or suspension of license, 37-16-411
Highway patrol officers, cause for disciplinary action, 44-1-612
HIV-related testing and counseling provisions, 50-16-1013
Hunting, failure to tag carcasses of game animals or birds, 87-2-509, 87-3-405
Immunity from liability, Title 2, chapter 9, part 1, See **GOVERNMENT LIABILITY**
Inheritance tax, effect, 72-16-458, 72-16-609
Innkeepers, loss or damage to guests' property, 70-6-501 — 70-6-503, 70-6-505

NEGLIGENCE (Continued)

Insurance information, disclosure or furnishing, 33-19-408
Irrigation ditch owners or operators, nonliabilities for drownings when, 85-7-2212
Joinder of parties, 27-1-703
Joint and several liability, 27-1-703, 61-5-108
Joint liability, 27-1-703
Labor situations, See **LABOR AND EMPLOYMENT, Negligence**
Landlord and tenant
    essential services, landlord's failure to provide, 70-24-408
    fire or casualty damage by tenant, tenant's family, or guests, 70-24-409
    personal property abandoned by tenant, loss caused by landlord, 70-24-430
    rental agreements, prohibited provisions in, 70-24-202
    security deposit, cleaning charges deductible when, 70-25-201
Land surveyors, 37-67-331
Liability, 27-1-701, 27-1-703
    bailment, depositary, 70-6-204
    blood banks, 50-33-104
    carriers, 69-11-105, 69-11-421
    comparative negligence, See **Comparative negligence**
    crematory operators, limitation, 37-19-701
    determination, 27-1-703
    ditch company employees, 27-1-731
    employee, 39-2-702
    employer, 39-2-705
    exemption by contract unlawful, 28-2-702
    fellow employee, 39-71-413, 39-72-402
    firearms safety instructors, immunity, 27-1-721
    guardian of minor, 72-5-231
    health care providers, 27-1-734, 37-27-311, 50-6-317
    health care facilities, 27-1-734, 37-27-311, 50-33-103
    innkeepers, 70-6-501 — 70-6-503, 70-6-505
    joint, 27-1-703
    joint and several, 27-1-703, 61-5-108
    limited liability partnerships, partners, 35-10-307
    long-term care facilities, 50-33-103
    motor vehicle owners, for employee drivers, 61-6-201
    obstetrical services provided to patients of direct-entry midwives, 27-1-734, 37-27-311
    professional corporations, 35-4-403, 35-4-404
    railroads, control of fire hazards along right-of-way, 69-14-721
    several, 27-1-703
    telephone company, local exchange — emergency communications systems provided by, 27-1-735
    third parties, acts of, 1-3-234
    tissue banks, 50-33-104
    utilities, underground facilities — damages to, 69-4-505, 69-4-506
Limited liability companies
    members and managers, 35-8-402
    professional limited liability company employees, 35-8-1306
Livestock
    motor vehicles, collision with animals grazing on highway, 60-7-203
    railroads, liability for destruction, 69-14-701, 69-14-707, 69-14-711
    testing, animals killed or injured during, 81-2-201
    trespassing livestock, loss or injury during retention, 81-4-217
Loan of property for use, damage or injury to thing loaned, 70-7-107
Long-term care facilities, services related to blood and blood products, 50-33-103
Malpractice, Title 27, chapters 6 and 12
Mandamus, writ of — disobedience, 27-26-206

NEGLIGENCE (Continued)

Medical record information violations caused by, damages, 50-16-553
Mental health care facility services, 41-1-407
Mining company, fellow servant liability, 39-2-704
Minors, health care for, 41-1-405 — 41-1-407
Motor carriers, operation, 69-12-402
Motor vehicles
    injuries or damages incurred by insured or operator, effect on liability insurance, 61-6-103
    seatbelt use, noncompliance does not constitute negligence, 61-13-106
Negotiable instruments, contributing to forged signature or alteration, 30-3-406
Notaries public, 1-5-406
Nurseries, penalty, 80-7-135
Nurses, emergency services, 50-6-317
Obligations, effect on forfeiture provisions, 28-1-104
Obstetrical services provided to patients of direct-entry midwives, 27-1-734, 37-27-311
Outfitters or guides
    participants, by, 37-47-403
    revocation or suspension of license, 37-47-341
Parties, 27-1-703
Partnerships, conduct of partners, 35-10-405
Personal representative
    claims, negligence in making payment, 72-3-808
    distribution to trustee, negligence not inferred, 72-3-916
    inheritance tax, delay in payment caused by — effect, 72-16-609
Physical therapists — denial, revocation, or suspension of license, 37-11-321
Physicians and surgeons, See **MALPRACTICE, MEDICAL**; **PHYSICIANS AND SURGEONS**
Plumbers, 37-69-320
Product safety, See **CONSUMER PROTECTION**, **Product safety**; **HAZARDOUS SUBSTANCES**, generally
Professional corporations, liability, 35-4-403, 35-4-404
Psychiatrists, 41-1-407
Psychologists, 41-1-407
Public Employees' Retirement System, member — death caused by, effect, 19-2-906
Railroads, See **RAILROADS**
Religious corporations sole, directors or officers, 35-3-205
Renewable resource emergency grant or loan projects, limitation, 85-1-605
Several liability, 27-1-703
Smoke detectors for dwellings, noncompliance with notice requirement upon sale of dwelling, 70-20-113
Snowmobile area operators, 23-2-653, 23-2-656
Strip and underground mining permittees, 82-4-221
Subdivision landowners or subdividers, 76-4-1115
Surety bonds, See **SURETY BONDS**
Tagging of carcasses of game animals or birds, failure to tag, 87-2-509, 87-3-405
Tax
    individual income, payment deficiency, 15-30-323
    inheritance, effect, 72-16-458, 72-16-609
Tissue banks, 50-33-104
Tow truck assistance, good faith immunity when, 61-8-909
Trusts
    cotrustee, trustee enabling, 72-34-503
    trustee, intentional, 72-34-512
Underground storage tank installers, 75-11-223
Utilities
    national electrical safety code, proof of compliance — effect, 69-4-201
    underground facilities, damages to, 69-4-505, 69-4-506
Vital statistics records, disclosure, 50-15-114

NEGLIGENCE (Continued)

Voluntary payment of claim, Title 26, chapter 1, part 7
Water treatment plant operators, 37-42-308
Water well contractors, drillers, and monitoring well constructors, 37-43-307
Weed management districts, 7-22-2111
Workers' compensation, negligence of
  fellow employee, 39-71-413, 39-72-402
  self-insurers liability, persons contributing to underestimation, 39-71-2616
  third party, 39-71-412, 39-72-402
  uninsured employer's employee, 39-71-509
Wrongful death, See **WRONGFUL DEATH**
Yellowstone River Compact, noncompliance, 85-20-113
Zoning boards of adjustment, 76-2-228, 76-2-328

NEGOTIABLE INSTRUMENTS
  See also **UNIFORM COMMERCIAL CODE, GENERAL PROVISIONS**
Acceleration, 30-1-208, 30-3-105, 30-3-109, 30-3-122, 30-3-304
Acceptance, 30-3-102, 30-3-410, See also **Presentment**
  actions for enforcement, statute of limitations, 30-3-122
  bank, 30-3-410, 30-3-414, 30-3-423, 32-1-437
  cancellation, 30-3-412
  certified check, 30-3-410
  date, 30-3-410
  delivery on, 30-2-514
  dishonor, See **Dishonor of instrument**
  effective when, 30-3-410
  late, consent, 30-3-512
  liability, drawee, 30-3-409
  mistake, by, 30-3-425
  nonacceptance, 30-3-508, 30-3-510
  notice of dishonor, See **Notice of dishonor**
  ordinary care, 30-3-425
  payable at a definite time, 30-3-109, 30-3-122
  payment of draft, 30-3-422
  presentment, 30-3-424, 30-3-504, 30-3-512, 30-3-513
  refusal, 30-3-412, 30-3-504, 30-3-510
  reservation of rights, 30-1-207
  revocation, 30-3-425
  unaccepted, 30-3-424, 30-3-512
  variance of draft, 30-3-412, 30-3-422
  warranties, 30-3-417, 30-3-424
  written on draft, 30-3-410
Acceptor, 30-3-102
  accommodation party, 30-3-415
  actions against, statute of limitations, 30-3-122
  breach of warranty, recovery, 30-3-424
  conversion, action for, 30-3-419
  death, excused presentment, 30-3-513
  dishonor of instrument, 30-3-414, 30-3-423
  extension of payment, 30-3-109
  failure to date acceptance, 30-3-410
  insolvency, excused presentment, 30-3-513
  liability, 30-3-130, 30-3-310
  obligated bank, 30-3-421
  obligation, 30-3-422, 30-3-424
  presentment to, 30-3-504

NEGOTIABLE INSTRUMENTS (Continued)
Acceptor (Continued)

- repudiation, excused presentment, 30-3-513
- warranties on transfer, 30-3-417

Accommodated party, 30-3-102, 30-3-415
Accommodation party, 30-3-102, 30-3-415
- discharge, 30-3-604, 30-3-607
- enforcement of obligation to pay, 30-3-305, 30-3-415
- liability, 30-3-415
- obligation, 30-3-415, 30-3-604, 30-3-607
- presumption, 30-3-415
- reimbursement, 30-3-415

Accommodation, signed for, 30-3-415, 30-3-607
Accord and satisfaction, 30-3-311
Account, 30-3-126, 30-3-205
Acknowledgment, 30-3-102, 30-3-104
Actions, 30-1-201, See also **Enforcement**
- accommodation party, to enforce obligation to pay, 30-3-305
- barred when, 30-3-122
- breach
  - obligation, 30-3-131
  - warranty, accrual, 30-3-417, 30-3-424
- conversion of instrument, 30-3-419
- enforcement of rights and obligations by, 30-1-106, 30-3-122, 30-3-205, 30-3-305, 30-3-307
- notice of right to defend, 30-3-131
- pleadings, validity of signatures, 30-3-307
- recoupment, claim in, 30-3-305
- renunciation of right, 30-3-605
- signatures, proof, 30-3-307
- statute of limitations, 27-2-213, 30-3-122
- waiver of claim or right, 30-1-107

Agent, 30-1-201
- accord and satisfaction, 30-3-311
- collection by, 28-10-303
- confession of judgment, acceptance or entry by as illegal term, 28-2-709
- conversion of instrument, 30-3-419
- default judgment, acceptance or entry by as illegal term, 28-2-709
- fiduciary, 30-3-308, See **Fiduciary**
- payable to, 30-3-126
- restrictive endorsement, 30-3-205
- service of process, acceptance as illegal term, 28-2-709
- signature by, 30-3-401

Agreement
- affecting instrument, 30-3-119
- contribution, party's entitlement, 30-3-130
- discharge, for, 30-3-601, 30-3-607
- drawee, to pay draft, 30-3-410
- presentment, manner of, 30-3-504
- separate, 30-1-201, 30-3-119, 30-3-607
- subordinated obligation, 30-1-209
- tax payments, 15-1-421

Agricultural loan authority program bonds, 80-12-304
Agricultural marketing associations, as payment for stock, 35-17-302
Alteration, 30-3-102, 30-3-407, 30-4-104, See also **Forgery**; **Fraud**
- acceptance, supplying date in good faith, 30-3-410
- amount of instrument, 30-3-422
- breach of warranty, claim for, 30-3-424

NEGOTIABLE INSTRUMENTS (Continued)
Alteration (Continued)

  discharge of party, 30-3-407
  holder in due course, acquisition of instrument, 30-3-302
  incomplete instruments, 30-3-115, 30-3-407
  negligence contributing to, 30-3-406
  notice, 30-3-302
  warranty, 30-3-417, 30-3-424
Ambiguity, multiple payees, 30-3-126
Antedating, 30-3-114
Assignment, 28-2-206, 30-3-210, 30-3-409, 30-3-423
Authentication, 30-3-401; Title 26, chapter 10, M.R.Ev., Rule 902
Authenticity, 30-3-302, 30-3-307
Authorization to pay not order when, 30-3-102
Bankruptcy, status of holder when instrument acquired in, 30-3-302
Banks, 30-1-201, 30-3-102, 30-4-105, See also specific bank in this subject heading
  acceptance by, 30-3-410, 30-3-414, 30-3-423, 32-1-437
  acceptor, liability as — when, 30-3-310
  banking day, 30-3-102, 30-4-104
  branch of bank defined, 30-1-111, 30-1-201, 30-4-106
  cashier's check, refusal to pay, 30-3-421
  certificate of deposit, 30-3-104
  certified check, 30-3-410, 30-3-421
  collecting bank, 30-3-102, 30-3-508, 30-3-510, 30-4-105
  collections, chapter subject to law on, 30-3-124, 30-4-102, See **BANK DEPOSITS AND COLLECTIONS**
  depositary bank, 30-3-102, 30-3-205, 30-3-405, 30-3-414, 30-3-420, 30-3-423, 30-4-105
  deposits, chapter subject to law on, 30-3-124, 30-4-102, See **BANK DEPOSITS AND COLLECTIONS**
  dishonor, 30-3-510, 30-3-512
  federal reserve system regulations, 30-3-124
  intermediary bank, 30-3-102, 30-3-205, 30-4-105
  maker, liability as — when, 30-3-310
  notaries public, authority, 1-5-417
  notice of dishonor, 30-3-508
  obligation, effect of instrument taken for, 30-3-310
  ordinary care, 30-3-102
  payor bank, 30-3-102, 30-3-205, 30-3-510, 30-3-512, 30-4-105
  presentment, 30-3-504, 30-3-512
  restrictive endorsement, 30-3-205
  teller's check, stop payment or refusal to pay, 30-3-421
  variance of draft, acceptance, 30-3-412
Bearer, 30-1-201, 30-3-102, 30-3-104, 30-3-111, 30-3-202, 30-3-204, 30-3-208
Bill of exchange, See **Draft**
Bills of lading, See **DOCUMENTS OF TITLE**
Breach, duty — negotiation through, effectiveness, 30-3-209
  fiduciary duty, 30-3-205, 30-3-308
  obligation, 30-3-131
  warranty, 30-3-122, 30-3-417, 30-3-424
Bulk transfer, status of holder when instrument acquired in, 30-3-302
Burden of proof, See **Evidence**
Cancellation, 30-3-208, 30-3-412, 30-3-605
Carriers, loss of valuable letters or cargo, 69-11-304, 69-11-429
Cash, payable to, 30-3-111
Certificate of deposit, 30-3-102, 30-3-104
  actions to enforce, statute of limitations, 30-3-122

NEGOTIABLE INSTRUMENTS (Continued)
Certificate of deposit (Continued)

- agricultural commodity warehouse operators or dealers, as condition for licensing when, 80-4-502, 80-4-601
- bail, as, 46-9-401
- compressed natural gas dealer, security, 15-70-701
- oil and gas noncommercial wells, as surety, 82-11-163
- public contractor's contract performance security, 18-2-201
- public contracts, bid security, 18-2-302
- workers' compensation, security for employer, 39-71-2106

Certificate of dishonor, 30-3-510
Check, 30-3-102, 30-3-104, See also **BANK DEPOSITS AND COLLECTIONS**

- actions to enforce, statute of limitations, 30-3-122
- assignment of funds, 30-3-409
- bad check, issuing, 27-1-717, 32-5-407, 44-1-1103, 45-6-316, 80-4-607, 81-8-235
- bank, refusal to pay, 30-3-421
- cashier's, 30-3-102, 30-3-104, 30-3-122, 30-3-310, 30-3-421, 30-3-603, 30-4-104
- certification, 30-3-310, 30-3-422
- certified, 30-3-102, 30-3-122, 30-3-310, 30-3-410, 30-3-421, 30-3-603, 30-4-104
- dishonored, 27-1-717, 30-2-403, 30-2-511, 30-2A-304, 30-2A-305, 30-3-310, 30-3-421, 30-3-512, See also **Dishonor of instrument**
- drawer, rights of — assignment when, 30-3-423
- endorser, liability, 30-3-414
- money order, 30-3-104
- obligation for which taken, effect on, 30-3-310
- order as negotiable instrument and check when, 30-3-104
- overdue, 30-3-304
- payment by, 30-2-401, 30-2-511, 30-2-514
- refusal to pay, 30-3-421
- representative, signature by — liability, 30-3-403
- stale, 30-3-304
- stop payment, 27-1-717, 30-3-421
- teller's, 30-3-102, 30-3-104, 30-3-122, 30-3-310, 30-3-421, 30-3-603, 30-4-104
- traveler's, 30-3-102, 30-3-104, 30-3-122
- unaccepted, liability, 30-3-409
- uncertified, obligation for which taken — effect on, 30-3-310
- warranties, 30-3-417, 30-3-424
- without recourse, disclaimer not effective, 30-3-423

Check-writing machines, signatures by, 30-3-126, 30-3-405
Citation of Uniform Commercial Code, 30-1-101, 30-3-101
Claims

- accord and satisfaction, 30-3-310
- breach of warranty, 30-3-417, 30-3-424
- checks, bank's refusal to pay, 30-3-421
- discharge, 30-3-311
- holder in due course, rights, 30-3-305, 30-9-206
- holder, rights, 30-3-105
- indemnity or contribution, for — actions for conversion, statute of limitations, 30-3-122
- instrument, to, 30-3-305, 30-3-306, 30-3-308, 30-3-603
- notice, 30-3-302
- property or possessory right, 30-3-306
- recoupment, in, 30-3-302, 30-3-305, 30-3-307, 30-3-417
- recovery of instrument or proceeds, 30-3-306
- represented person, 30-3-308
- rescission of negotiation, 30-3-306
- secured transactions, 30-9-206
- transferee, rights, 30-3-105

NEGOTIABLE INSTRUMENTS (Continued)
Claims (Continued)

    waiver, 30-1-107
Clearinghouse, 30-3-102, 30-3-504, 30-4-104
Coal severance tax bonds, 17-5-714
Collateral, 30-3-104, 30-3-105, 30-3-607
Collecting bank, 30-3-102, 30-3-508, 30-3-510, 30-4-105
Collection
    accord and satisfaction, 30-3-311
    agent's responsibility, 28-10-303
    check, endorsement — endorser's liability, 30-3-414
    guarantee, accommodation party, 30-3-415
    taking for, 30-3-205, 30-3-203, 30-3-308, 30-3-405, 30-3-419, 30-3-420
Complaint on promissory note
    form, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 2; Form 12
    signatures, admission of genuineness, 25-31-512, 30-3-307
Condition
    endorsement, 15-1-421, 30-3-205
    issuance, conditional or for special purpose, 30-3-125
    restrictive endorsement, 30-3-205
    unconditional promise or order, 30-3-104, 30-3-105
Confession of judgment, 28-2-709, 30-3-104
Conflict of law, 30-1-105, 30-3-124
Consent, 30-3-512, 30-3-607
Consideration, 30-3-102, 30-3-303
    accommodation party, for accommodation, 30-3-415
    discharge with or without, 30-3-605
    issuance of instrument, 30-3-303
    modification of obligation, 30-3-607
    presumption, 26-1-602
    promise of performance, 30-3-302
    transfer of instrument, warranties, 30-3-417
Construction of provisions, 30-3-102; Title 30, chapter 3, part 1
Consul, protest, 30-3-510
Contracts, nonnegotiable written — transfer by endorsement, 28-2-206
Contradictory terms, 30-3-129
Contribution, 30-3-130, 30-3-122, 30-3-415, 30-3-607
Conversion of instrument, 30-3-122, 30-3-204, 30-3-205, 30-3-419, 30-4-203
Corporations
    fiduciary, 30-3-308, See **Fiduciary**
    negotiation when exceeding powers, effectiveness, 30-3-209
    notaries public, authority, 1-5-417
    notes, 35-1-115, 35-1-623, 35-1-1111
    represented person, 30-3-308, See **Represented person**
Countersignature, 30-3-104, 30-3-105
Creditor's sale, status of holder when instrument acquired in, 30-3-302
Damages, 27-1-717, 30-3-417, 30-3-421, 30-3-424
Date, 30-3-114, 30-3-128, 30-3-304, 30-3-410, 30-3-607
Death
    maker or acceptor, excused presentment, 30-3-513
    signer, validity of signature, 30-3-307
Default, 28-2-709, 30-3-302, 30-3-304
Defenses
    accommodation party, of, 30-3-305
    breach of warranty, 30-3-424
    checks, bank's refusal to pay, 30-3-421
    collateral, impairment — waiver, 30-3-607

NEGOTIABLE INSTRUMENTS (Continued)
Defenses (Continued)

- conditional issuance or issuance for special purpose, failure of condition or purpose, 30-3-125
- consideration, issuance without, 30-3-303
- contract, nonnegotiable written — rights, 28-2-206
- countersign, failure to, 30-3-105
- discharge in insolvency proceedings, 30-3-305
- duress, 30-3-305
- fraud, 30-3-305
- holder in due course, rights, 30-3-305, 30-9-206
- holder, rights, 30-3-105
- illegality of transaction, 30-3-305
- incapacity, 30-3-305
- infancy, 30-3-305
- nonissuance, 30-3-125
- notice, 30-3-302
- obligation, separate agreement, 30-3-119
- obligor, of, 30-3-305
- performance, promise of — nonperformance, 30-3-303
- restrictive endorsement, payment in violation or not permitted, 30-3-205
- secured transactions, 30-9-206
- signatures, validity admitted, 30-3-307
- suretyship, waiver, 30-3-607
- transferee, rights, 30-3-105
- warranties on transfer, 30-3-417

Definite time, payable at, 30-3-102, 30-3-104, 30-3-109, 30-3-122, 30-3-304
Definitions, 30-1-102, 30-1-201, 30-3-102, 30-3-104, 30-4-104, 30-4-105

- acceptance, 30-3-102, 30-3-410
- accommodated party, 30-3-102, 30-3-415
- accommodation party, 30-3-102, 30-3-415
- alteration, 30-3-102, 30-3-407
- anomalous endorsement, 30-3-102, 30-3-204
- authorized signature of the represented person, 30-3-403
- banking day, 30-3-102, 30-4-104
- blank endorsement, 30-3-102, 30-3-204
- certified check, 30-3-102, 30-3-410
- code, 30-1-101
- consideration, 30-3-102, 30-3-303
- customer, 30-3-102, 30-4-104
- employee, 30-3-420
- endorsement, 30-3-102, 30-3-203
- endorser, 30-3-102, 30-3-203, 30-3-607
- fiduciary, 30-3-102, 30-3-308
- for accommodation, 30-3-415
- fraudulent endorsement, 30-3-420
- holder in due course, 30-3-102, 30-3-302
- incomplete instrument, 30-3-115
- issue, 30-3-102, 30-3-125
- issuer, 30-3-102, 30-3-125
- negotiation, 30-3-202
- obligated bank, 30-3-421
- payable at a definite time, 30-3-102, 30-3-109
- payable on demand, 30-3-102, 30-3-108
- payable to bearer, 30-3-102, 30-3-111
- payable to order, 30-3-102, 30-3-111
- person entitled to enforce, 30-3-102, 30-3-301
- presentment, 30-3-102, 30-3-504

NEGOTIABLE INSTRUMENTS (Continued)
Definitions (Continued)

- represented person, 30-3-102, 30-3-308
- responsibility, 30-3-420
- special endorsement, 30-3-102, 30-3-204

Delivery, 30-1-201
- acceptance, 30-2-514, 30-3-410
- conversion of instrument, 30-3-419
- issue of instrument, as, 30-3-125
- transfer of instrument, 30-3-210

Demand, payable on, 30-3-102, 30-3-104, 30-3-108, 30-3-109, 30-3-114, 30-3-122, 30-3-304, 30-3-512, See also **Presentment**

Depositary bank, 30-3-102, 30-4-105
- conversion of instrument, 30-3-205
- drawer, rights of — assignment when, 30-3-423
- endorsement, 30-3-405, 30-3-420
- liability of endorser, discharge when, 30-3-414

Destroyed instrument, enforcement, 30-3-301, 30-3-309, 30-3-310

Destruction of instrument, 30-3-605

Discharge
- accommodation party, 30-3-604, 30-3-607
- cancellation, by, 30-3-605
- claim, of, 30-3-311
- effect, 30-3-601
- endorser, 30-3-208, 30-3-414, 30-3-607
- insolvency proceedings, obligor, 30-3-305
- instrument, multiple payees, 30-3-126
- interest, payment by obligor, 30-3-604
- notice, 30-3-302, 30-3-601
- obligation, 30-3-310, 30-3-412, 30-3-423, 30-3-601, 30-3-603 — 30-3-605, 30-3-607
- party, 30-3-130, 30-3-302, 30-3-305, 30-3-407, 30-3-601, 30-3-603, 30-3-605, 30-3-607
- renunciation, by, 30-3-605
- waiver, 30-3-607
- warrantor, 30-3-417, 30-3-424

Disclaimer
- liability, 30-3-414, 30-3-423
- warranties, 30-3-417, 30-3-424

Dishonor of instrument
- acceptance, 30-3-410, 30-4-210
- accepted draft, 30-3-512
- acceptor, by, 30-3-414, 30-3-423
- action to enforce, statute of limitations, 30-3-122
- agent's responsibility, 28-10-303
- bank's liability, 30-4-401, 30-4-402
- certificate, 30-3-510
- certifying check, drawee's refusal to certify, 30-3-410
- drawer, obligation, 27-1-717
- endorser, obligation, 30-3-414
- evidence, 30-3-510
- late acceptance, consent — effect, 30-3-512
- liability for damages when, 27-1-717
- note, 30-3-512
- notice of, See **Notice of dishonor**
- obligation, suspension, 30-3-310
- presentment, 30-3-424, 30-3-504, 30-3-512
- presumptions, 30-3-510
- protest, 30-3-510

NEGOTIABLE INSTRUMENTS (Continued)
Dishonor of instrument (Continued)

- record of, 30-3-510
- tender, effect, 30-2-503
- time, 30-4-210
- unaccepted, 30-3-512
- variance of draft as, 30-3-412
- wrongful, 30-4-401, 30-4-402

Documentary draft, 30-3-102, 30-3-512, 30-4-104, See also **Dishonor of instrument**
Draft, 30-3-102, 30-3-104

- acceptance, 28-10-303, 30-2-514, 30-3-122, 30-3-410, 30-3-412, 30-3-512
- actions for enforcement, statute of limitations, 30-3-122
- agent's responsibility, 28-10-303
- assignment of funds, 30-3-409
- check, See **Check**
- delivery on acceptance, 30-2-514
- dishonor, See **Dishonor of instrument**; **Notice of dishonor**
- documentary, 30-3-102, 30-3-512, 30-4-104
- endorser, liability, 30-3-414
- financing agency, rights, 30-2-506
- incomplete, See **Incomplete instrument**
- notice of dishonor, See **Notice of dishonor**
- overdue, acceptance, 30-3-410
- payment, See **Payment**
- presentment, See **Presentment**
- unaccepted
  - action to enforce, statute of limitations, 30-3-122
  - dishonor, 30-3-512, See also **Dishonor of instrument**
  - drawer, obligation, 30-3-423
  - liability, 30-3-409
  - warranties on, 30-3-417, 30-3-424
- unsigned, acceptance, 30-3-410
- variance, 30-3-412, 30-3-422
- warranties, 30-3-424
- without recourse, 30-3-423

Drawee, 30-3-102, 30-4-104

- acceptance, See **Acceptance**
- acceptor, See **Acceptor**
- agreement to pay draft, 30-3-410, See **Acceptance**
- breach of warranty, damages — recovery, 30-3-424
- certifying check, 30-3-410
- conversion of instrument, 30-3-419
- dishonor of instrument, evidence, 30-3-510
- drawer, rights of — assignment when, 30-3-423
- mistake, payment or acceptance by, 30-3-425
- ordinary care, 30-3-425
- place of payment, 30-3-127
- presentment to, 30-3-424, 30-3-504
- unaccepted draft, liability, 30-3-409

Drawer, 30-3-102, 30-4-104

- acceptor, obligation, 30-3-422
- accommodation party, 30-3-415
- consideration, issuance without — defense, 30-3-303
- conversion, action for, 30-3-419
- delivery of instrument, 30-3-125
- discharge of obligation, 30-3-412, 30-3-423
- dishonored draft, presentment warranties, 30-3-424

NEGOTIABLE INSTRUMENTS (Continued)
Drawer (Continued)

- employer as, fraudulent endorsement by employee, 30-3-420
- endorser includes, when, 30-3-607
- impostor, issuance to, 30-3-405
- liability, 27-1-717, 30-3-130, 30-3-423
- obligation, 30-3-423, 30-3-508, 30-3-513, 30-3-607
- performance, promise of — nonperformance, defense, 30-3-303
- signature, 30-3-126, 30-3-403, 30-3-405
- tax payments, endorsement provisions, 15-1-421
- warranties on transfer, 30-3-417

Drug violations, forfeiture of instrument used to facilitate, 44-12-102, 45-9-206
Duress, 30-3-209, 30-3-305
Economic development bonds, 17-5-1506, 17-5-1512
Employer responsibility, fraudulent endorsement by employee, 30-3-420
Endorsee, 30-3-205, 30-3-419
Endorsement, 30-3-102, 30-3-203

- accommodation party, 30-3-415
- anomalous, 30-3-102, 30-3-204, 30-3-415
- blank, 30-1-201, 30-3-102, 30-3-111, 30-3-204
- cancellation, 30-3-208, 30-3-605
- conditional, 15-1-421
- contract, nonnegotiable written — applicability of laws, 28-2-206
- conversion, 30-3-204, 30-3-419, 30-4-203
- employee, responsibility, 30-3-420
- fictitious payee, 30-3-405
- forged, 30-3-420
- fraudulent, by employee — employer responsibility, 30-3-420
- holder, by, 30-3-202 — 30-3-204, 30-3-210
- identification of person to whom payable, 30-3-204
- impostor, by, 30-3-405
- incomplete instrument, 30-3-414
- lack of, return of instrument, 30-3-504
- limitation accompanying, 15-1-421
- negotiation, requirement, 30-3-202 — 30-3-204, 30-3-405, 30-3-419
- obligation of endorser, 30-3-414
- presumption of making, 26-1-602
- restrictive, 15-1-421, 30-3-205, 30-4-203
- security interest, transfer by, 30-3-203
- signature as, 30-3-203, See also **Signatures**
- special, 15-1-421, 30-3-102, 30-3-111, 30-3-204, 30-3-405
- striking out, 30-3-605
- tax payments, on, 15-1-421
- transfer by, 28-2-206, 30-3-203, 30-3-417
- unauthorized, claim for breach of warranty, 30-3-424
- unqualified, 30-3-203, 30-3-210
- warranties, 30-3-417
- without recourse, 30-3-414

Endorser, 30-3-102, 30-3-203, 30-3-607

- acceptor, obligation, 30-3-422
- accommodation party, 30-3-415
- anomalous, liability, 30-3-130
- bank, collection by — for, 30-3-205
- cancellation of endorsement, 30-3-208
- discharge, 30-3-208, 30-3-310, 30-3-412, 30-3-414, 30-3-607
- dishonored draft, presentment warranties, 30-3-424
- drawer, obligation, 30-3-423

NEGOTIABLE INSTRUMENTS (Continued)
Endorser (Continued)

- liability, 30-3-130, 30-3-203, 30-3-310, 30-3-414
- note, obligation of maker, 30-3-413
- obligation, 30-3-414, 30-3-423, 30-3-508, 30-3-513, 30-3-604
- proceeds received by, 30-3-205
- restrictive endorsement, 30-3-205

Enforcement, See also **Actions**

- accommodation party, 30-3-305, 30-3-415
- actions, 30-3-122, 30-3-205, 30-3-305, 30-3-307
- altered instrument, 30-3-407
- checks, bank's refusal to pay — rights, 30-3-421
- claim to instrument, 30-3-603
- defenses, See **Defenses**
- destroyed instrument, 30-3-301, 30-3-309, 30-3-310
- dishonored instrument, 30-3-310
- drawer's obligation, 30-3-508, 30-3-513
- endorsee's right, 30-3-205
- endorser's obligation, 30-3-508, 30-3-513
- holder in due course, rights, 30-3-305
- incomplete instruments, 30-3-115, 30-3-407
- lost instrument, 30-3-301, 30-3-309, 30-3-310
- multiple payees, 30-3-126
- notice of dishonor, excused when, 30-3-513
- obligee of obligation, by, 30-3-310
- person entitled to enforce, 30-3-102, 30-3-301, 30-4-104
  - acceptor, obligation, 30-3-422
  - checks, bank's refusal to pay, 30-3-421
  - claims to instrument, 30-3-305
  - collateral, impairment, 30-3-607
  - conversion, liability, 30-3-419
  - defenses of obligor or accommodation party, 30-3-305
  - discharge, 30-3-130, 30-3-605
  - draft, 30-3-104, 30-3-504
  - drawer, 30-3-423
  - due date, extension, 30-3-607
  - endorser, obligation, 30-3-414
  - guarantor, obligation, 30-3-415
  - holder in due course, rights, 30-3-302
  - lost, destroyed, or stolen instrument, 30-3-309, 30-3-310
  - maker, obligation, 30-3-413
  - modification of obligation, 30-3-607
  - note, 30-3-104, 30-3-413
  - obligation, instrument taken for — effect, 30-3-310
  - payment made to, 30-3-603, 30-3-604
  - place of payment, 30-3-127
  - recoupment, claim in, 30-3-305
  - security interest, 30-3-302
  - separate agreement, 30-3-119
  - warrantor, 30-3-417, 30-3-424
- stolen instrument, 30-3-301, 30-3-309, 30-3-310
- transfer of instrument, rights acquired by, 30-3-210

Estates and probate

- acquisition of instrument from, status of holder, 30-3-302
- location of property, 72-3-113
- payable to estate, 30-3-126

NEGOTIABLE INSTRUMENTS (Continued)

Evidence
  alteration, holder in due course, 30-3-302
  authentication, Title 26, chapter 10, M.R.Ev., Rule 902
  burden of establishing, 30-1-201
  collateral, impairment — burden of proof, 30-3-607
  consideration, 26-1-602
  defenses, burden of proof, 30-3-307
  dishonor, 30-3-510
  endorsement, 26-1-602
  enforcement of lost, destroyed, or stolen instrument, 30-3-309
  forgery, holder in due course, 30-3-302
  holder in due course, rights — burden of proof, 30-3-307
  incomplete instruments, unauthorized completion — burden of establishing, 30-3-115
  notice of dishonor, 30-3-510
  ordinary care, failure to exercise — burden of proof, 30-3-406
  presentment, authority to make, 30-3-504
  presumptions, See **Presumptions**
  "prove" defined, 30-3-102, 30-4-104
  recoupment, claim in — burden of proof, 30-3-307
  signatures, validity, 30-3-307
  third-party documents, 30-1-202
Exchange, transfer or issuance for, 30-3-303
Excused
  notice of dishonor, 30-3-508, 30-3-513
  presentment, 30-3-512, 30-3-513
Execution
  exemption, waiver unenforceable when, 25-13-601
  status of holder when instrument acquired in, 30-3-302
Federal reserve system regulations, 30-3-124
Fictitious payees, 30-3-405
Fiduciary, 30-3-102, 30-3-205, 30-3-308
Filing of document, effect, 30-3-302
Foreign money, payable in, 30-3-107
Forgery, 30-1-201, 30-3-302, 30-3-406, 30-3-420, See also **Alteration**; **Fraud**
Fraud, See also **Alteration**; **Forgery**
  alteration, discharge for, 30-3-407
  defense of obligor, 30-3-305
  endorsement by employee, employer responsibility, 30-3-420
  fictitious payee, 30-3-405
  loss resulting from, recovery, 30-3-420
  negotiation by, effectiveness, 30-3-209
  statute of frauds, accommodation party's obligation — enforcement, 30-3-415
  stop payment of check, 27-1-717
  transfer of instrument, effect on, 30-3-210
Funds transfers, payment orders — chapter inapplicable to, 30-3-124
Good faith, 30-1-201, 30-3-102, 30-4-104
  acceptance, date — supplying, 30-3-410
  conversion, 30-3-419
  holder in due course, 30-3-302
  obligation, 30-1-203
  payment, 30-3-209, 30-3-404 — 30-3-407, 30-3-420, 30-3-425
  remedy for improper negotiation, 30-3-209
  taking instrument, 30-3-302, 30-3-404 — 30-3-407, 30-3-417, 30-3-420, 30-3-425
  tender of instrument in satisfaction of claim, 30-3-311
  warranties, 30-3-417, 30-3-424

NEGOTIABLE INSTRUMENTS (Continued)

Guarantor, 30-1-201, 30-3-415
Handwritten terms, 30-3-129
Health Facility Authority bonds, 90-7-302
Highway revenue bonds, 17-5-926
Holder, 30-1-201; Title 30, chapter 3, part 3
  acceptance, See **Acceptance**
  collateral, disposal, 30-3-104
  date of acceptance supplied by, 30-3-410
  delivery of instrument to, 30-3-125
  determination, 30-3-126
  discharge, 30-3-208
  drawer, obligation, 30-3-423
  due course, excluded as holder in, 30-3-302
  endorsement by, 30-3-202 — 30-3-204, 30-3-210
  enforce, person entitled to, 30-3-301, See **Enforcement**, person entitled to enforce
  extension of payment, 30-3-109
  fictitious payees, 30-3-405
  judgment, confession of, 30-3-104
  note, obligation of maker, 30-3-413
  notice of dishonor, See **Notice of dishonor**
  payable to under different name, endorsement, 30-3-203
  presentment, See **Presentment**
  rights, 30-3-105
  transferee as, 30-3-105, 30-3-203
  transfer of possession, person becomes, 30-3-202
  undated instrument, date, 30-3-114
Holder in due course, 30-3-102, 30-3-302; Title 30, chapter 3, part 3
  acceptor, obligation, 30-3-422
  acquisition of instrument, 30-3-302
  bank as, 30-4-209
  discharge, 30-3-302, 30-3-601
  endorsement, See **Endorsement**
  enforce, person entitled to — rights as, 30-3-302
  promise or order, statement concerning claims or defenses — effect, 30-3-105
  purchaser as, 30-3-205
  remedy for improper negotiation, 30-3-209
  representative's liability on signature, notice, 30-3-403
  requirements, 30-3-302, 30-4-209
  rights, 30-3-210, 30-3-302, 30-3-305 — 30-3-307, 30-3-601, 30-9-309
  secured transactions, 30-9-206, 30-9-309
  status, 30-3-302, 30-3-307
  taking for value, 30-4-209
  transfer of instrument, rights acquired by, 30-3-210
Housing development, lower income — bonds issued for, 90-6-117
Identification
  notice of dishonor, instrument, 30-3-508
  payee, 30-3-405, 30-3-420
  person to whom instrument is payable, 30-3-126, 30-3-204, 30-3-405
  presentment, person making, 30-3-504
  protest, instrument, 30-3-510
  represented person, 30-3-403
  warrantor, 30-3-417, 30-3-424
Identified person
  instrument payable to, 30-3-102, 30-3-202, 30-3-204
  promise or order payable to order of, 30-3-111

NEGOTIABLE INSTRUMENTS (Continued)

Identifying number, person or account, 30-3-126
Illegal
    terms, 28-2-709
    transaction, 30-3-209, 30-3-305
    transfer of instrument, purchaser's illegalities — effect, 30-3-210
Impairment of collateral, 30-3-607
Impostors, 30-3-405
Incapacity, 30-3-209, 30-3-305
Incompetents, validity of signatures, 30-3-307
Incomplete instrument, 30-3-102, 30-3-115
    acceptance, 30-3-410, 30-3-422
    alteration, 30-3-115, 30-3-407
    completion, 30-3-115, 30-3-125, 30-3-407, 30-3-413, 30-3-414, 30-3-422, 30-3-423
    drawer, obligation, 30-3-423
    endorsement, 30-3-414
    enforcement, 30-3-115, 30-3-407
    holder in due course, acquisition, 30-3-302
    note, obligation of maker, 30-3-413
    unissued, completion — binding upon, 30-3-125
Indemnity, 30-3-122, 30-3-603
Industrial development project revenue bonds, 90-5-103
Infancy, 30-3-209, 30-3-305
Injunction prohibiting payment, 30-3-603
Insolvency, 30-1-201
    discharge in proceedings, 30-3-302, 30-3-305
    guarantor, obligation when, 30-3-415
    presentment excused, 30-3-513
    warranties, 30-3-417, 30-11-220
Installment payments, overdue, 30-3-304
Instruction
    acceptance, notice, 30-3-410
    to pay, See **Order**
Insurance against loss or damage to, See **SURETYSHIP AND SURETIES**
Interest, 30-3-128
    breach of warranty, damages to include loss, 30-3-417, 30-3-424
    checks, bank's refusal to pay — loss from, 30-3-421
    default in payment, 30-3-304
    discharge from payment, 30-3-604
    note, actions to enforce barred when, 30-3-122
Intermediary bank, 30-3-102, 30-3-205, 30-4-105
Interpretation of provisions, 30-3-102; Title 30, chapter 3, part 1
Investment securities, chapter inapplicable to, 30-8-102, 30-8-105
Irregular instrument, 30-3-302
Issue, 30-3-102, 30-3-114, 30-3-125
Judgment, 28-2-709, 30-3-104, 30-3-309, 30-3-415
Justices' courts, pleading in, 25-31-512
Legal process, status of holder when instrument acquired in, 30-3-302
Letters of credit, See **LETTERS OF CREDIT**
Liability, Title 30, chapter 3, part 4
    acceptance, 30-3-409
    acceptor, 30-3-130
    accommodation party, 30-3-415
    bad checks, issuance, 27-1-717
    conversion, 30-3-419
    disclaimer, 30-3-414, 30-3-423

NEGOTIABLE INSTRUMENTS (Continued)
Liability (Continued)

- drawee, 30-3-409
- drawer, 27-1-717, 30-3-130, 30-3-423
- endorsers, 30-3-130, 30-3-203, 30-3-310, 30-3-414
- fraudulent endorsement by employee, employer responsibility, 30-3-420
- intermediary bank, 30-3-205
- joint, 30-3-130, 30-3-607
- maker, 27-1-717, 30-3-130
- payor bank, 30-3-205
- representative who signs, 30-3-403
- represented person, 30-3-307, 30-3-403
- restrictive endorsement, effect, 30-3-205
- several, 30-3-130, 30-3-607
- signature, 30-3-130, 30-3-307, 30-3-401, 30-3-404
- signer, enforcement, 30-3-307
- stop payment on checks, 27-1-717
- wrongful dishonor, 30-4-401, 30-4-402

Lien, acquisition by transferee, 30-3-303
Limitation on payment, 30-3-205
Lost instrument, 30-3-301, 30-3-305, 30-3-309, 30-3-310
Mail, 30-3-405, 30-3-420
Maker, 30-3-102

- accommodation party, 30-3-415
- action against, statute of limitations, 30-3-122
- consideration, issuance without — defense, 30-3-303
- conversion, action for, 30-3-419
- death, excused presentment, 30-3-513
- delivery of instrument, 30-3-125
- employer as, fraudulent endorsement by employee, 30-3-420
- extension of payment, 30-3-109
- impostor, issuance to, 30-3-405
- insolvency, excused presentment, 30-3-513
- liability, 27-1-717, 30-3-130, 30-3-310
- obligation, 30-3-413
- performance, promise of — nonperformance, defense, 30-3-303
- place of payment, 30-3-126
- presentment to, 30-3-504
- repudiation, excused presentment, 30-3-513
- signature, 30-3-126, 30-3-405
- tax payments, endorsement provisions, 15-1-421
- warranties on transfer, 30-3-417

Midnight, notice of dishonor, 30-3-508
Milk producers and retailers, prohibitions, 81-23-305
Misrepresentation, See **Fraud**
Mistake, 30-3-209, 30-3-425
Money, 30-1-201

- action for conversion, statute of limitations, 30-3-122
- chapter inapplicable to, 30-3-124
- expression, 30-12-602
- fixed amount, 30-3-104
- foreign, payable in, 30-3-107
- instruction to pay, order as, 30-3-102, See **Order**
- instrument payable in, 30-3-104, 30-3-107
- interest, amount, 30-3-128
- obligation, 30-3-310, 30-3-601
- undertaking to pay, promise as, 30-3-102, See **Promise**

NEGOTIABLE INSTRUMENTS (Continued)

Money order, 30-3-104
  child support payments, 40-5-202
  credit unions, sale, 32-3-401
  escrow businesses, item, 32-7-117
  procurement contracts, bid security, 18-4-312
  public contractor's contract performance security, 18-2-201
  public contracts, bid security, 18-1-203, 18-2-302
  state land leases, bid deposit, 77-6-203
  unclaimed, Title 70, chapter 9, parts 1 — 3, See **PROPERTY, PERSONAL, Unclaimed property**
Mortgage securing promissory note, 71-1-235
Multiple payees, 30-3-126
Municipal finance consolidation bonds and notes, 17-5-1627
Mutilation of instrument, 30-3-605
Names, See **Endorsement**; **Signatures**
Negligence contributing to forged signature or alteration, 30-3-406
Negotiation, 30-3-102, 30-3-202; Title 30, chapter 3, part 2
  anomalous endorsement, effect, 30-3-204
  effectiveness, 30-3-209
  endorsement, 30-3-203 — 30-3-205, 30-3-405, 30-3-419
  holder in due course, 30-3-302, 30-3-422
  improper, effect, 30-3-209
  multiple payees, 30-3-126
  reacquisition, 30-3-208
  remedies, 30-3-209
  remitter, by, 30-3-202
  rescission, 30-3-209, 30-3-306
  restrictive endorsement, 30-3-205
  third person instruments, 30-3-310
  transfer of instrument, 30-3-210
  transfer of possession, by, 30-3-202, 30-3-204
Nonnegotiable instrument, application of chapter to, 28-2-206
Notaries public, authority, 1-5-417, 30-3-510; Title 1, chapter 5, part 6, See also **NOTARIES PUBLIC**
Note, 30-3-102, 30-3-104
  actions to enforce, statute of limitations, 30-3-122
  certificate of deposit, 30-3-104
  corporations, 35-1-115, 35-1-623, 35-1-1111
  dishonored, 30-3-310, 30-3-512, See also **Dishonor of instrument**
  maker, See **Maker**
  obligation for which taken, effect on, 30-3-310
  payment, obligation for, 30-3-413
  presentment, 30-3-504, 30-3-512
Notice
  acceptance effective when, 30-3-410
  accommodation, instrument signed for, 30-3-415, 30-3-607
  action, right to defend, 30-3-131
  alteration, 30-3-302, 30-3-407
  breach of fiduciary duty, 30-3-205, 30-3-308
  breach of warranty, claim for, 30-3-417, 30-3-424
  checks, bank's refusal to pay — damages, 30-3-421
  claim of represented person, 30-3-308
  claim to instrument, 30-3-302
  defense, 30-3-302
  defined, 30-1-201
  discharge
    obligation of party, 30-3-601

NEGOTIABLE INSTRUMENTS (Continued)
Notice (Continued)
  discharge (Continued)
    party, 30-3-302
  dishonor, See **Notice of dishonor**
  effectiveness, 30-3-302
  overdue instrument, 30-3-302
  recoupment, claim in, 30-3-302
  representative's liability on signature, 30-3-403
  security interest, 30-9-309
  "send" defined, 30-1-201
  signature, unauthorized, 30-3-302
Notice of dishonor, 30-1-201, See also **Dishonor of instrument**
  delay in giving, 30-3-513
  drawer, liability, 27-1-717
  endorser, liability, 30-3-414
  evidence, 30-3-510
  excused, 30-3-508
  holder in due course, 30-3-302
  manner of giving, 30-3-508
  payor bank, 30-3-512, 30-4-301
  presumptions, 30-3-510
  protest, 30-3-510
  record of, 30-3-510
  required when, 30-3-508
  sufficiency, 30-3-508
  time, 30-3-508, 30-4-210
  waiver, 30-3-513
Numbers
  incomplete instrument, 30-3-115, 30-3-407
  words prevail over, 30-3-129
Obligation
  acceptor, 30-3-422, 30-3-424
  accommodation party, 30-3-305, 30-3-415, 30-3-604, 30-3-607
  acknowledgment by obligor not promise when, 30-3-102
  actions to enforce, 30-3-122, 30-3-205
  agreement to modify, supplement, or nullify, 30-3-119
  alteration of instrument, effect, 30-3-407
  breach, notice to third parties, 30-3-131
  check taken for, effect, 30-3-310
  countersign, failure to — effect, 30-3-105
  discharge, See **Discharge**
  drawer, 30-3-423, 30-3-508, 30-3-513, 30-3-607
  effect of instrument on, 30-3-310
  endorser, 30-3-414, 30-3-423, 30-3-508, 30-3-513, 30-3-604, 30-3-607
  good faith, 30-1-203
  guarantor, 30-3-415
  incomplete instrument, See **Incomplete instrument**
  maker, 30-3-413
  modification, 30-3-119, 30-3-607
  note, 30-3-310, 30-3-413
  nullification, 30-3-305
  payment of, transfer or issuance for value, 30-3-303
  promise or order, 30-3-105
  repudiation, 30-3-513
  right to enforce, 30-3-305
  security for, transfer or issuance for value, 30-3-303
  subordinated, 30-1-209

NEGOTIABLE INSTRUMENTS (Continued)
Obligation (Continued)

- suspension, 30-3-310
- third party, transfer for value, 30-3-303
- uncertified check taken for, effect, 30-3-310

Order, 30-3-102, 30-4-104
- check and negotiable instrument when, 30-3-104
- conditional, 30-3-105
- draft, 30-3-104
- not an instrument when, 30-3-104
- payable to, 30-3-102, 30-3-104, 30-3-111
- rights or obligations, 30-3-105
- unconditional, 30-3-104, 30-3-105

Ordinary care, 30-3-102, 30-3-405, 30-3-406, 30-3-420, 30-3-424, 30-3-425, 30-4-104
Outstanding, overdue when, 30-3-304
Overdue instrument, 30-3-302, 30-3-304, 30-3-410
Partnerships
- fiduciary, 30-3-308, See **Fiduciary**
- represented person, 30-3-308, See **Represented person**

Payable
- account, to, 30-3-126
- agent, to, 30-3-126
- "as originally drawn", 30-3-422
- bearer, to, 30-1-201, 30-3-102, 30-3-104, 30-3-111, 30-3-202, 30-3-204, 30-3-208
- cash, to, 30-3-111
- conversion, amount, 30-3-419
- definite time, at a, 30-3-102, 30-3-104, 30-3-109, 30-3-122, 30-3-304
- demand, on, 30-3-102, 30-3-104, 30-3-108, 30-3-109, 30-3-114, 30-3-122, 30-3-304, 30-3-512
- estate, to, 30-3-126
- fiduciary, to, 30-3-308
- fixed period after sight, failure to date — acceptance, 30-3-410
- foreign money, in, 30-3-107
- fraudulent endorsement by employee, 30-3-420
- holder, to — under different name, 30-3-203
- identification of person to whom payable, 30-3-126
- identified person, to, 30-3-202, 30-3-204
- installments, in, 30-3-304
- interest, 30-3-128
- money, in, 30-3-104, 30-3-107
- named person, to, 30-3-126
- order, to, 30-3-102, 30-3-104, 30-3-111
- public office or officer, to, 30-3-126
- reacquirer, to, 30-3-208
- represented person, to, 30-3-308
- trust, to, 30-3-126
- two or more persons, to, 30-3-126

Payee
- conversion, action for, 30-3-419
- endorsement, 30-3-405, 30-3-420
- fictitious, 30-3-405
- identification in instrument, 30-3-126, 30-3-405
- impostor, 30-3-405
- joint, endorsers — liability, 30-3-130
- recoupment, claim in, 30-3-305
- stop payment, intent to defraud, 27-1-717
- taker as, 30-3-308
- two or more, 30-3-126

NEGOTIABLE INSTRUMENTS (Continued)

Payment, 30-3-102, 30-3-603
  acceptance, See **Acceptance**
  acceptor, obligation, 30-3-422
  accommodation party, 30-3-305, 30-3-415
  actions to enforce, statute of limitations, 30-3-122
  altered instrument, 30-3-406
  authorization not order when, 30-3-102
  breach of fiduciary duty, 30-3-308
  claimant, obtained by, 30-3-311
  collateral to secure, 30-3-104
  conversion, 30-3-419
  countersignature required when, 30-3-105
  default, uncured — notice, 30-3-302
  delivery of document on, 30-2-514
  demand, 30-3-108, 30-3-504, See also **Presentment**
  discharge of obligation, 30-3-601, 30-3-603
  dishonor, See **Dishonor of instrument**
  due date, extension, 30-3-607
  endorsee, to, 30-3-205
  endorsement, 30-3-405, 30-3-420
  endorser, obligation, 30-3-414
  extension, 30-3-109
  extent, 30-3-603
  fraudulently altered instrument, 30-3-407
  holder's rights, 30-4-407
  injunction, 30-3-603
  installments, 30-3-304
  liability, 30-3-130
  limitation, 30-3-205
  loss resulting from, 30-3-405, 30-3-406
  mistake, by, 30-3-425
  nonpayment, 30-3-508, 30-3-510
  note, obligation of maker, 30-3-413
  notice of dishonor, See **Notice of dishonor**
  order, See **Order**
  ordinary care, 30-3-405, 30-3-424, 30-3-425
  place of, 30-3-127, 30-3-128, 30-3-412, 30-3-504, 30-3-604
  prepayment, 30-3-105, 30-3-109
  presentment, See **Presentment**
  promise, See **Promise**
  promisor, 30-3-102, See **Maker**
  receipt, 30-3-504
  refusal, 30-3-421, 30-3-504, 30-3-510, 30-3-603
  restriction, 30-3-203
  right to, enforcement, 30-3-305
  signature, 30-3-404, 30-3-406
  stop order, 30-4-407
  subordinated obligations, 30-1-209
  surrender of instrument, 30-3-504
  suspends, 30-3-102, 30-3-421, 30-3-423, 30-4-104
  tender of payment, 30-3-604
  time, 30-3-102, 30-3-104, 30-3-108, 30-3-109, 30-3-114, 30-3-122, 30-3-512
  unaccepted, 30-3-424, 30-3-512
  warranties, presentment, 30-3-424
Payor bank, 30-3-102, 30-3-205, 30-3-510, 30-3-512, 30-4-105

NEGOTIABLE INSTRUMENTS (Continued)

Performance, 30-1-207, 30-3-302, 30-3-303
Person entitled to enforce, See **Enforcement**
Possession
  bearer, 30-1-201, 30-3-102, 30-3-104, 30-3-111, 30-3-202, 30-3-204, 30-3-208
  drawer, obligation to holder, 30-3-423
  fictitious payees, 30-3-405
  loss of, enforcement, 30-3-301, 30-3-309
  nonholder, enforcement, 30-3-301, See **Enforcement**, person entitled to enforce
  note, obligation for payment, 30-3-413
  transfer, 30-3-202, 30-3-204, See also **Delivery**; **Negotiation**
  wrongful, 30-3-301, 30-3-309, 30-3-603
Possessory right in, 30-3-306
Postdating, 30-3-114
Power of attorney, statutory — authority, 72-31-228
Prepayment, 30-3-105, 30-3-109
Presentment, 30-3-102, 30-3-504, 30-4-210, See also **Acceptance**
  dishonor, See **Dishonor of instrument**
  excused, 30-3-512, 30-3-513
  notice of dishonor, See **Notice of dishonor**
  protest, contents, 30-3-510
  reasonable time, 30-1-204, 30-4-210
  tender of payment, 30-3-604
  waiver, 30-3-513
  warranties, 30-3-424
Presumptions, 30-1-201, See also **Evidence**
  accommodation party, 30-3-415
  consideration, 26-1-602
  conversion, liability, 30-3-419
  dishonor, 30-3-510
  endorsement, 26-1-602
  notice of dishonor, 30-3-510
  signatures, authentic and authorized, 30-3-307
Printed terms, 30-3-129
Process, status of holder when instrument acquired in, 30-3-302
Promise, 30-3-102, 30-4-104
  acknowledgment of obligation not, when, 30-3-102
  certificate of deposit, 30-3-104
  conditional, 30-3-105
  negotiable instrument, 30-3-104
  not an instrument when, 30-3-104
  note, 30-3-104
  performance, of, 30-3-302, 30-3-303
  rights or obligations, 30-3-105
  unconditional, 30-3-104, 30-3-105
Promisor, "maker" defined, 30-3-102, See **Maker**
Property, personal — conversion, applicability of laws, 30-3-419
Property right in, 30-3-306
Protest, 30-3-510
Public office or officer, payable to, 30-3-126
Ratification of signature, 30-3-404
Reacquisition, 30-3-102, 30-3-208
Reasonable commercial standards, 30-3-102
Recording of document, effect, 30-3-302
Recoupment, claim in, 30-3-302, 30-3-305, 30-3-307, 30-3-417

NEGOTIABLE INSTRUMENTS (Continued)

Recourse
  accommodated party, no right of, 30-3-415
  accommodation party, right of, 30-3-604, 30-3-607
  draft, without recourse, 30-3-423
  endorsement, without recourse, 30-3-414
  endorser, right of, 30-3-604, 30-3-607
Recovery
  acceptor, breach of warranty, 30-3-424
  checks, bank's refusal to pay — expenses and damages, 30-3-421
  conversion, amount, 30-3-419
  damages for breach of warranty, 30-3-417, 30-3-424
  fraudulent endorsement by employee, loss from, 30-3-420
  instrument or proceeds, 30-3-306, 30-3-405
  mistake, payment by, 30-3-425
Refusal
  payment or acceptance, 30-3-504, 30-3-510
  tender of payment, 30-3-604
  to pay instrument, 30-3-421, 30-3-603
Reimbursement from accommodated party, 30-3-415
Remedies, 30-1-201
  breach of warranty, 30-3-424, 30-3-425
  issuance of bad check or stopping payment, 27-1-717
  liberal administration, 30-1-106
  mistake, payment or acceptance by, 30-3-425
  mortgage securing promissory note, 71-1-235
  negotiation, improper, 30-3-209
  rescission, 30-3-209
Remitter, 30-3-102, 30-3-202, 30-3-205, 30-3-210
Renunciation, 30-1-107, 30-3-605
Representative, 30-3-403, 30-3-419, See also **Agent**
Represented person, 30-3-102, 30-3-307, 30-3-308, 30-3-401, 30-3-403
Repudiation of obligation, 30-3-513
Rescission of negotiation, 30-3-209, 30-3-306
Reservation of rights, 30-1-207
Responsibility of employer, fraudulent endorsement by employee, 30-3-420
Restriction on payment, 30-3-203
Restrictive endorsement, 30-3-205, See **Endorsement**
Return of instrument, 30-3-504, 30-3-508
Rights
  acceptance, on, 30-3-410
  accommodated party, no right of recourse, 30-3-415
  action, right to defend — notice, 30-3-131
  actions to enforce, statute of limitations, 30-3-122
  contract, nonnegotiable written — transfer by endorsement, 28-2-206
  delivery of instrument, purpose, 30-3-125
  drawee, 30-3-424, 30-3-425
  drawer, of — assignment, 30-3-423
  enforcement, See **Enforcement**
  financing agency, honoring or purchase of draft, 30-2-506
  fraudulent endorsement by employee, employer responsibility, 30-3-420
  holder in due course, 30-3-210, 30-3-302, 30-3-305 — 30-3-307, 30-3-601, 30-9-309
  promise or order, 30-3-105
  property or possessory, 30-3-306
  recourse, 30-3-415, 30-3-604, 30-3-607
  renunciation, 30-3-605

NEGOTIABLE INSTRUMENTS (Continued)
Rights (Continued)

  reservation, 30-1-207
  restrictive endorsement, effect, 30-3-205
  transfer of instrument, acquired by, 30-3-210
  waiver, 30-1-107
Sale, warranties, 30-11-220
Satisfaction, accord and, 30-3-311
Secured transactions, applicability of provisions, 30-3-124, 30-9-102
Securities, sale and registration — applicability of chapter, 30-3-124, 30-8-102
Security, 30-3-303, 30-3-308
Security interest, 30-1-201, See also **SECURED TRANSACTIONS**
  applicability of secured transactions law, 30-9-102
  collateral, impairment, 30-3-607
  notice, 30-9-309
  perfection, 30-9-304, 30-9-305
  person entitled to enforce, 30-3-302
  priority, 30-9-309
  subordinated obligations, 30-1-209
  transfer, 30-3-203
  transferee, acquisition, 30-3-303
Seizure of instrument, 30-3-309
Separate agreement, 30-1-201, 30-3-119, 30-3-607
Service of process, 28-2-709, 30-3-309, 30-3-415
Short titles, 30-1-101, 30-3-101
Sight, payable at, 30-3-108, 30-3-109, 30-3-410, 30-3-512
Signatures
  acceptance of draft, 30-3-410
  accommodation party, 30-3-415
  admissibility, 30-3-307
  agent, by, 30-3-401
  anomalous endorsement, 30-3-415
  assumed name, 30-3-401
  authentication, 30-3-307, 30-3-417; Title 26, chapter 10, M.R.Ev., Rule 902
  authorization, 30-3-307, 30-3-403, 30-3-417
  automated means, 30-3-126
  blank endorsement, conversion, 30-3-204
  burden of establishing, 30-3-307
  cancellation, 30-3-605
  check-writing machines, 30-3-126, 30-3-405
  countersignature, 30-3-104, 30-3-105
  drawee, 30-3-410
  drawer, 30-3-126, 30-3-405
  employee, responsibility, 30-3-420
  endorsement, as, 30-3-203, See also **Endorsement**
  forgery, 30-3-406
  form, 30-3-403
  fraud, induced by, 30-3-305
  genuineness, 25-31-512; Title 26, chapter 10, M.R.Ev., Rule 902
  how made, 30-3-203, 30-3-401
  impostors, by, 30-3-405
  incomplete instruments, 30-3-115, 30-3-413
  "issuer" defined, 30-3-125
  lack of, 30-3-404, 30-3-410
  liability, 30-3-130, 30-3-401, 30-3-403, 30-3-404
  maker, 30-3-126, 30-3-405, 30-3-413
  mark in lieu of, 30-3-401

NEGOTIABLE INSTRUMENTS (Continued)
Signatures (Continued)

missing, 30-3-404, 30-3-410
mistake, payment or acceptance by, 30-3-425
organizations, 30-3-404
payee, by another person in the name of, 30-3-405
place of, 30-3-203
presumptions, 30-3-307
proof, 30-3-307
ratification, 30-3-404
receipt for payment, 30-3-504
representative, by, 30-3-403
represented person, 30-3-401, 30-3-403
separate paper, 30-3-203
striking out, 30-3-605
symbol in lieu of, 30-3-401
trade name, 30-3-401
unauthorized, 30-1-201, 30-3-302, 30-3-404, 30-3-424, 30-4-104
validity, 30-3-307
warranties, 30-3-417, 30-3-424
word in lieu of, 30-3-401
Statute of frauds, accommodation party's obligation — enforcement, 30-3-415
Statute of limitations, 27-2-213, 30-3-122
Stolen instrument, 30-3-301, 30-3-305, 30-3-309, 30-3-310, 30-3-603
Subject matter of chapter, 30-3-124
Subordinated obligations, 30-1-209
Surety, 30-1-201, 30-3-415, 30-3-607
Surety insurance, See **SURETYSHIP AND SURETIES**
Suretyship, defenses — waiver, 30-3-607
Surrender of instrument, 30-3-504, 30-3-605
Suspension of obligation, 30-3-310
Taking for collection, 30-3-205, 30-3-203, 30-3-308, 30-3-405, 30-3-419, 30-3-420
Taking for value
altered instrument, 30-3-406
breach of fiduciary duty, 30-3-308
endorsement, 30-3-203, 30-3-205, 30-3-405, 30-3-406, 30-3-420
fraudulently altered instrument, 30-3-407
holder in due course, 30-3-302
loss resulting from, 30-3-406
mistake, payment or acceptance by, 30-3-425
ordinary care, 30-3-405
signature unauthorized, 30-3-404
Tax payments by, 15-1-421
Tender of instrument in satisfaction of claim, 30-3-311
Tender of payment, 30-3-604, See also **Payment**
Terms of instrument, 30-3-129, 30-3-203, 30-3-309, 30-3-504, 30-3-513
Third parties, obligation — transfer or issuance for value, 30-3-303
Third persons, 30-3-131, 30-3-310
Trade usage, 30-1-205, 30-3-304
Transfer by endorsement, 28-2-206
Transferee
assignee, partial — rights as, when, 30-3-210
countersign, failure to — effect, 30-3-105
enforcement, rights vested, 30-3-210
holder, determination, 30-3-203
lien, acquisition, 30-3-303
recoupment, claim in, 30-3-305

NEGOTIABLE INSTRUMENTS (Continued)
Transferee (Continued)

- restrictive endorsement, 30-3-205
- security interest, acquisition, 30-3-303
- warranties, 30-3-417

Transfer of instrument, 30-3-102, 30-3-210
- endorsement, by, 28-2-206, 30-3-203, 30-3-417
- exchange, for, 30-3-303
- possession, loss of — enforcement when, 30-3-309
- reacquisition by, 30-3-208
- restrictive endorsement, 30-3-205
- rights acquired by, 30-3-210
- value, for, 30-3-210, 30-3-303
- warranties, 30-3-417, 30-3-424, 30-11-220

Transfer of possession, 30-3-202, 30-3-204, See also **Delivery**; **Negotiation**
Transfer of security interest, 30-3-203
Trustee, 30-3-205, 30-3-308, See also **Fiduciary**
Trust, payable to, 30-3-126
Typewritten terms, 30-3-129
Unauthorized change, 30-3-407, See also **Alteration**
Unauthorized signatures, See **Signatures**
Unclaimed sums payable on, Title 70, chapter 9, parts 1 — 3, See **PROPERTY, PERSONAL**, **Unclaimed property**
Unconditional promise or order, 30-3-104, 30-3-105
Undated instrument, 30-3-114
Undertaking to pay, promise as, 30-3-102, See **Promise**
Unissued instrument, 30-3-114, 30-3-125
United States consul, protest, 30-3-510
Usage of trade, 30-1-205, 30-3-304
Value
- accommodated party, 30-3-415
- collateral, impairment, 30-3-607
- defined, 30-3-102, 30-3-303
- issuance for, 30-3-303, 30-3-415
- taking for, See **Taking for value**
- transfer of instrument for, 30-3-210, 30-3-303

Variance of draft, acceptance, 30-3-412, 30-3-422
Vice consul, protest, 30-3-510
Waiver
- benefit of law, 30-3-104
- claim or right, 30-1-107
- defenses based on suretyship or impairment of collateral, 30-3-607
- discharge, 30-3-607
- execution exemption, unenforceable when, 25-13-601
- notice of dishonor, 30-3-513
- presentment, 30-3-513

Warehouse receipts, See **DOCUMENTS OF TITLE**
Warranties, 30-3-417, 30-3-424, 30-11-220, See also **Breach**
Words
- blank endorsement, conversion to special endorsement, 30-3-204
- discharge, addition indicating, 30-3-605
- draft, indicating without recourse, 30-3-423
- incomplete instrument, 30-3-115, 30-3-407
- prevailing over numbers, 30-3-129
- restrictive endorsement, 30-3-205
- signature, 30-3-203, 30-3-401, 30-3-415

Wrongful possession, 30-3-301, 30-3-309, 30-3-603

NEGOTIATED RULEMAKING ACT, Title 2, chapter 5, part 1
  See **ADMINISTRATIVE RULES**

NEPOTISM
Appointment of relatives
  agreements for, unlawful, 2-2-303
  ethics commission, 2-2-138
  unlawful and exception, 2-2-302
Defined, 2-2-301
Employment discrimination provisions, effect, 49-2-303, 49-2-403, 49-3-201
Meat inspectors assigned to official establishments, 81-9-226
Park Commissioners, County Board of — applicability of provisions, 7-16-2314
Penalty for violations, 2-2-304
Workers' compensation state fund, applicability, 39-71-2314

NEW COAL PRODUCTION INCENTIVE TAX CREDIT ACT OF 1985, Title 15, chapter 35, part 2
  See **TAXATION, MINERALS, Coal severance tax**

NEW HORIZONS ACT, Title 39, chapter 7, part 6
  See **DISPLACED HOMEMAKERS, Child care assistance**

NEWS MEDIA
Advertising exemptions, 30-14-105
Agricultural market news service, 80-1-102
Comprehensive health association plan, information regarding existence and enrollment, 33-22-1515
Corporate actions creating dissenters' rights, announcement, 35-1-831, 35-1-836
Criminal proceedings and records, pretrial — closure and sealing when, 46-11-701
Defamation by, See **DEFAMATION**
Election recounts, may be present, 13-16-411
Emergencies
  communications systems or networks, 10-3-106
  coverage, interference with prohibited, 10-3-102
Fish and wildlife crimestoppers program, promotion, 87-5-605
Freedom of press and expression, Const., II, 7
Legislative proceedings, fee exemption when, 5-11-213
Libel by, See **DEFAMATION, Media**
Nuclear facility licenses, evacuation plans, 75-20-1204
Open meeting provisions, Const., II, 9; Title 2, chapter 3, part 2, See **OPEN OR PUBLIC MEETINGS**
Political (action) committees, labeling of media advertisements, 13-37-210
Privileged information, 26-1-901 — 26-1-903, See also **EVIDENCE, Privileges**
Recreation, entry on private land — information to public, 45-6-201
Reporters
  capitol building press room, 2-17-103
  privileged information, 26-1-901 — 26-1-903, See also **EVIDENCE, Privileges**
School trustee meetings, copies of minutes, 20-3-323
Securities investment advisers, exclusion as, 30-10-103
Slander by, See **DEFAMATION, Media**
Winter work committee, representation on, 7-16-4303

NEWSPAPERS
  See also **NEWS MEDIA**, generally
Administrative rulemaking, negotiated — notice that committee not to be established, 2-5-106
Advertising — false, misleading, or deceptive — nonapplicability of consumer protection provisions, 30-14-105
Affidavit, printer's or publisher's, 26-1-1011, 26-1-1012, See also **EVIDENCE, Affidavits**
Banks, national or state — notice of sale, publication, 32-1-377

NEWSPAPERS (Continued)

- **Cities and towns**
  - annual statement of receipts and expenditures, publication, 7-6-4106, 7-6-4110
  - notices generally, publication, 7-1-4127, 7-1-4128, See **CITIES AND TOWNS**
- **Corporations**, notices — publication, 35-1-116
- **Counties**
  - notices generally, publication, 7-1-2121, See also **COUNTIES**
  - offices, order for consolidation, 7-4-2310
  - proceedings and annual financial statements, publication, 7-5-2123
  - property, lease availability — advertisement
    - boarding home purposes, 7-34-2303
    - health care facility purposes, 7-34-2204
- **County drinking and driving prevention program meetings**, notice — publication, 61-2-106
- **County road improvement district bonds**, call for outstanding — publication, 7-14-2763
- **Court rules, orders, and decrees** — publication, 25-3-502, 25-3-503
- **Defamation**, 27-1-818 — 27-1-821, See also **DEFAMATION, Media**
- **Delivery or distribution**
  - boxes, placement along highways, 60-6-101, See also **HIGHWAYS, Encroachments**
  - carriers
    - unemployment insurance coverage exclusions, 39-51-204
    - workers' compensation coverage and exclusions, 39-71-401
  - minors, by, 41-2-104
  - personnel, income tax withholding exemption, 15-30-201
- **Dentists**, advertising, 37-4-101, 37-4-322, 37-4-502
- **Detention centers**, private party operation — requests for contract proposals, publication, 7-32-2233
- **Door-to-door sales**, exception for sale of subscriptions, 30-14-502
- **Drainage district notices**, publication
  - alterations or additions to, hearings on petition, 85-8-402
  - assessments, additional — hearing on application for, 85-8-615
  - contracts, bids for, 85-8-361
  - creation, hearing, 85-8-111, 85-8-115
  - preliminary report on proposed works, hearings pertaining to, 85-8-323, 85-8-351
  - report on proposed works, hearing, 85-8-345
- **Drugs**
  - dangerous drug paraphernalia, advertisement unlawful, 45-10-106
  - imitation dangerous drugs, criminal advertisement, 45-9-114
- **Elections**
  - campaign contributions or expenditures, nonapplicability when, 13-1-101
  - election materials not to be anonymous, 13-35-225
  - notice, publication of
    - political subdivisions, 13-1-401
    - polling place, designation, 13-3-105
    - registration
      - cancellation, 13-2-401
      - closure, 13-2-301
    - special election, 13-1-108
    - voting machines or devices, information concerning, 13-17-203
- **Emergencies or disasters**, public service messages, 10-3-102
- **Eminent domain**, sale of property acquired for public use when abandoned — notice, 70-30-321
- **Employees**
  - advertising salespersons, minimum wage and overtime compensation exclusions, 39-3-406
  - minors as, 41-2-104
  - transportation, free or reduced rates when, 69-11-208
  - unemployment insurance coverage exclusions, 39-51-204
  - workers' compensation coverage and exclusions, 39-71-401
- **Estate and probate notices**, publication, 72-1-301

NEWSPAPERS (Continued)

Evidence, authentication, Title 26, chapter 10, M.R.Ev., Rule 902
Executive clemency, order for hearing — publication, 46-23-302, 46-23-303
Facility siting
    application for certificate, summary of, 75-20-211
    certification proceedings, statement of intent to participate, 75-20-221
Forest fire protection districts, creation — notice of hearing, 76-13-204
Freedom of press, Const., II, 7
Free-lance correspondents, unemployment insurance coverage exclusion, 39-51-204
Governmental facilities, closure or retrenchment — notices, publication, 39-2-1003
Hazardous or deleterious substance, remedial action upon release — notice of proposed administrative order or consent decree, 75-10-713
Hazardous waste facilities, proposed — notice of hearing, 75-10-441
Health care facility construction plans, publication, 50-5-404
Health service corporations, false or deceptive advertising prohibited, 33-30-305
Hotel liens, notice of sale of unclaimed property, 71-3-1403
Industrial development projects, proposed — notice of hearings, 90-5-104
Insurers, false or deceptive advertising — prohibited, 33-18-203
Irrigation districts
    addition of lands, petition — notice of hearing, 85-7-1809
    adjudicated streams, districts of — notice of meeting, 85-7-204
    annual report, 85-7-1914
    bond issues
        petitions, notice of hearing, 85-7-2017
        sale of bonds, notice, 85-7-2022
    commissioners, board of — office, notice of change of place, 85-7-1502
    contracts, notices, 85-7-1941
    correction of errors and omissions in orders or decrees, petition and notice of hearing, 85-7-1811
    creation, petition and notice of hearing, 85-7-105
    dissolution, petition — notice of hearing, 85-7-1001, 85-7-1005
    exclusion of lands, petition — notice of hearing, 85-7-1805, 85-7-1823
    irrigable area, determination — notice of hearing, 85-7-2107
    property, lease availability, 85-7-1910
    revenue bonds, notice of sale, 85-7-1437
    subdistrict, creation — notice of hearing, 85-7-402
    united states, indebtedness of district to — exclusion of lands, notice of hearing on petition, 85-7-1823
Legislative proceedings, fee exemption when, 5-11-213
Libel by, 27-1-818 — 27-1-821, See also **DEFAMATION**, **Media**
Local government
    alteration of existing form, recommendations for — publication of summary and comparison, 7-3-148
    audit reports and summary of significant findings, publication and copies, 2-7-521
    services, consolidation or transfer — recommendations, publication of summary and comparison, 7-11-306
    study commission, publication of
        recommendations, summary, 7-3-191
        timetable, 7-3-186
Megalandfill siting
    application for certificate, summary, 75-10-918
    certification proceedings, statement of intent to participate, 75-10-927
    financial assurance requirement, release of operator — hearing notice, 75-10-951
    long-range plan, summary of proposed plan, 75-10-913
Messages, carriers of — order of transmission of messages, 69-11-302
Mines and mining
    hard-rock impact plans
        amendment, notice of petition for, 90-6-311
        submission, notice of, 90-6-307

NEWSPAPERS (Continued)
Mines and mining (Continued)

- leases, expiration — notice, 82-1-202
- metal mine reclamation
    - bond level adjustment, notice of findings, 82-4-338
    - entry upon land, notice, 82-4-371
    - operating permit, application for — notice, 82-4-353
- opencut mining, reclamation
    - entry upon land, notice, 82-4-445
    - public notice, 82-2-403
- strip and underground reclamation
    - bonds, release — public hearing, 82-4-232
    - entry upon land, notice, 82-4-239
    - permit applications, 82-4-222, 82-4-231

Mortgages, foreclosure sale, 71-1-224
Motor carrier certificate of public convenience and necessity, notice of application hearing — publication, 69-12-322
Motor vehicles

- abandoned, notice requirements, 61-12-402
- wrecking facility and graveyard applications, notices, 75-10-516

Nonprofit corporations, notices — publication, 35-2-115
Notices, legal — publication, 25-3-502, 25-3-503; Title 18, chapter 7, part 2
Obscene material, public display or dissemination to minors, 45-8-201, 45-8-205 — 45-8-208, See also **CRIMES**
Oil and gas, notice requirements, 82-11-141
Pacific Northwest Electric Power and Conservation Planning Council, notice of public hearings, 90-4-405
Parking commissions, annual financial statement — publication, 7-14-4615
Personal solicitation sales, exception for sale of subscriptions, 30-14-502
Pornography, See **CRIMES**, **Obscene material**; **Obscenity**
Privileged information, 26-1-901 — 26-1-903, See also **EVIDENCE**, **Privileges**
Property, personal

- abandonment, notice of, 70-9-302
    - sale, notice, 70-9-308, 70-9-403, 70-9-501
- bailment, sale notices
    - storage costs, for, 70-6-411
    - storage space rental fees, for, 70-6-420

Public participation in government, compliance with notice provisions, 2-3-104
Public Service Commission hearings, notice, 69-2-212
Real estate broker and salesman provisions, nonapplicability; 37-51-103
Regents of Higher Education, Board of — land sales, notice, 20-25-307
Resort tax, goods and services subject to — notice prior to election, 7-6-4464
Rural special improvement districts, notices — publication, 7-12-2106, 7-12-2107, See **RURAL SPECIAL IMPROVEMENT DISTRICTS**
Schools, publication of

- annual financial reports, 20-3-205
- elections
    - notices, 20-3-337, 20-20-204
    - results, 20-20-416
- property, notice of disposal or sale, 20-6-604
- trustees, appointment of relative — notice, 2-2-302

Securities

- investment adviser provisions, nonapplicability to publisher, 30-10-103
- offer to sell or to buy not made when, 30-10-110

Slander by, 27-1-818 — 27-1-821, See also **DEFAMATION**, **Media**
Special improvement districts, notices — publication, 7-12-4107, See **SPECIAL IMPROVEMENT DISTRICTS**

NEWSPAPERS (Continued)

Summons
  controlled substances, forfeiture proceedings — publication, 44-12-201
  publication, 25-3-502, 25-3-503
  quiet title, publication, 70-28-208
  service by publication, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
Tax revenue increase, intention to budget — advertisement of hearing, 15-10-203
Telecommunications charges, aiding the avoidance of — offense of, 45-6-307
Timeshare offerings, advertisements, 37-53-214
Transporters, exemption from motor carrier laws, 69-12-102
Urban renewal, annual report — publication, 7-15-4237
Utility rate changes, notice, 69-3-303, 69-7-111
Vacation of portion of village or townsite, citation — publication, 7-5-2502
Water supply and sewer district notices, publication
  resolution of intention to create, passage, 7-13-3005
  resolution to levy and assess tax for making improvements, 7-13-3021
Water use, notices — publication
  adjudication of rights
    claim, order to file, 85-8-213
    decrees, reopening and review, 85-2-237
  appropriation permit applications, 85-2-307
    highly appropriated basins or subbasins, rulemaking hearings, 85-2-319
    milk river basin, hearing on suspension or closure, 85-2-322
  ground water, controlled ground water areas — designation or modification hearings, 85-2-506
  instream flow to benefit fishery resource, change in appropriation right for, 85-2-408
  name of watercourse, change, 85-2-132
  state water plan, hearings on, 85-1-203

9-1-1 EMERGENCY TELEPHONE SYSTEM
  See also **EMERGENCIES AND EMERGENCY POWERS**
Account, 10-4-101, 10-4-301 — 10-4-303
Advisory council, 10-4-102
Definitions, 10-4-101, 10-4-204
Disabled persons, service to, 53-19-306
Fee for exchange access services, 10-4-201
  action to collect, 10-4-207
  appeal, 10-4-212
  costs of collection, 10-4-302
  deficiency assessment, 10-4-206, 10-4-207, 10-4-211, 10-4-212
  exemptions, 10-4-202
  held in trust, 10-4-211
  overpayment, 10-4-205 — 10-4-207
  penalties, 10-4-204, 10-4-206, 10-4-211, 10-4-212
  records, 10-4-203
  refunds or credits, 10-4-205 — 10-4-207, 10-4-212, 10-4-301
  returns, 10-4-201, 10-4-203, 10-4-204, 10-4-207
  statutes of limitation, 10-4-205, 10-4-207
  tax, considered as, 10-4-212
  warrant for distraint, 10-4-211
Information, lawful release to, 27-1-735
Minimum service, 10-4-101, 10-4-102
Pay phones, 10-4-121, 10-4-202, 10-4-302
Planning and plans, 10-4-102, 10-4-301
  final, 10-4-112, 10-4-113
  preliminary, 10-4-111, 10-4-113

9-1-1 EMERGENCY TELEPHONE SYSTEM (Continued)

Public safety communications officers, 7-31-201 — 7-31-203, 44-4-301, 44-4-302
Requirements, 10-4-103
Rules, 10-4-111, 10-4-112, 10-4-203
Telephone numbers, unpublished or unlisted — lawful release to, 27-1-735

NOISE
Airport influence areas, See **AIRPORTS AND LANDING FIELDS, Noise and vibration**
Boats
  sound levels limited, 23-1-122, 23-2-512, 23-2-523, 23-2-526, 23-2-532, 87-1-506
  suppression devices, requirements, 23-2-521
City or town council, authority, 7-32-4302
Facility siting long-range plans, environmental factors evaluated, 75-20-503
Loud or unusual
  disorderly conduct, 45-8-101
  public nuisance, 45-8-111
Motorcycles, suppression devices and decibel limitations, 61-9-418
Motor vehicles, mufflers, 61-9-403
Occupational deafness compensation, Title 39, chapter 71, part 8, See **WORKERS' COMPENSATION, Deafness, occupational**
Occupational health, "pollutant" defined, 50-70-103
Quadricycles, suppression devices and decibel limitations, 61-9-418
Railroad cabooses, insulation to reduce, 69-14-232
Shooting ranges, standards — nonapplicability, 45-8-111, 76-9-102
Snowmobiles, sound levels limited, 23-2-634
Strip and underground mining, operator use of explosives to minimize noise, 82-4-231

NOLO CONTENDERE, 35-1-452, 35-2-447; Title 26, chapter 10, M.R.Ev., Rules 410, 803

NONFORFEITURE LAW FOR INDIVIDUAL DEFERRED ANNUITIES, STANDARD, Title 33, chapter 20, part 5
  See **INSURANCE, LIFE, Standard nonforfeiture law, individual deferred annuities**

NONFORFEITURE LAW FOR LIFE INSURANCE, STANDARD, Title 33, chapter 20, part 2
  See **INSURANCE, LIFE, Standard nonforfeiture law, life insurance**

NONGAME AND ENDANGERED SPECIES CONSERVATION ACT, Title 87, chapter 5, part 1
  See **FISH AND WILDLIFE, Nongame and endangered species**

NONPROFIT CORPORATIONS
  See also **CORPORATIONS**, generally
Abuse of authority, 35-2-132, 35-2-423, 35-2-728, 35-2-832, See also **QUO WARRANTO, WRIT OF**
Accounting review boards, as — nonliability of members when, 37-50-403
Acknowledgments, 35-2-119, 35-2-122, 35-2-1109
Actions and proceedings
  articles of incorporation, amendment, 35-2-222, 35-2-228
  attorney general, notice to, 35-2-131, 35-2-609, 35-2-729
  committees, by, 35-2-433, 35-2-906, 35-2-907
  consent
    acceptance or rejection, validity of action based on, 35-2-542
    to obtain, 35-2-130
  creditors, against member, 35-2-130, 35-2-518
  derivative proceedings, 35-2-132, 35-2-1301 — 35-2-1307
  directors, board of
    action without meeting, 35-2-428, 35-2-433, 35-2-906, 35-2-907
    conflict of interest transactions, 35-2-418
    liability, 27-1-732, 35-2-416

NONPROFIT CORPORATIONS (Continued)
Actions and proceedings (Continued)
  directors, board of (Continued)
    removal, 35-2-423, 35-2-429
  dissolution
    claims, enforcement, 35-2-726, 35-2-727
    effect, 35-2-725
    involuntary, 35-2-214
    judicial dissolution, 35-2-728, 35-2-729
    revocation, 35-2-724
    survival of remedy, right, or claim, 35-2-727
    venue, 35-2-729
  emergency bylaws, in accordance with, 35-2-218
  foreign corporations
    certificate of authority, required or revocation, 35-2-821, 35-2-832
    stay when, 35-2-821
    transaction of business, exclusion, 35-2-820
  incorporation, to cancel or revoke, 35-2-214
  incorporators, actions without meeting, 35-2-216
  indemnification, 35-2-446 — 35-2-454, 35-2-912
  meetings of members, failure to hold — effect, 35-2-526
  meetings, to hold, 35-2-130
  members
    action without meeting, 35-2-529, 35-2-533, 35-2-906, 35-2-907
    liability, corporate acts, 35-2-516
    list, inspection and copying — effect of noncompliance, 35-2-535
    termination, expulsion, or suspension — challenges, 35-2-520
    written ballot, by, 35-2-533
  merger, 35-2-609, 35-2-612
  name change, 27-31-102
  name in suit, 35-2-118, 35-2-228, 35-2-725, 35-2-727
  officers, liability, 27-1-732, 35-2-441
  "proceeding" defined, 35-2-114
  proxy appointment, acceptance or rejection — validity of action based on, 35-2-542
  quo warranto, Title 27, chapter 28
  receiver, authority, 35-2-730
  reorganization, 35-2-227
  right of, 35-2-118
  rural cooperative utilities, 35-18-107
  service of process, 35-2-314, 35-2-613
  trustee's authority, 72-34-326
  ultra vires, 35-2-132
  vote or waiver, acceptance or rejection — validity of action based on, 35-2-542
Addresses
  agent, registered, 35-2-222, 35-2-310, 35-2-828, 35-2-832
  annual report, inclusion, 35-2-904
  articles of incorporation
    deletions, 35-2-222
    statement in, 35-2-213
  certificate of authority, application — inclusion, 35-2-822
  dissolution
    claims, mailing address for, 35-2-726
    distribution of assets, list of persons receiving, 35-2-722
  lists, inclusion
    directors and officers, 35-2-906
    members, 35-2-535
  office, registered, 35-2-222, 35-2-310
  record of members, inclusion, 35-2-115, 35-2-520

NONPROFIT CORPORATIONS (Continued)
Addresses (Continued)

  service of process, mailing address, 35-2-831
Adoption agencies as, 52-2-404
Agents, 35-2-118, See also **AGENCY**, generally
  consent, acceptance or rejection, 35-2-542
  death or incapacity of member, notice to, 35-2-539
  falsification of documents, 35-2-832
  indemnification, 35-2-446, 35-2-452
  insurance, 35-2-453
  liability, 35-2-218, 35-2-453
  members, of
    inspection of list or records, 35-2-535, 35-2-908
    record of, 35-2-906
  orders obtained by, transaction of business exclusion, 35-2-820
  proxy appointment
    acceptance or rejection, 35-2-542
    receipt or revocation, 35-2-539
  registered, 35-2-309, 35-2-827
    address, change, 35-2-310, 35-2-828
    annual reports, statement in, 35-2-904
    appointment, 35-2-311, 35-2-828, 35-2-832
    articles of incorporation, statement in, 35-2-213
    certificate of authority
      application, inclusion, 35-2-822
      revocation, effect, 35-2-833
    change, 35-2-222, 35-2-310, 35-2-828, 35-2-832
    corporation as, 35-1-313, 35-2-309, 35-2-827
    demand on corporation, agent for, 35-2-315
    dissolution, effect, 35-2-725
    notices to, 35-2-115, 35-2-315
    resignation, 35-2-311, 35-2-829, 35-2-832
    revocation of authority, 35-2-831
    service of process, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
    tax list, inclusion, 15-31-603
  secretary of state, as, 35-2-613, 35-2-831
  service of process, 35-2-831
  surviving corporation, 35-2-609
  ultra vires acts, 35-2-132
  vote or waiver, acceptance or rejection, 35-2-542
Aging and aged persons, activities for — local government funding, 7-16-101
Agricultural marketing associations, Title 35, chapter 17
Amendment
  articles of, 35-2-114, 35-2-225, 35-2-227
  bylaws, 35-2-118, 35-2-130, 35-2-218, 35-2-229 — 35-2-233, 35-2-415, 35-2-422, 35-2-433, 35-2-537, 35-2-538, 35-2-608, 35-2-610, 35-2-612, 35-2-617, 35-2-721, 35-2-725, 35-2-906
  incorporation, See **Articles of incorporation**
  legislative reservation of power, 35-2-116
Amusement games, Title 23, chapter 6, part 1
Animal and research facilities protection, Title 81, chapter 30, part 1
Annual reports, 35-2-904
  copies kept at offices, 35-2-906
  designation of corporation in, 35-2-126
  filing, 35-2-114, 35-2-832, 35-2-904, 35-2-1112
  form, 35-2-1108
  officers, designation, 35-2-115, 35-2-314, 35-2-829

NONPROFIT CORPORATIONS (Continued)
Annual reports (Continued)

- principal office, designation, 35-2-114, 35-2-115, 35-2-311, 35-2-314

Appeal from decision of secretary of state, 35-2-834, 35-2-1110
Applicability of laws

- exclusions, 35-2-820
- foreign corporations, 35-2-613
- legislative power, 35-2-116
- merger, 35-2-613
- religious corporations, 35-3-102, See **Religious corporations**; **RELIGIOUS CORPORATIONS SOLE**

Articles of

- amendment, 35-2-114, 35-2-225, 35-2-227
- correction, 35-2-122
- dissolution, 35-2-720, 35-2-722 — 35-2-724, 35-2-1112
- incorporation, See **Articles of incorporation**
- merger, 35-2-114, 35-2-610, 35-2-611
- restatement, 35-2-226
- revocation of dissolution, 35-2-724

Articles of incorporation, 35-2-114, 35-2-212, 35-2-214

- adoption, 35-2-433
- amendment
  - articles of amendment, 35-2-114, 35-2-225, 35-2-227
  - authority, 35-2-221
  - committees, authority, 35-2-433
  - copies kept at offices, 35-2-906
  - directors and members, by, 35-2-223
  - directors, by or pertaining to, 35-2-222, 35-2-415, 35-2-422
  - dissolution, 35-2-721
  - effect, 35-2-228
  - judicial reorganization, pursuant to, 35-2-227
  - meetings, subject matter limitation, 35-2-130
  - members, class voting, 35-2-224
  - memberships, redemption or cancellation — for, 35-2-233
  - merger, 35-2-608, 35-2-610, 35-2-612
  - reorganization, pursuant to, 35-2-227
  - restatement, inclusion, 35-2-114, 35-2-226
  - sale of assets, 35-2-617
  - termination of members, for, 35-2-233
  - third person, approval by, 35-2-232
- bylaws
  - amendment, 35-2-230
  - consistency with, 35-2-118, 35-2-217
  - controlling, 35-2-213
- committees, creation and authority, 35-1-433
- contents, 35-2-213
- copies kept at offices, 35-2-906
- delegates, provisions for, 35-2-524
- designation of corporation in, 35-2-126
- directors, board of
  - action without meeting, 35-2-428
  - appointment, 35-2-417
  - compensation, 35-2-425
  - conflict of interest transactions, 35-2-418
  - designation, 35-2-114, 35-2-216, 35-2-417
  - election, 35-2-114, 35-2-417, 35-2-541
  - number specified and qualifications, 35-2-415

NONPROFIT CORPORATIONS (Continued)
Articles of incorporation (Continued)
  directors, board of (Continued)
    quorum requirements, 35-2-431
    removal, 35-2-421 — 35-2-423
    terms, 35-2-419
    vacancies, filling, 35-2-419, 35-2-424
  dissolution, requirements, 35-2-720, 35-2-721, 35-2-725, 35-2-728
  existence, corporate — perpetual, 35-2-118
  filing, 35-2-212, 35-2-214
  fraud, obtained through, 35-2-728
  indemnification, provisions for, 35-2-448, 35-2-450, 35-2-452, 35-2-454
  insurance producers, 33-17-211
  meetings of delegates, provisions for, 35-2-130, 35-2-524
  meetings of directors, provisions for, 35-2-130, 35-2-427, 35-2-429
  meetings of members, provisions for, 35-2-130, 35-2-527, 35-2-537
  members and membership
    action without meeting, 35-2-529, 35-2-533
    admission, 35-2-510, 35-2-511
    directors' election, right to vote, 35-2-114
    dues, assessments, and fees, 35-2-517
    list, inspection and copying — rights, 35-2-535
    proxy, 35-2-539
    purchase of memberships, 35-2-522
    quorum requirements, 35-2-537
    records, inspection and copying — rights, 35-2-907
    rights and obligations, 35-2-114, 35-2-513
    termination, expulsion, or suspension, 35-2-520
    transfer of memberships, 35-2-514
    voting entitlement generally, 35-2-536
    voting requirements, 35-2-114, 35-2-538, 35-2-540
    written ballot, action by, 35-2-533
  merger, 35-2-608, 35-2-610, 35-2-612
  notice requirements, 35-2-115, 35-2-130, 35-2-430, 35-2-531
  officers, provisions for, 35-2-439
  powers, corporate — persons authorized to exercise, 35-2-414
  purpose, statement in, 35-2-117, 35-2-305
  repeal, 35-2-433
  restatement, 35-2-226, 35-2-228, 35-2-906
  sale of assets, 35-2-616, 35-2-617
  voting, provisions for, 35-2-130, 35-2-224, 35-2-231, 35-2-421, 35-2-431, 35-2-536, 35-2-538
Arts organizations, special beer and table wine license fee, 16-4-303, 16-4-501
Assets
  derivative proceedings involving, 35-2-1302
  dissolution
    deposits for unlocatable claimants, creditors, or members, 35-2-732
    distribution upon, See **Dissolution**
    effect, 35-2-725
    preservation, 35-2-725, 35-2-729
    sale and proceeds, 35-2-730
    transfer or conveyance, 35-2-725
  financial statement, 35-2-911
  good will, 35-2-609, 35-2-617
  liquidation, 35-2-727
  merger, transfer or conveyance, 35-2-609
  misapplication or waste, 35-2-728, 35-2-832
  name, acquisition, 35-2-305, 35-2-826
  purchase of memberships when, 35-2-1402

NONPROFIT CORPORATIONS (Continued)
Assets (Continued)

- sale or other disposition, 35-2-130, 35-2-433
  - dissolution, 35-2-730
  - in regular course of activities, 35-2-616
  - other than in regular course of activities, 35-2-617

Assumed business name, 35-2-305, 35-2-826, See **ASSUMED OR FICTITIOUS NAMES**
Attorney-in-fact, See Power of attorney
Benefit plans, 35-2-118
Board of directors, See Directors, board of
Bonds, issuance, 35-2-118
Borrow money, power to, 35-2-118
Bylaws, 35-2-114

- adoption, 35-2-118, 35-2-216 — 35-2-218, 35-2-433
- amendment, 35-2-118, 35-2-130, 35-2-218, 35-2-229 — 35-2-233, 35-2-415, 35-2-422, 35-2-433, 35-2-537, 35-2-538, 35-2-608, 35-2-610, 35-2-612, 35-2-617, 35-2-721, 35-2-725, 35-2-906
- articles of incorporation
  - amendment, 35-2-223
  - consistency with, 35-2-118, 35-2-213, 35-2-217
- committees, creation and authority, 35-2-433
- contents, 35-2-217
- copies kept at offices, 35-2-906
- delegates, provisions for, 35-2-524
- directors, board of
  - action without meeting, 35-2-428
  - appointment, 35-2-417
  - compensation, 35-2-425
  - conflict of interest transactions, 35-2-418
  - designation, 35-2-114, 35-2-417
  - election, 35-2-114, 35-2-417, 35-2-541
  - number specified and qualifications, 35-2-415
  - quorum requirements, 35-2-431
  - removal, 35-2-421 — 35-2-423
  - terms, 35-2-419
  - vacancies, filling, 35-2-419, 35-2-424
- dissolution, requirements, 35-2-720, 35-2-721, 35-2-725, 35-2-728
- emergency bylaws, 35-2-218
- indemnification, provisions for, 35-2-452, 35-2-454
- meetings of delegates, provisions for, 35-2-130, 35-2-524
- meetings of directors, provisions for, 35-2-130, 35-2-427, 35-2-429
- meetings of members, provisions for, 35-2-130, 35-2-526, 35-2-527, 35-2-530, 35-2-532, 35-2-537
- members and membership
  - action without meeting, 35-2-529, 35-2-533
  - admission, 35-2-510, 35-2-511
  - directors' election, right to vote, 35-2-114
  - dues, assessments, and fees, 35-2-517
  - list, inspection and copying — effect of noncompliance, 35-2-535
  - proxy, 35-2-539
  - purchase of memberships, 35-2-522
  - quorum requirements, 35-2-537
  - rights and obligations, 35-2-114, 35-2-513
  - termination, expulsion, or suspension, 35-2-520
  - transfer of memberships, 35-2-514
  - voting entitlement generally, 35-2-536
  - voting requirements, 35-2-114, 35-2-538, 35-2-540
  - written ballot, action by, 35-2-533
- merger, 35-2-608, 35-2-610, 35-2-612

NONPROFIT CORPORATIONS (Continued)
Bylaws (Continued)

    notice requirements, 35-2-115, 35-2-130, 35-2-430, 35-2-530, 35-2-531
    officers, provisions for, 35-2-439, 35-2-440
    record date, manner of fixing, 35-2-532
    records, inspection and copying — rights, 35-2-907
    repeal, 35-2-218, 35-2-433
    restatement, 35-2-906
    sale of assets, 35-2-617
    voting, provisions for, 35-2-130, 35-2-224, 35-2-231, 35-2-421, 35-2-431, 35-2-536, 35-2-538
Calcutta pools, proceeds contributed to, 23-5-221
Capitol Restoration Commission, incorporation authority, 5-17-206
Carnival games, Title 23, chapter 6, part 1
Certificates
    authority, of, See **Foreign corporations**
    existence, of, 35-2-822, 35-2-1108, 35-2-1112
    revocation, of, 35-2-833, 35-2-834
    withdrawal, of, 35-2-831, 35-2-1108
Citation of Nonprofit Corporation Act, 35-2-113
Community service participants, workers' compensation coverage, 39-71-117, 39-71-118
Computer-generated information or formats, 35-2-1003, 35-2-1108
Consent
    acceptance or rejection, 35-2-542
    agent, registered — change, 35-2-310, 35-2-828
    directors, removal, 35-2-540
    dissolution, for, 35-2-721, 35-2-722
    meetings
        to obtain, 35-2-130
        trustee's authority, 72-34-326
    members
        admission, 35-2-510
        list, use, 35-2-910
    merger, transactions concerning members, 35-2-609
    name
        registered, use by another corporation, 35-2-307
        similar to other corporation, for use, 35-2-305, 35-2-826
    written, 35-2-114
        action without meeting, 35-2-428, 35-2-529
        articles of incorporation, amendment or restatement, 35-2-223, 35-2-226
        bylaws, amendment, 35-2-230
        dissolution, approval, 35-2-721
        incorporators, actions without meeting, 35-2-216
        merger, approval, 35-2-610
        sale of assets, 35-2-617
Consolidation, See **Merger**
Contract
    dissolution, transfer of assets, 35-2-725
    indemnification, provisions for, 35-2-452, 35-2-454
    merger, plan of — abandonment, 35-2-610
    officers, rights and execution, 35-2-443, 35-2-444
    power to, 35-2-118
    sale of assets, abandonment of transaction, 35-2-617
Contributions by, 35-2-118
County tax-deed land, donation, 7-8-2301
Court
    derivative proceedings, 35-2-1303 — 35-2-1306

NONPROFIT CORPORATIONS (Continued)
Court (Continued)

- directors
  - conflict of interest transactions, approval, 35-2-418
  - removal, 35-2-423
- dissolution, 35-2-728 — 35-2-731
- indemnification, order for, 35-2-450, 35-2-452
- meetings of members
  - adjournment, order for, 35-2-532
  - list of members, order for inspection and copying, 35-2-535
- meetings, order for, 35-2-130, 35-2-528
- merger, approval and consent, 35-2-609
- private foundations, determination, 35-2-127
- records, inspection or production, 35-2-535, 35-2-907, 35-2-909
- reorganization proceedings, 35-2-227
- vote, consent, waiver, or proxy appointment — action based on acceptance or rejection, determination of validity, 35-2-542

Creditors
- action against member, 35-2-518
- dissolution
  - custodian, powers, 35-2-730
  - deposit for unlocatable creditors, 35-2-732
  - payment upon, 35-2-720, 35-2-721
  - proceedings, 35-2-728

Damages
- directors, breach of duty, 35-2-213
- falsification of documents, 35-2-120
- vote, consent, waiver, or proxy appointment — acceptance or rejection, liability, 35-2-542

Debt adjustment by, 31-3-203
Definitions, 27-1-732, 35-2-114, 35-2-418, 35-2-446, 35-2-726, 35-2-1301
Delegates, 35-2-114, 35-2-130, 35-2-524, 35-2-541
Demand on, 35-2-314, 35-2-315
- derivative proceedings, 35-2-1302, 35-2-1303
- list of members, inspection and copying, 35-2-535
- meetings of members, special, 35-2-527, 35-2-528
- records, inspection, 35-2-907 — 35-2-909

Designation of status, 35-2-126, 35-2-133
Developmental disabilities, persons with
- community homes for, 53-20-302
- nursing home facilities, contracts for, 53-20-504

Directors, board of, 35-2-114, 35-2-213, 35-2-414, 35-2-416, 35-2-446
- abuse of authority, 35-2-423
- action without meeting, 35-2-428, 35-2-433, 35-2-906, 35-2-907
- additional, designation, 35-2-218
- annual report, statement in, 35-2-904
- appointment, 35-2-114, 35-2-118, 35-2-417, 35-2-419, 35-2-422, 35-2-424, 35-2-433
- articles of incorporation
  - amendment, 35-2-222, 35-2-223, 35-2-225, 35-2-227, 35-2-233
  - designation in, 35-2-114
  - restatement, 35-2-226
  - statement in, 35-2-213
- benefit plans, 35-2-118
- breach of duty, 35-2-213
- bylaws
  - adoption by, 35-2-216 — 35-2-218
  - amendment, 35-2-229, 35-2-230, 35-2-233
  - designation in, 35-2-114

NONPROFIT CORPORATIONS (Continued)
Directors, board of (Continued)
  bylaws (Continued)
    emergency bylaws, 35-2-218
  certificate of authority, application — inclusion, 35-2-822
  committees, 35-2-416, 35-2-418, 35-2-433, 35-2-451, 35-2-906, 35-2-907, 35-2-1304
  compensation, 35-2-118, 35-2-425
  composition, 35-2-223, 35-2-230, 35-2-415
  conflict of interest, 35-2-213, 35-2-418, 35-2-423
  deadlock, 35-2-728
  derivative proceedings, 35-2-1301 — 35-2-1307
  designation, 35-2-218, 35-2-417, 35-2-419, 35-2-422, 35-2-424
  dissolution
    approval, 35-2-720, 35-2-721, 35-2-723
    custodian, powers, 35-2-730
    effect, 35-2-725
    proceedings, 35-2-728, 35-2-729
    revocation, 35-2-724
    survival of remedy, right, or claim, 35-2-727
  distributions
    to, 35-2-114
    unlawful, by, 35-2-213, 35-2-423, 35-2-436
  election, 35-2-114, 35-2-118, 35-2-216, 35-2-223, 35-2-230, 35-2-416, 35-2-419, 35-2-421, 35-2-424, 35-2-433, 35-2-540, 35-2-541, 35-2-728, 35-2-1304
  falsification of documents, 35-2-832
  fictitious name, adoption — resolution for, 35-2-826
  fraudulent conduct, 35-2-423, 35-2-728
  guaranties for, 35-2-213, 35-2-423, 35-2-435
  indemnification, 35-2-446 — 35-2-454, 35-2-912
  initial directors, 35-2-213, 35-2-216, 35-2-222, 35-2-417
  insurance, 35-2-453
  liability, 27-1-732, 35-2-213, 35-2-218, 35-2-416, 35-2-418, 35-2-436, 35-2-446, 35-2-447, 35-2-450, 35-2-453
  list, 35-2-906
  loans to, 35-2-213, 35-2-423, 35-2-435
  meetings, See **Meetings of directors**
  meetings of members, special — call, 35-2-527
  members
    admission, consideration determined by, 35-2-511
    dues, assessments, and fees, 35-2-118, 35-2-517
    list, consent for use, 35-2-910
    quorum requirements, approval, 35-2-537
    resolutions relating to, 35-2-906
  merger, approval, 35-2-609 — 35-2-611
  misconduct, 35-2-213
  notice to, 35-2-429, 35-2-430, 35-2-433
  number, 35-2-223, 35-2-230, 35-2-415, 35-2-419, 35-2-421, 35-2-424
  officers — duties, removal, and vacancies, 35-2-440, 35-2-442
  qualifications, 35-2-415
  quorum, 35-2-218, 35-2-418, 35-2-424, 35-2-431, 35-2-433, 35-2-451, 35-2-725, 35-2-1304
  removal
    appointed directors, 35-2-422
    committees, no authority, 35-2-433
    designated directors, 35-2-422
    directors, by, 35-2-421, 35-2-429
    dissolution, effect, 35-2-725
    judicial proceeding, by, 35-2-423
    members, by, 35-2-421, 35-2-540

NONPROFIT CORPORATIONS (Continued)
Directors, board of (Continued)

- resignation, 35-2-420, 35-2-424, 35-2-725
- sale of assets, 35-2-616, 35-2-617
- secretary, delegation of responsibility, 35-2-114
- standards of conduct, 35-2-416, 35-2-423, 35-2-433, 35-2-436, 35-2-447, 35-2-449 — 35-2-451, 35-2-725
- substitute, designation, 35-2-218
- terms, 35-2-223, 35-2-230, 35-2-419, 35-2-421, 35-2-728
- trustees, as, 35-2-416, 35-2-418
- ultra vires acts, 35-2-132
- vacancies, 35-2-419 — 35-2-421, 35-2-424, 35-2-433
- violations, 35-2-213, 35-2-423
- votes, court order to obtain, 35-2-130
- voting requirements, 35-2-223, 35-2-225, 35-2-230, 35-2-418, 35-2-421, 35-2-424, 35-2-430, 35-2-431, 35-2-433, 35-2-436, 35-2-451, 35-2-610, 35-2-616, 35-2-617, 35-2-721, 35-2-723, 35-2-725
- waiver of notice, 35-2-429, 35-2-430, 35-2-433
- witnesses, as, 35-2-454

Dissolution
- approval, 35-2-720 — 35-2-723
- articles of dissolution, 35-2-720, 35-2-722 — 35-2-724, 35-2-1112
- articles of revocation of dissolution, 35-2-724
- arts organization, special beer and table wine license — effect on, 16-4-303
- attorney general, by, 35-2-728
- certificate of authority, revocation — grounds, 35-2-832
- claims against
    - known, 35-2-726, 35-2-731
    - unknown, 35-2-727, 35-2-731
    - unlocatable claimants, deposits for, 35-2-732
- committees, no authority, 35-2-433
- consent, 35-2-722
- creditors, by, 35-2-728
- custodian pendente lite, appointment and authority, 35-2-729, 35-2-730
- decree, 35-2-731
- deposits for unlocatable creditors, claimants, or members, 35-2-732
- directors, by, 35-2-720, 35-2-721, 35-2-728
- distribution of assets
    - articles of incorporation, provisions in, 35-2-213
    - authorization, 35-2-1402
    - lack of provisions for, procedure, 35-2-725
    - list of persons receiving, 35-2-722
    - merger, applicability, 35-2-609
    - plan for, 35-2-720, 35-2-721
    - public benefit corporation, to, 35-2-133
    - time for, 35-2-722
- effect, 35-2-725
- effective date, 35-2-723, 35-2-724, 35-2-731
- incorporators, by, 35-2-720
- injunction, 35-2-729
- involuntary
    - action for, 35-2-214, 35-2-729
    - grounds, 35-6-102
    - procedure, See **CORPORATIONS**, **Dissolution**, involuntary
    - service of process, 35-2-314
- judicial dissolution, 35-2-728 — 35-2-731
- members
    - by, 35-2-721, 35-2-728

NONPROFIT CORPORATIONS (Continued)

Dissolution (Continued)
  members (Continued)
    rights, 35-2-114, 35-2-224, 35-2-231, 35-2-513
  notice, 35-2-720 — 35-2-722, 35-2-726, 35-2-729
  plan of, 35-2-720, 35-2-721
  receiver, appointment and authority, 35-2-314, 35-2-729, 35-2-730
  revocation, 35-2-724
  service of process, 35-2-314
  survival of remedy, right, or claim, 35-2-727
  third persons, by, 35-2-721
  trustee's authority, 35-2-314
  venue, 35-2-729
  voluntary, court supervision, 35-2-728
  votes, court order for, 35-2-130

Distributions, 35-2-114
  assets, See **Dissolution**, distribution of assets
  authorized, 35-2-1402
  committees, no authority, 35-2-433
  directors, unlawful, 35-2-423, 35-2-436
  prohibited, 35-2-1401

Ditch company employees, immunity and indemnification, 27-1-731

Dividends, See **Distributions**

Documents generally
  correction of filed document, 35-2-122, 35-2-904
  effective date, 35-2-121, 35-2-122
  english language, to be in, 35-2-119
  execution, 35-2-119, 35-2-122, 35-2-123, 35-2-444
  falsification, 35-2-120, 35-2-123, 35-2-832
  fees, 35-2-1003
  filing requirements, 35-2-119, 35-2-1109
  form, 35-2-119, 35-2-1108

Donations
  by, 35-2-118, 35-3-205
  to, effect of merger, 35-2-614

Elderly persons, activities for — local government funding, 7-16-101

Emergency bylaws and powers, 35-2-218

Employees, 35-2-114, 35-2-118
  indemnification, 35-2-446, 35-2-452
  information provided by, 35-2-416, 35-2-441
  insurance, 35-2-453
  liability, 27-1-732, 35-2-218, 35-2-453
  lawful product use during nonworking hours, limitation not discrimination when, 39-2-313
  minimum wage and overtime compensation exclusions for volunteers, 39-3-406
  minors as, exemptions, 41-3-104
  orders obtained by, transaction of business exclusion, 35-2-820
  surviving corporation, 35-2-609
  ultra vires acts, 35-2-132
  unemployment insurance coverage, Title 39, chapter 51, See **UNEMPLOYMENT INSURANCE, Nonprofit organizations**

Equine activities, liability, 27-1-725 — 27-1-728

Evidence
  certificate of existence, 35-2-1112
  derivative proceedings not in best interest, burden of proof, 35-2-1304
  directors, action without meeting — written consents, 35-2-428
  effective date of document, 35-2-121
  existence, 35-2-214
  incorporators, action without meeting — written consents, 35-2-216

NONPROFIT CORPORATIONS (Continued)
Evidence (Continued)

- members, action without meeting — written consents, 35-2-529
- records, 35-2-907
- secretary of state, documents filed with, 35-2-1109, 35-2-1112
- vote, consent, proxy appointment, or waiver — acceptance requirements, 35-2-542

Existence
- certificate of, 35-2-822, 35-2-1108, 35-2-1112
- commencement, 35-2-214
- dissolved corporation, continuation, 35-2-725
- expiration, 35-2-727
- extension, 35-2-222
- merger, effect, 35-2-612
- period of, change, 35-2-823
- perpetual, 35-2-118

Facsimile
- agent, registered — notice of address change, 35-2-310, 35-2-828
- copies of documents, 35-2-120, 35-2-1003
- notices, communication, 35-2-115
- seal, 35-2-118

Farm animal and research facilities protection, Title 81, chapter 30, part 1
Federal tax laws, 35-2-127
Fees
- certificate of existence, statement of payment, 35-2-1112
- certificates, issuance, 35-2-1003
- cost, to correlate to, 35-2-1003
- establishment, 35-2-1003, 35-2-1107
- filing, 35-2-119, 35-2-1003, 35-2-1109
- license, 35-2-119
- records, copies, 35-2-908
- transfer fees, 35-2-118

Fictitious name, 35-2-305, 35-2-306, 35-2-826, See **ASSUMED OR FICTITIOUS NAMES**
Fiduciary
- documents, execution, 35-2-119
- members, as, 35-2-542

Filing, 35-2-114, 35-2-119
- agent, registered
  - change, 35-2-222, 35-2-310, 35-2-828
  - resignation, statement of, 35-2-311, 35-2-829
- annual report, 35-2-114, 35-2-904, 35-2-1112
- articles of amendment, 35-2-225, 35-2-227
- articles of dissolution, 35-2-720, 35-2-722, 35-2-723
- articles of incorporation, 35-2-212, 35-2-214
- articles of merger, 35-2-611
- articles of restatement, 35-2-226
- articles of revocation of dissolution, 35-2-724
- certificate of authority
  - application, 35-2-822
  - revocation, certificate of, 35-2-833
- certificate of existence, 35-2-822
- certificate of withdrawal, application, 35-2-831
- consent described as vote in documents, 35-2-529
- correction of filed document, 35-2-122
- dissolution
  - decree, 35-2-731
  - service of process, trustees for, 35-2-314
- duty of secretary of state, 35-2-1109

NONPROFIT CORPORATIONS (Continued)
Filing (Continued)

- effective date, 35-2-121
- endorsement, 35-2-121, 35-2-1109
- evidentiary effect of copies, 35-2-1111
- facsimile copies of documents, 35-2-120
- failure to file required documents, 35-2-832
- falsification, 35-2-120, 35-2-123, 35-2-832
- fees, 35-2-119, 35-2-1003, 35-2-1109
- form, 35-2-123, 35-2-1108
- name
  - fictitious, resolution of adoption, 35-2-826
  - registration, application and renewal application, 35-2-307
  - reserved, application, 35-2-306
- office, registered — change, 35-2-222, 35-2-310, 35-2-828
- receipt, 35-2-1109
- refusal by secretary of state, 35-2-1109, 35-2-1110

Financial statements, availability to members, 35-2-906, 35-2-911
First Special Service Force Memorial Monument permanent trust fund, dissolution of nonprofit corporation establishing, 35-21-901
Foreign corporations

- certificate of authority, 35-2-820, 35-2-821
  - amended, 35-2-823, 35-2-826
  - application, 35-2-115, 35-2-822, 35-2-1108
  - effect, 35-2-824
  - failure to obtain, 35-2-821
  - name, requirements, 35-2-826
  - reinstatement, 35-2-834
  - revocation, 35-2-832 — 35-2-834
- certificate of existence, 35-2-822, 35-2-1108, 35-2-1112
- certificate of revocation, 35-2-833, 35-2-834
- certificate of withdrawal, 35-2-831, 35-2-1108
- restrictions generally, 35-2-824
- withdrawal, 35-2-831, 35-2-1108

Franchise or franchise tax, 35-2-118, 35-2-119, 35-2-832
Fraud

- articles of incorporation obtained by, 35-2-728
- directors, board of, 35-2-423, 35-2-728

Good will, 35-2-609, 35-2-617
Guarantee by, 35-2-118, 35-2-213, 35-2-423, 35-2-435
Guaranteed student loan program, to administer, 17-5-1302, 17-5-1312
Guardian of incapacitated person, as, 72-5-312
Health service corporations to be, 33-30-101
Historic properties, local management, 22-3-602, 22-3-603
Housing development sponsor, as, 90-6-103
Impairment, See **Dissolution**
Income

- distribution, 35-2-114
- security for obligations, 35-2-118

Incorporation, 35-2-117, 35-2-214, See also **Articles of incorporation**; **Bylaws**; **Dissolution**
Incorporators, 35-2-212

- articles of incorporation, amendment or statement in, 35-2-213, 35-2-222, 35-2-225
- bylaws, adoption or amendment, 35-2-217, 35-2-229
- conditions precedent to incorporation, proof of satisfaction, 35-2-214
- directors, election, 35-2-114, 35-2-216
- dissolution, approval or revocation, 35-2-720, 35-2-723, 35-2-724

NONPROFIT CORPORATIONS (Continued)
Incorporators (Continued)

documents
    execution, 35-2-119
    falsification, 35-2-832
organizational meeting, 35-2-216
Indebtedness, 35-2-118, 35-2-516, 35-2-518, 35-2-616, 35-2-820, 35-2-1402
Indemnification, 35-2-446 — 35-2-454, 35-2-912
Information lists, 2-6-109, 2-15-403
Injunctions, 35-2-131, 35-2-132, 35-2-729
Insolvency, 35-2-728, See also **Dissolution**
In-state investment fund loans or bonds, 17-6-308, 17-6-312
Insurance, 35-2-453
Interstate commerce, transaction of business exclusion, 35-2-820
Investments, 35-2-118
Irrigation ditch company employees, immunity and indemnification, 27-1-731
Leases, power generally, 35-2-118, 35-2-616, 35-2-617
Legislative reservation of power, 35-2-116
Liabilities
agents, 35-2-218
articles of incorporation, statement in, 35-2-213
directors, 27-1-732, 35-2-213, 35-2-218, 35-2-416, 35-2-418, 35-2-436
dissolution, effect, 35-2-725, 35-2-727
distributions, unlawful, 35-2-436
emergency bylaws, imposition by — prohibited, 35-2-218
employees, 27-1-732, 35-2-218
financial statement, 35-2-911
foreign corporations, 35-2-824
    certificate of authority, failure to obtain, 35-2-821
indemnification, 35-2-446 — 35-2-454
insurance, 35-2-453
loans, borrower's liability, 35-2-435
members, 35-2-516 — 35-2-518, 35-2-520, 35-2-727
merger, upon, 35-2-612
officers, 27-1-732, 35-2-218, 35-2-441
ostensible corporations, 35-3-102
power to incur, 35-2-118
preincorporation transactions, 35-2-215
purchase of memberships when, 35-2-1402
volunteers, 27-1-732
vote, consent, waiver, or proxy appointment — acceptance or rejection, 35-2-542
Libraries operated by private educational or research institutions, interlibrary loan reimbursement, 22-1-328
License fee, 35-2-119
Limitations, 35-2-117, 35-2-228
Liquidation
arts organization, special beer and table wine license — effect on, 16-4-303
dissolution, upon, 35-2-725, 35-2-727, 35-2-730, 35-2-731
Loans by, 35-2-118, 35-2-213, 35-2-423, 35-2-435
Mausoleum and columbarium authorities, Title 35, chapter 21
Meetings for dissolution, 35-2-720
Meetings of delegates, 35-2-130, 35-2-524
Meetings of directors
action without, 35-2-428, 35-2-433, 35-2-906, 35-2-907
articles of incorporation, amendment, 35-2-222
attendance, 35-2-421, 35-2-430
bylaws, amendment, 35-2-229

NONPROFIT CORPORATIONS (Continued)
Meetings of directors (Continued)

- call for, 35-2-429
- committees, authority, 35-2-433
- court order for, 35-2-130
- derivative proceedings, dismissal — determination, 35-2-1304
- dissolution, for, 35-2-721
- emergency, 35-2-218
- merger, for, 35-2-610
- minutes, 35-2-114, 35-2-428, 35-2-430, 35-2-439, 35-2-906, 35-2-907
- notice, 35-2-222, 35-2-229, 35-2-429, 35-2-430, 35-2-610, 35-2-617, 35-2-721
- organizational meeting, 35-2-216
- participation, 35-2-427, 35-2-430
- petition for, 35-2-130
- quorum, 35-2-130, 35-2-218
- regular, 35-2-427, 35-2-429
- sale of assets, for, 35-2-617
- special, 35-2-427
- subject matter, limitation, 35-2-130
- transaction of business, exclusion, 35-2-820
- voting, 35-2-130, 35-2-428, 35-2-430, 35-2-1304

Meetings of members
- action without, 35-2-529, 35-2-533, 35-2-906, 35-2-907
- adjournment, 35-2-530, 35-2-532, 35-2-535
- annual, 35-2-417, 35-2-526, 35-2-528, 35-2-530, 35-2-533, 35-2-537, 35-2-728
- articles of incorporation
  - amendment, 35-2-223
  - restatement, 35-2-226
- attendance, 35-2-531, 35-2-539
- bylaws, amendment, 35-2-230
- conference telephone calls, 35-2-526
- court order for, 35-2-130, 35-2-528
- demand for, 35-2-527, 35-2-528
- directors
  - election, 35-2-417, 35-2-728
  - removal, 35-2-421
- dissolution, for, 35-2-721
- failure to hold, 35-2-526
- list of members, 35-2-535
- merger, for, 35-2-610
- minutes, 35-2-114, 35-2-439, 35-2-529, 35-2-906, 35-2-907
- notice, 35-2-223, 35-2-226, 35-2-230, 35-2-421, 35-2-526 — 35-2-528, 35-2-530, 35-2-532, 35-2-533, 35-2-537, 35-2-610, 35-2-617, 35-2-721, 35-2-912, 72-34-326
- participation, 35-2-526, 35-2-528
- petition for, 35-2-130
- place, 35-2-527, 35-2-528, 35-2-530
- quorum, 35-2-114, 35-2-130, 35-2-528, 35-2-533, 35-2-537, 35-2-538
- regular, 35-2-526, 35-2-528, 35-2-530, 35-2-533, 35-2-537
- sale of assets, 35-2-617
- special, 35-2-527, 35-2-528, 35-2-530, 35-2-533
- subject matter, limitation, 35-2-130
- time, 35-2-528, 35-2-530
- transaction of business, exclusion, 35-2-820
- trustee's authority, 72-34-326
- voting, 35-2-130, 35-2-528, 35-2-532, 35-2-538, 35-2-540, 72-34-326, See also **Members and membership**

NONPROFIT CORPORATIONS (Continued)

Members and membership, 35-2-114
- action without meeting, 35-2-529, 35-2-533, 35-2-906, 35-2-907
- admission, 35-2-118, 35-2-510, 35-2-511
- agent or attorney for, inspections of member lists or records, 35-2-908, 35-2-535
- articles of incorporation
  - amendment, approval, 35-2-222 — 35-2-227, 35-2-233
  - restatement, approval, 35-2-226
  - statement in, 35-2-213
- assessments, 35-2-118, 35-2-517, 35-2-520
- bylaws, amendment, 35-2-230, 35-2-233, 35-2-537, 35-2-538
- cancellation, 35-2-233
- classes, 35-2-114
  - bylaws, amendment, 35-2-230, 35-2-231
  - derivative proceedings, 35-2-1301 — 35-2-1307
  - directors
    - election, 35-2-114, 35-2-421
    - removal, 35-2-421, 35-2-423
    - vacancies, filling, 35-2-424
  - division, 35-2-224, 35-2-231
  - list of members, 35-2-906
  - new class, 35-2-224, 35-2-231
  - powers, 35-2-213
  - rights and obligations, 35-2-114, 35-2-213, 35-2-231, 35-2-513
  - termination, 35-2-233
  - voting power, 35-2-114, 35-2-423
  - voting requirements, 35-2-223 — 35-2-225, 35-2-230, 35-2-231, 35-2-233, 35-2-421, 35-2-424, 35-2-538, 35-2-610, 35-2-611, 35-2-617, 35-2-723, 35-2-906
- consent
  - acceptance or rejection, 35-2-542
  - action without meeting, for, 35-2-529
- conversion of memberships upon merger, 35-2-608
- cotenants, as, 35-2-542
- creditor's action against, 35-2-518
- deadlock, 35-2-728
- death, 35-2-539
- delegates, authority as, 35-2-524
- derivative proceedings, 35-2-132, 35-2-1301 — 35-2-1307
- directors
  - conflict of interest transactions, 35-2-418
  - deadlock, 35-2-728
  - election, 35-2-114, 35-2-419, 35-2-540, 35-2-541, 35-2-728
  - removal, 35-2-421, 35-2-423, 35-2-540
  - vacancies, filling, 35-2-424
- dissolution
  - approval, 35-2-721, 35-2-723
  - deposit for unlocatable member, 35-2-732
  - effect, 35-2-725
  - proceedings, 35-2-728, 35-2-729
  - revocation, 35-2-724
  - rights, 35-2-114
  - survival of remedy, right, or claim, 35-2-727
- distributions to, 35-2-114, 35-2-725, 35-2-727
- dues, 35-2-118, 35-2-517, 35-2-520
- exchange, 35-2-224, 35-2-231
- expulsion, 35-2-520

NONPROFIT CORPORATIONS (Continued)
Members and membership (Continued)

- fees, 35-2-118, 35-2-517, 35-2-520
- fiduciaries, as, 35-2-542
- financial statements, availability, 35-2-906, 35-2-911
- hearings, 35-2-520
- incapacity, 35-2-539
- indemnification, determination and report to, 35-2-451, 35-2-454, 35-2-912
- inspection of list or records, 35-2-535, 35-2-907 — 35-2-909
- issuance of memberships, 35-2-118
- liability, 35-2-516 — 35-2-518, 35-2-520, 35-2-727
- list, 35-2-535, 35-2-906 — 35-2-908, 35-2-910
- meetings, See **Meetings of members**
- merger, approval and effect, 35-2-609 — 35-2-611
- not required, 35-2-512
- notice to, 35-2-115, 35-2-529, 35-2-531
- number, 35-2-224, 35-2-231
- offices, transaction of business, 35-2-820
- powers, 35-2-213
- proxy, 35-2-537, 35-2-539, 35-2-542, 72-34-326
- purchase of memberships, 35-2-522, 35-2-1402
- qualifications, 35-2-906
- quorum, 35-2-114, 35-2-418, 35-2-537, 35-2-538, 35-2-725
- reclassification, 35-2-224, 35-2-231
- record date, 35-2-114
  - action without meeting, 35-2-529
  - adjourned meeting, 35-2-530, 35-2-532
  - determination, 35-2-532, 35-2-535
  - meetings of members
    - determination of members entitled to notice and to vote, 35-2-528, 35-2-532
    - special, demand for, 35-2-527
- record of members, 35-2-115, 35-2-542, 35-2-906
- redemption, 35-2-114, 35-2-224, 35-2-231, 35-2-233, 35-2-513
- resignation, 35-2-519, 35-2-522
- rights and obligations, 35-2-114, 35-2-213, 35-2-228, 35-2-231, 35-2-513, 35-2-532, 35-2-535, 35-2-906, 35-2-907, 35-2-909
- sale of assets, approval, 35-2-616, 35-2-617
- surviving corporation, 35-2-609
- suspension, 35-2-520
- termination, 35-2-224, 35-2-231, 35-2-233, 35-2-520, 35-2-522
- transfer of memberships, 35-2-114, 35-2-118, 35-2-224, 35-2-231, 35-2-513, 35-2-514
- trustee's authority, 72-34-326
- votes, 35-2-114
  - acceptance or rejection, 35-2-542
  - court order to obtain, 35-2-130
  - list of members, 35-2-535, 35-2-910
  - solicitation, 35-2-910
- voting agreements, 35-2-543
- voting entitlement generally, 35-2-536
- voting power, 35-2-114, 35-2-230, 35-2-233, 35-2-418, 35-2-423, 35-2-529, 35-2-537, 35-2-610, 35-2-617, 35-2-721, 35-2-728, 35-2-1301
- voting requirements, 35-2-223, 35-2-225, 35-2-230, 35-2-233, 35-2-418, 35-2-421, 35-2-424, 35-2-526, 35-2-532, 35-2-533, 35-2-538, 35-2-540, 35-2-610, 35-2-617, 35-2-721, 35-2-723, 35-2-725, 35-2-906
- voting rights, 35-2-114, 35-2-224, 35-2-231, 35-2-513, 72-34-326
- waiver, 35-2-531, 35-2-542

NONPROFIT CORPORATIONS (Continued)
Members and membership (Continued)

- written ballot or consent, 35-2-533
  - action by, 35-2-533
  - action without meeting, 35-2-529
  - approved by the members, 35-2-114
  - articles of incorporation, amendment or restatement, 35-2-223, 35-2-226
  - bylaws, amendment, 35-2-230
  - directors, removal, 35-2-540
  - dissolution, approval, 35-2-721
  - merger, approval, 35-2-610
  - order for authorization, 35-2-130
  - sale of assets, 35-2-617
  - vote, 35-2-114

Mental health corporations, 53-21-203, 53-21-204, 53-21-206
Merger
- abandonment, 35-2-610
- approval, 35-2-608 — 35-2-611
- articles of merger, 35-2-114, 35-2-610, 35-2-611
- bequests, devises, and gifts — effect on, 35-2-614
- certificate of authority, revocation — grounds, 35-2-832
- committees, no authority, 35-2-433
- effect, 35-2-609, 35-2-612, 35-2-614
- effective date, 35-2-609
- foreign corporations, with, 35-2-613
- limitations, 35-2-609
- name, effect, 35-2-305, 35-2-826
- notice, 35-2-609, 35-2-610
- plan, 35-2-608 — 35-2-612
- votes, court order for, 35-2-130

Microbusiness development, Title 17, chapter 6, part 4
Minimum wage exclusions, 39-3-406
Modification of laws, 35-2-116
Mortgages, power generally, 35-2-118, 35-2-616, 35-2-820
Museums, 22-3-503
Mutual benefit corporations
- articles of incorporation, amendment or statement in, 35-2-213, 35-2-224
- bylaws, amendment, 35-2-231, 35-2-233
- certificate of authority, application — statement in, 35-2-822
- conflict of interest transactions of directors, 35-2-418
- consent, acceptance or rejection, 35-2-542
- definitions, 35-2-114
- derivative proceedings, 35-2-1302
- designation as, 35-2-126, 35-2-133, 35-2-823
- dissolution, 35-2-725, 35-2-728, 35-2-730
- indemnification, determination, 35-2-451
- members, 35-2-514, 35-2-520, 35-2-522, 35-2-1402
- merger, 35-2-608
- proxy appointment, vote, or waiver — acceptance or rejection, 35-2-542

Name, 35-2-115, 35-2-305, 35-2-826
- actions in, 35-2-118, 35-2-228, 35-2-725, 35-2-727
- adjudication, 35-2-826
- agent, registered — inclusion in statement of change, 35-2-310, 35-2-828
- annual report, statement in, 35-2-904
- articles of amendment, statement in, 35-2-225, 35-2-227
- articles of dissolution, statement in, 35-2-723

NONPROFIT CORPORATIONS (Continued)
Name (Continued)

- articles of incorporation
  - amendment, effect, 35-2-228
  - statement in, 35-2-213
- articles of restatement, statement in, 35-2-226
- articles of revocation of dissolution, statement in, 35-2-724
- assumed business name, 35-2-305, 35-2-826, See **ASSUMED OR FICTITIOUS NAMES**
- certificate of authority, application — inclusion, 35-2-822
- certificate of existence, statement in, 35-2-1112
- certificate of withdrawal, statement in, 35-2-831
- change, 27-31-102, 35-2-222, 35-2-228, 35-2-822, 35-2-826
- dissolution, period of distinguishability, 35-2-305
- distinguishability, 35-2-305, 35-2-826
- english language requirement, 35-2-119
- exclusivity, 35-1-308, 35-1-1031, 35-2-305, 35-2-306, 35-2-826
- existence in, perpetual, 35-2-118
- fictitious name, 35-2-305, 35-2-306, 35-2-826, See **ASSUMED OR FICTITIOUS NAMES**
- merger, plan of — inclusion, 35-2-608
- office, registered — inclusion in statement of change, 35-2-310, 35-2-828
- purpose, correlation to, 35-2-305
- registered, 35-2-305, 35-2-307, 35-2-826
- reserved name, 35-2-305 — 35-2-307, 35-2-826
- tax list, inclusion, 15-31-603

Notes, issuance, 35-2-118
Notices, 35-2-114

- adjourned meeting, 35-2-530
- agent, registered — address change, 35-2-310, 35-2-828
- annual report, noncompliance, 35-2-904
- articles of incorporation
  - amendment, 35-2-222, 35-2-223, 35-2-233
  - restatement, 35-2-226
- attorney general, to, 35-2-131, 35-2-423, 35-2-451, 35-2-609, 35-2-617, 35-2-722, 35-2-723, 35-2-729, 35-2-1302
- bylaws, amendment, 35-2-229, 35-2-230, 35-2-233
- certificate of authority, revocation, 35-2-833
- committees, applicability, 35-2-433
- communicated how, 35-2-115
- constructive notice, 35-2-120
- corporation, to — requirements, 35-2-315
- defective, 35-2-520, 35-2-531
- derivative proceedings, 35-2-1302, 35-2-1306
- directors
  - removal, 35-2-421, 35-2-422, 35-2-429
  - resignation, 35-2-420
- dissolution, 35-2-720 — 35-2-723, 35-2-729
  - claimants, to, 35-2-726, 35-2-731
  - receiver or custodian, prior to appointment, 35-2-730
- effective date, 35-2-i14, 35-2-115
- facsimile copy, recorded — constructive notice when, 35-2-120
- indemnification
  - attorney general, to, 35-2-451
  - court order, 35-2-450
- lack of, objection, 35-2-430, 35-2-531
- meetings for dissolution, 35-2-720, 35-2-721
- meetings of delegates, 35-2-130, 35-2-524
- meetings of directors, 35-2-130, 35-2-222, 35-2-229, 35-2-429, 35-2-610, 35-2-617, 35-2-721

NONPROFIT CORPORATIONS (Continued)
Notices (Continued)

- meetings of members, 35-2-130, 35-2-223, 35-2-226, 35-2-230, 35-2-421, 35-2-526 — 35-2-528, 35-2-530, 35-2-532, 35-2-533, 35-2-537, 35-2-610, 35-2-617, 35-2-721, 35-2-912, 72-34-326
  - cumulative voting, 35-2-540
- members
  - action without meeting, approval, 35-2-529
  - death or incapacity, of, 35-2-539
  - termination, expulsion, or suspension, 35-2-520
- merger, 35-2-609, 35-2-610
- name, reserved — transfer, 35-2-306
- officers, resignation, 35-2-442
- oral notice, 35-2-115
- records, inspection, 35-2-907
- redemption or cancellation of memberships, 35-2-233
- sale of assets, 35-2-617
- service of process, mailing address — change, 35-2-831
- termination of members, 35-2-233
- waiver, 35-2-429, 35-2-430, 35-2-433, 35-2-531, 72-34-326
- writing required, 35-2-115

Nursing homes as, 53-21-402
Officers, 35-2-118, 35-2-439, 35-2-440

- annual report, statement in, 35-2-314, 35-2-904
- appointment, 35-2-118, 35-2-216
- certificate of authority, application — inclusion, 35-2-822
- consent, acceptance or rejection, 35-2-542
- contract rights, 35-2-443
- directors
  - conflict of interest transactions, 35-2-418
  - removal, notice, 35-2-422
  - resignation, notice, 35-2-420
- dissolution
  - custodian, power, 35-2-730
  - effect, 35-2-725, 35-2-727
- distribution to, 35-2-114
- documents
  - execution, 35-2-119, 35-2-444
  - falsification, 35-2-832
- guaranties for, 35-2-435
- indemnification, 35-2-446, 35-2-452
- information provided by, 35-2-416, 35-2-441
- liability, 27-1-732, 35-2-218, 35-2-441, 35-2-453
- list, 35-2-906
- loans to, 35-2-435
- meetings, petition for, 35-2-130
- meetings of directors, notice to, 35-2-429
- meetings of members, special — demand delivered to, 35-2-527, 35-2-528
- member's death or incapacity, notice to, 35-2-539
- petition for meeting, 35-2-130
- proxy appointment
  - acceptance or rejection, 35-2-542
  - receipt or revocation, 35-2-539
- removal, 35-2-442, 35-2-443, 35-2-725
- resignation, 35-2-442, 35-2-443, 35-2-725
- secretary, See **Secretary**
- standards of conduct, 35-2-441, 35-2-725
- surviving corporation, 35-2-609

NONPROFIT CORPORATIONS (Continued)
Officers (Continued)

- ultra vires acts, 35-2-132
- vacancies, 35-2-442
- vote or waiver, acceptance or rejection, 35-2-542

Offices, 35-1-113, 35-2-114
- agent, registered — resignation, 35-2-311, 35-2-829, 35-2-832
- annual report, designation in, 35-2-114, 35-2-115, 35-2-311, 35-2-314, 35-2-829, 35-2-904
- certificate of authority, application — inclusion, 35-2-822
- demand on corporation, procedure, 35-2-315
- directors, removal, 35-2-423
- dissolution proceedings, venue, 35-2-729
- list of members, inspection and copying, 35-2-535
- location, 35-2-118
- meetings of members
  - court order for, 35-2-528
  - held at, 35-2-526, 35-2-527
- notices to, 35-2-115, 35-2-315
- records, 35-2-906, 35-2-909
- registered, 35-2-309, 35-2-827
  - agent, registered — resignation, 35-2-311
  - articles of incorporation, statement in, 35-2-213
  - certificate of authority, application — inclusion, 35-2-822
  - change, statement of, 35-2-222, 35-2-310, 35-2-828, 35-2-832
  - directors, removal, 35-2-423
  - discontinuance, 35-2-311, 35-2-829, 35-2-832
  - dissolution proceedings, venue, 35-2-729
  - failure to have, 35-2-832
  - list of members, inspection and copying, 35-2-535
  - meetings, court order for, 35-2-130, 35-2-528
  - merger, approval by court, 35-2-609
  - notices to, 35-2-115
  - records, inspection, 35-2-909
- tax list, inclusion, 15-31-603
- transaction of business, 35-2-820

Overtime compensation exclusions, 39-3-406
Paddlefish roe as caviar — donations, processing, and marketing, 87-3-111, 87-4-601
Partnerships
- corporate power, 35-2-118
- "entity" defined, 35-2-114
- indemnification, 35-2-446, 35-2-453

Penalties, 35-2-119, 35-2-123, 35-2-821, 35-2-824, 35-2-832, 35-2-1112
Pensions, pension plans, and pension trusts, 35-2-118
Personal solicitation sales, identification exemption, 30-14-503
Pledges, power generally, 35-2-118, 35-2-616
Power of attorney
- proxy appointment, 35-2-539, 35-2-542
- vote, consent, or waiver — acceptance or rejection, 35-2-542

Powers generally, 35-2-118
- articles of incorporation, statement in, 35-2-213
- directors, board of — exercised by, 35-2-414
- emergency, 35-2-218
- persons authorized to exercise, 35-2-414

Preincorporation transactions, liability, 35-2-215
Private foundations, 35-2-127
Profit, distribution, 35-2-114

NONPROFIT CORPORATIONS (Continued)

Property, 35-2-118, 35-2-820
  articles of incorporation, amendment — effect, 35-2-228
  dissolution
    deposits for unlocatable creditors, claimants, or members, 35-2-732
    effect, 35-2-725
  list of members, solicitation by, 35-2-910
  merger, effect, 35-2-608, 35-2-612
  mortgage or pledge, 35-2-616
  sale or lease, 35-2-616, 35-2-617
  trustee, director may not be, 35-2-416
Proxy, 35-2-537, 35-2-539, 35-2-542, 72-34-326
Public benefit corporations
  articles of incorporation, amendment or statement in, 35-2-213, 35-2-223, 35-2-224
  bylaws, amendment, 35-2-230, 35-2-231, 35-2-233
  certificate of authority
    application, statement in, 35-2-822
    revocation, grounds, 35-2-832
  definitions, 35-2-114
  derivative proceedings, 35-2-1302
  designation as, 35-2-126, 35-2-133, 35-2-823
  directors, conflict of interest transactions or removal, 35-2-418, 35-2-423
  dissolution, 35-2-722, 35-2-723, 35-2-725, 35-2-728 — 35-2-730
  indemnification, time for, 35-2-451
  meetings, application for, 35-2-528
  members, 35-2-514, 35-2-520, 35-2-522, 35-2-543
  merger, 35-2-608, 35-2-609
  sale of assets, 35-2-617
  ultra vires acts, 35-2-132
Purposes, 35-2-117
  articles of incorporation, statement in, 35-2-213
  certificate of authority, application — inclusion, 35-2-822
  failure to carry out, 35-2-728, 35-2-832
  limitations, 35-2-117
  name to correlate, 35-2-305
  voting agreements consistent with, 35-2-543
Quo warranto, Title 27, chapter 28
Raffles, requirements, 23-5-413
Receiver
  dissolution, 35-2-314, 35-2-729, 35-2-730
  documents, execution, 35-2-119
  ultra vires acts, 35-2-132
  vote, consent, waiver, or proxy appointment — acceptance or rejection, 35-2-542
Record date, **See Members and membership**
Records
  accounting, 35-2-906, 35-2-907
  arts organization, access to — for special beer and table wine license determination, 16-4-303
  authentication, 35-2-114, 35-2-439
  committees, action taken by, 35-2-906, 35-2-907
  directors
    action without meeting, 35-2-906, 35-2-907
    minutes of meetings, 35-2-906, 35-2-907
  form, 35-2-906
  inspection by members, 35-2-535, 35-2-907 — 35-2-909
  members, 35-2-115, 35-2-535, 35-2-542, 35-2-906 — 35-2-909
  minutes filed with, 35-2-428

NONPROFIT CORPORATIONS (Continued)
Records (Continued)

- offices, copies kept at, 35-2-906
- permanent, 35-2-906
- waivers of notice filed with, 35-2-430, 35-2-531
- written consents, filing, 35-2-529
- written form, 35-2-906

Recreational trails, for — railroad rights-of-way, 60-11-112
Religious corporations, 35-3-102, See also **RELIGIOUS CORPORATIONS SOLE**
- articles of incorporation, amendment or statement in, 35-2-213, 35-2-223, 35-2-224
- bylaws, amendment, 35-2-230, 35-2-231
- certificate of authority, application — statement in, 35-2-822
- constitutional protections, 35-2-128
- definitions, 35-2-114
- designation as, 35-2-126, 35-2-133, 35-2-823
- directors, 35-2-416, 35-2-418, 35-2-421, 35-2-423
- dissolution, 35-2-722, 35-2-723, 35-2-725, 35-2-728, 35-2-729
- meetings of members, special — demand, 35-2-527
- members, 35-2-514, 35-2-522, 35-2-535
- merger, 35-2-608, 35-2-609
- officers, information to, 35-2-441
- records, inspection — right to, 35-2-907
- sale of assets, 35-2-617

Reorganization
- judicial, 35-2-227
- name, effect, 35-2-305, 35-2-826

Repeal
- bylaws, 35-2-218, 35-2-433
- committees, no authority, 35-2-433
- legislative reservation of power, 35-2-116

Reports
- annual reports, See **Annual reports**
- indemnification, to members, 35-2-912

Representative assembly, 35-2-114
Research and farm animal facilities protection, Title 81, chapter 30, part 1
Rules, 35-2-119, 35-2-1003, 35-2-1107, 35-2-1108, See also **Bylaws**
Sales
- assets, 35-2-130, 35-2-433
  - dissolution, 35-2-730
  - in regular course of activities, 35-2-616
  - other than in regular course of activities, 35-2-617
- list of members, 35-2-910
- transaction of business exclusion when, 35-2-820

Seal, 35-2-118, 35-2-119, 35-2-122
Secretary, 35-2-114, 35-2-439
- consent, rejection, 35-2-542
- demand on corporation, procedure, 35-2-315
- directors, notices for removal or resignation, 35-2-420, 35-2-422
- documents, attestation or execution, 35-2-119, 35-2-444
- fictitious name, certificate of resolution for, 35-2-826
- meetings of members, notice of matters to be raised — requests, 35-2-530
- member's death or incapacity, notice to, 35-2-539
- notices to, 35-2-115, 35-2-315
- proxy appointment
  - receipt or revocation, 35-2-539
  - rejection, 35-2-542
- vote or waiver, rejection, 35-2-542

NONPROFIT CORPORATIONS (Continued)

Securities, 35-2-118
  merger, conversion of memberships, 35-2-608
  offices, transaction of business, 35-2-820
  registration exemption, 30-10-104
Self designation, 35-2-126, 35-2-133
Self-sufficiency trusts, creation, 53-18-101
Service of process, 35-2-314, 35-2-613, 35-2-830, 35-2-831; Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
Shares, dealing in and prohibition on issuance, 35-2-118
Shelter care facilities for youth provided by, 41-5-802
Sheltered workshop providers, 18-5-101, 18-5-102, 53-7-202
Short title, 35-2-113
Signatures
  agent, registered
    address change, notice, 35-2-310, 35-2-828
    resignation, 35-2-829
  articles of incorporation, 35-2-213
  certificate of revocation, 35-2-833
  consent, on — acceptance or rejection, 35-2-542
  directors, action without meeting — written consents, 35-2-428
  documents
    execution, 35-2-119, 35-2-123, 35-2-444
    facsimile copies, 35-2-120
  incorporators, written consents for actions without meeting, 35-2-216
  name, reserved — notice of transfer, 35-2-306
  proxy appointment or revocation, 35-2-539
    acceptance or rejection, 35-2-542
  vote, on — acceptance or rejection, 35-2-542
  voting agreements, 35-2-543
  waiver
    acceptance or rejection, 35-2-542
    notice, of, 35-2-430
  written consents, 35-2-529
Sports or athletic events, training facilities — tax exemption, 15-6-201
Status, designation, 35-2-126, 35-2-133
Successor corporation, certificate of authority required, 35-2-821
Taxation, See **TAXATION, CORPORATIONS**
Trust or trustees, See **TRUSTS**
Ultra vires acts, 35-2-132, See also **QUO WARRANTO, WRIT OF**
Unemployment insurance coverage, Title 39, chapter 51, See **UNEMPLOYMENT INSURANCE, Nonprofit organizations**
Utilities, rural cooperative, Title 35, chapter 18
Violations
  directors, by, 35-2-213, 35-2-423
  distributions, liability, 35-2-436
  falsification of documents, 35-2-123
  loans or guaranties to officers and directors, 35-2-435
Volunteer employees
  liability, right of action abolished when, 27-1-732
  minimum wage and overtime compensation exclusions, 39-3-406
Wills, promises in — effect of merger, 35-2-614
Winding up, 35-2-725, 35-2-730, 35-2-731, See also **Dissolution**
Workers' compensation
  community participants coverage, 39-71-117, 39-71-118
  state fund, establishment as, 39-71-2313

NONPROFIT CORPORATIONS (Continued)

Youth care facilities and services, See **YOUTH COURT, Nonprofit corporations**
Youth shelter care facilities provided by, 41-5-802
Youth voting program funding, formation for, 13-22-107

NONRESIDENTS
Accidents, motor vehicle, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Accountants, certification or licensing, 37-50-102, 37-50-301, 37-50-309, 37-50-311 — 37-50-313, 49-3-204
Actions involving
  depositions, attendance at, Title 25, chapter 20, M.R.Civ.P., Rule 45(d)
  foreign personal representative, capacity, 72-4-310
  jurisdiction over, See **LONG ARM STATUTES**
  security for costs, 25-10-601
  service of process, See **Service of process and papers on**
  statute of limitation, 27-2-104
Adoption of hard-to-place children, eligibility for subsidy, 52-2-507
Aerial hunting permits, 81-7-503
Agricultural commodity licensing, 80-4-406
Aircraft
  licensing, exceptions, 67-3-102
  registration when, 67-3-201
Attorneys at law, practice in state when, 37-61-208
Auctioneers, 30-11-509
Barbers and barbering
  instructors, licensing, 37-30-311
  training programs, clinics, and seminars, 37-30-424
Big game hunters, state policy regarding, 87-3-303
Camping, See **CAMPING AND CAMPGROUNDS**
Child abuse and neglect records, disclosure to — when, 41-3-205
Child custody proceedings, witnesses in, 40-7-119
Chiropractors, admission to practice, 37-12-305
Cigarette wholesalers, subjobbers, or retailers — sales to, 16-11-132
Cities and towns, utility connections — notice of construction, 7-3-4443
"Citizens" defined, 1-1-402
City courts, venue — nonresident defendant, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3A
Construction blasters, licensing, 37-72-305
Corporations
  dissenters, parties to proceedings, 35-1-838
  professional corporations, petitions for determination of fair value of shares upon death or disqualification of shareholder, 35-4-311
Counselors, professional — services rendered or licensing, 37-23-201
County water and/or sewer district elections, vote by property owners, 7-13-2255
Criminal offenses, time limitation on prosecution not applicable, 45-1-206
Deaf and Blind, Montana School for the, 20-8-104, 20-8-107
Defined, 1-1-405
Depositions, 40-7-119
Developmental disabilities, treatment for persons in state facilities, 53-20-502
Disabled persons, parking privileges, 49-4-302
Dissolution of marriage or legal separation, residence requirements, 40-4-104
Drainage district petitioners, 85-8-112
Drug distribution, wholesale — licensing provisions, 37-7-605
Economic development projects, contractors' qualifications, 17-5-1526, 17-5-1527
Employment unlawful when, 39-2-305
Engineers, professional — licensing, 37-67-303, 37-67-312, 37-67-320, 49-3-204
Estates and probate, See **ESTATES AND PROBATE, Nonresident** entries
Execution, exemptions, 25-13-613

NONRESIDENTS (Continued)

Falconer's license, provision for, 49-3-204, 87-5-204
Firearms
    possession, local government regulation, 45-8-351
    purchase, 45-8-342
Fishing, Title 87, chapter 2, See **FISH AND WILDLIFE**
Fraternal benefit societies, See **FRATERNAL BENEFIT SOCIETIES, Foreign or alien societies**
Fur dealers, licensing provisions, Title 87, chapter 4, part 3, See **FISH AND WILDLIFE, Fur farms**
Fur farm owners, 87-4-1003
Game animal farm licensees, 87-4-409
Game bird farm owners, 87-4-904
Guardian for property of nonresident, 72-5-321
Hard-to-place children, eligibility of adoptive parents for subsidized adoption, 52-2-507
Health maintenance organizations, qualification for certificate of authority, 33-31-201
Hearing aid dispensers — admission to sell, dispense, and fit hearing aids, 37-16-406
Hunting, Title 87, chapter 2, See **FISH AND WILDLIFE**
    aerial hunting permits, 81-7-503
Income tax, See **TAXATION, INDIVIDUAL INCOME**
Industrial development projects, labor provision, 90-5-114
Inheritance tax, See **TAXATION, ESTATES**
In-state investment projects, labor provisions, 17-6-309, 17-6-325
Instruments, proof of execution, 1-5-302
Insurance producers, as, See **INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS, AND ADMINISTRATORS**
Insurers
    rehabilitation and liquidation proceedings, See **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
    risk retention groups, 33-11-102, See **INSURANCE, CASUALTY**
Irrigation district proceedings, See **IRRIGATION DISTRICTS**
Jurisdiction, See **LONG ARM STATUTES**
Justice's court, venue — nonresident defendant, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3A
Juvenile runaways, return of, Title 41, chapter 6, See **MINORS, Interstate Compact on Juveniles**
Land surveyors, professional — licensing, 37-67-303, 37-67-313, 37-67-320, 49-3-204
Licensing, professions and occupations, 49-3-204
Littering, See **LITTERING AND LITTER CONTROL**
Living wills, reciprocity, 50-9-111
Marriage, laws regarding, 40-1-201, 40-1-205, See also **MARRIAGE**
Medal of Valor, Montana — awarding, 1-1-515
Medicine, license for practice of, See **PHYSICIANS AND SURGEONS, Licenses and licensing**, temporary certificates
Mentally ill persons, commitment in Montana, 53-21-134, See also **MENTAL ILLNESS OR INCAPACITY, Interstate Compact on Mental Health**
Minors, transfers to, 72-26-503
Mining operations, wage claims against, 39-3-508, 39-3-510
Mosquito control districts, notice of hearings on petitions
    creation of district, 7-22-2406
    dissolution of district, 7-22-2446
Motor vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Municipal office, ineligibility, 7-4-4104
Naturalization, See **NATURALIZATION**
Naturopathic physicians, licensing provisions, 37-26-201, 37-26-404
Nurses, admission to practice, 37-8-103
Occupational therapists, licensing, 37-24-104
Oil operations, wage claims against, 39-3-508, 39-3-510
Optometrists, admission to practice, 37-10-302
Outfitters and guides, licensing provisions, 37-47-306

NONRESIDENTS (Continued)

Parking privileges for disabled persons, 49-4-302
Parolees, supervision, Title 46, chapter 23, part 11
Pesticide licensing, 80-8-210
Pharmacies, mail service, Title 37, chapter 7, part 7
Pharmacists, admission to practice, 37-7-302
Physical therapists, admission to practice, 37-11-307, 37-11-309, 37-11-310
Physicians, practice in this state allowed when, 37-3-103
Predator control
    aerial hunting permits, 81-7-503
    trapping, 87-2-603, 87-2-604
Primitive park user fees, 23-1-118
Prisoners, exchange or transfer under treaty agreements, 53-1-106
Private investigators and security patrol officers, licensing, 37-60-302
Professional counselors, services rendered or licensing, 37-23-201
Professional employer organizations and groups, licensing condition, 39-8-202
Professions and occupations, licensing, 49-3-204
Property of
    guardian, 72-5-321
    partition proceedings, 70-29-111, 70-29-305, 70-29-329, See also **PARTITION**
    quiet title, as party, 70-28-209
Protection, right of, 49-1-201
Psychologists
    admission to practice, 37-17-304
    practice prior to licensing, 37-17-104
Public contracts
    bids and bidding, 18-1-102, 18-1-111, 18-7-107
    contractors, residence determination, 18-1-106
Quiet title actions, service of process, 70-28-209
Raptors, hunting with or bringing into state, 87-5-208
Real estate appraisers — temporary permit, licensing, or certification, 37-54-415
Real estate brokers and salespeople, transactions with, 37-51-306
Rights and duties, 49-1-201, 49-1-204
Schools
    admittance, 20-1-101, 20-5-101
    tuition provisions, See **SCHOOLS, Tuition**
Service of process and papers on, 25-3-402, 76-4-1251; Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
    motorists, See **CIVIL PROCEDURE, Service of process**, nonresident motorists
Shooting preserves, hunting on, Title 87, chapter 4, part 5, See **FISH AND WILDLIFE, Shooting preserves**
Snowmobiles, temporary-use permits, 23-2-614, 23-2-615
Social workers
    licensing, 37-22-301
    services by, 37-22-305
Speech-language pathologists and audiologists, practice within state and licensing, 37-15-103, 49-3-204
State lands
    coal leases prohibited when, 77-3-305
    sale prohibited when, 77-2-306, 77-2-334
Statute of limitation, 27-2-104
Subpoenas, 25-3-402
Trapping licenses, Title 87, chapter 2, part 6, See **FISH AND WILDLIFE**
Trustees, 72-35-503
Underground storage tank installers, license revocation or suspension — effect, 75-11-211
Unemployment insurance coverage, 39-51-2110, See also **UNEMPLOYMENT INSURANCE**
University system students, tuition, 20-25-302, 20-25-421, 20-25-501, 20-25-503

NONRESIDENTS (Continued)

Veterans' benefits inapplicable, 10-2-403, 10-2-506
Veterinarians
  consultations by, 37-18-104
  licensing, 37-18-303, 49-3-204
Wage claims against mining or oil operations, 39-3-508, 39-3-510
Water treatment plant operators, certification, 37-42-305
Water well contractors, drillers and monitoring well constructors — licensing, 37-43-202, 37-43-308
Witnesses in
  child custody proceedings, 40-7-119
  criminal proceedings, 46-15-113, 46-15-120
Workers' compensation
  coverage, 39-71-118
  death benefits, beneficiary, 39-71-724

NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL, Title 90, chapter 4, part 4

NORTHWEST INTERSTATE COMPACT ON LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT, 75-3-501, 75-3-502
  See **RADIOACTIVE SUBSTANCES**

NOTARIES PUBLIC
  See also **PUBLIC OFFICERS OR EMPLOYEES**, generally
Address, filing, 1-5-409
Appointment, 1-5-401
Authentication of official acts, 1-5-416; Title 26, chapter 10, M.R.Ev., Rule 902
Ballot issue petitions, certification of signatures, 13-27-307
Boat certificate of ownership, transfer of interest, 23-2-510
Bond requirements, 1-5-405
  liabilities on, 1-5-406
Character certification, 1-5-407, 1-5-408, 7-4-2631
City-county consolidated government, commission members as, 7-3-1215
Commission, 1-5-404, 1-5-405, 1-5-407, 1-5-408, 7-4-2631
Corporate officers, authority, 1-5-417
County weather modification authorities, affidavit accompanying petition for creation, 85-3-412
Criminal history records, authorization for inspection or transfer, 44-5-214
Death, 1-5-419
Employment agencies, license applications, 39-5-202
False swearing to, 45-7-202
Fees, 1-5-418, 7-4-2631
Fishing and hunting license applications, residence requirements, 87-2-106
Fraternal benefit societies, articles of incorporation, 33-7-208
Judicial notice of official acts of, Title 26, chapter 10, M.R.Ev., Rule 202
Jurisdiction, 1-5-415
Legislature, members as notaries, Const., V, 9
Liability, 1-5-406, 1-5-419
Medical schools, procurement of cadavers, 50-21-102
Mines and mining
  metal mines
    confidentiality of application information, waiver, 82-4-308
    exploration license applications, 82-4-332
  strip and underground mine reclamation
    mining permits, maps — certification, 82-4-222
    project appraisals, 82-4-239
    prospecting permit applications, 82-4-226

NOTARIES PUBLIC (Continued)

Motor vehicles
  certificate of ownership, transfer of interest, 61-3-201, 61-3-205
  certificates of registration and registration receipts, 61-3-322
  off-highway vehicles, certificate of ownership — transfer of interest, 23-2-812
  wrecking facilities and graveyards, bills of sale, 75-10-512
Negligence, 1-5-406
Notarial acts, 1-5-416, 1-5-417, 1-5-603, 1-6-101, 30-3-510
  certificate, 1-5-609
    short forms, 1-5-610
  citation of uniform law on notarial acts, 1-5-601
  definitions, 1-5-602
  federal authority, under, 1-5-607
  fees, 1-5-418
  foreign, 1-5-608
  reciprocity, 1-5-415, 1-5-605
  state, in, 1-5-604
  uniform application and construction, 1-5-611
  united states, in other jurisdictions of, 1-5-606
Official misconduct, 1-5-406
"Official proceeding" defined, 45-2-101
Parental rights, relinquishment — execution, 40-6-135
Physical therapists' licenses or certificates, authorization of reproduction, 37-11-311
Powers and duties generally, 1-5-416
Public office, may hold other office, Const., V, 9
Qualifications, 1-5-402
Records kept by, 1-5-416, 1-5-419, 1-5-420
Removal from office, 1-5-419
Residence requirements, 1-5-402
Resignation, 1-5-419
Seal, 1-5-416, 1-5-608, 1-5-609
Snowmobile certificates of ownership, transfer of ownership, 23-2-612
Telephone number, filing, 1-5-409
Term of office, 1-5-403, 1-5-409
Termination of office, 1-5-419
Wages and salaries, assignment — spouse's signature, 31-1-306

NOTICES
  See also specific subject area
"Actual and constructive" defined, 1-1-217
Cities and towns, See **CITIES AND TOWNS**
Civil actions, 25-3-101, See **CIVIL PROCEDURE**
Counties, See **COUNTIES**
Definitions applicable, 1-1-202, 25-3-101
Governmental, 2-3-103 — 2-3-107; Title 18, chapter 7, part 2, See **CITIES AND TOWNS**; **COUNTIES**
Judicial, See **EVIDENCE**, **Judicial notice**
Publication, See **CIVIL PROCEDURE**, **Service of process**; **PUBLIC CONTRACTS**, **Printing**, legal notices, publication
Public participation in government, for, Title 2, chapter 3, part 1
Radio and television, 2-3-105 — 2-3-107
State, publication, Title 18, chapter 7, part 2
Television and radio, 2-3-105 — 2-3-107
Terms, construction, 1-4-108
Written, construction of terms, 1-4-108

NUCLEAR ENERGY
  See **FACILITY SITING**; **RADIOACTIVE SUBSTANCES**; See also generally **ENERGY**; **UTILITIES**; **UTILITIES, RURAL COOPERATIVE**

NUISANCES
  See also generally **REMEDIES**; **SPECIAL PROCEEDINGS**; **TORTS**
Abatement
  cigarettes, place where sold, 16-11-145
  cities and towns, powers, 7-3-4313, 7-13-4406
  city director of public welfare, 7-3-4463
  city or town councils, power, 7-5-4104
  damages, effect on, 27-30-104
  forest protection, funds collected — disposition, 76-13-111
  hazardous waste handling or disposal, 75-10-404
  health hazards, 50-2-116, 75-10-404
  private nuisances, 27-30-301, 27-30-302
  public nuisances, 27-30-202, 27-30-204
Action for, 27-30-103
  costs, 25-10-101, 25-10-102
  private nuisance, 27-30-301
  public nuisance, 27-30-202, 27-30-203, 45-8-112
  swimming pool or area violations, 50-53-104
Agricultural or farming operations, 27-30-101, 45-8-111
Alcoholic beverages, premises where illegally handled, 16-6-312, 16-6-313
Cities and towns, powers, 7-1-4124, 7-3-4313, 7-13-4406, 7-31-4203 — 7-31-4206
City director of public welfare, power, 7-3-4463
City or town councils, control, 7-5-4104
Construction blasting and blaster violations, 37-72-102
County roads, encroachments, 7-14-2137
Damages, right to recover, 27-30-103, 27-30-104
Defined, 27-30-101, 27-30-102, 45-8-111
Food, perishable, 50-31-510
Health hazards, 50-1-203, 50-2-116, 75-10-404
Housing authorities, municipal — findings and determinations, 7-15-4459
Injunction, 16-6-313, 16-11-145, 27-1-401, 27-30-103, 45-8-112
Municipal commission-manager government, power regarding, 7-3-4313, 7-3-4463
Noxious weeds and seeds, 7-22-2115
Private nuisance, 27-30-102, 27-30-301, 27-30-302
Public nuisance, 27-30-102, 45-8-111
  abatement, 27-30-202, 27-30-204, 45-8-112
  airport hazards, 67-6-102
  alcoholic beverages, premises where illegally handled, 16-6-312
  boats exceeding noise limitations, 23-1-122, 23-2-526, 87-1-506
  cigarettes, place where sold, 16-11-145
  community decay, 7-5-2110, 7-5-2111
  dogs killing or destroying livestock or poultry, 81-7-401
  engineering, practice without license, 37-67-302
  fences, fallen wire, 81-4-105
  fire hazards, structures creating, 50-62-102, 50-62-103
  floodplain or floodway artificial obstructions or nonconforming uses, when, 76-5-404
  hazardous waste handling or disposal, 75-10-404
  health hazards, 50-1-203, 50-2-116
  horses, abandoned — running at large, 81-4-502
  junkyards, nonconformance with provisions, 75-15-201
  lakeshore protection, permits for work not to create, 75-7-208

NUISANCES (Continued)
Public nuisance (Continued)

  land surveying, practice without license, 37-67-302
  livestock running at large, 81-4-205, 81-4-502
  mausoleum-columbarium construction violations, 35-21-712
  open ditches, 7-31-4203 — 7-31-4206
  outdoor advertising, nonconforming, 75-15-133
  private person, action by, 27-30-203, 27-30-204
  public officer or body, abatement by, 27-30-204
  remedies, 27-30-202
  streambed alteration projects, when, 75-7-122
  swimming pool or area violations, 50-53-104, 50-53-108
  time does not legalize, 27-30-201
  traffic-control devices, unauthorized, 61-8-706
Specific performance, 27-1-401
Successive owners, liability, 27-30-105
Vertebrate pests, Title 7, chapter 22, part 25; Title 80, chapter 7, part 11, See **PESTS AND PESTICIDES**

NURSERIES AND NURSERYMEN, Title 80, chapter 7, part 1
  See **PRODUCE**

NURSING AND NURSES
  See also **MEDICINE AND MEDICAL CARE**
Adult foster care homes, 50-5-101
  limitation on care, 50-5-216
  standards, 50-5-215
Advanced practice registered nurses, 37-8-102, 37-8-202
Advertising, unlawful use of word "nursing", 50-5-107
Alcohol abuse, 37-8-202
Anatomical gift provisions, nonliability, 72-17-207
Anesthetists, nurse, 37-2-101, 37-4-511, 37-7-401, 37-8-202
Authority, limitations, 37-8-103
Blood alcohol tests, administration and liability, 61-8-405
Board of Nursing, 2-15-1844; Title 37, chapter 8, part 2
Chemical dependency, 37-8-202
Child abuse and neglect, reporting of, 41-3-201, 41-3-203 — 41-3-207
Children's services, interdisciplinary child information teams, 41-3-205, 41-5-603, 52-2-211
Collective bargaining, 39-32-102, See also **COLLECTIVE BARGAINING**
  agreement, 39-32-109
  applicability of laws, 39-31-103, 39-32-102, 39-32-112
  appropriate bargaining unit, 39-32-102, 39-32-104 — 39-32-106
  classification of health care facility, 39-32-105
  discrimination based on prohibited, 39-32-109
  exclusions, 39-32-102
  good faith duty, 39-32-109
  hearings, 39-32-104, 39-32-105
  notices, 39-32-105, 39-32-110
  personnel appeals, board of — authority, 39-32-103 — 39-32-106, 39-32-112 — 39-32-114
  political contributions with agency shop fees prohibited, 39-32-109
  professional and nonprofessional employees may not be included together, 39-32-106
  public employee provisions inapplicable, 39-31-103
  purpose of provisions, 39-32-101
  representation, adjudication, 39-32-113
  right protected, 39-32-109
  strikes, 39-32-102, 39-32-110
  subpoena power, 39-32-114
  unfair labor practices, 39-32-109, 39-32-112
Counseling, professional — applicability of provisions, 37-23-201

NURSING AND NURSES (Continued)

County interdisciplinary child information teams, 41-3-205, 41-5-603, 52-2-211
Death penalty, execution
  lethal injection need not be administered by, 46-19-103
  licensing provisions, exemption, 37-8-103
Developmental disabilities, persons with, Title 53, chapter 20
  abuse, neglect, or exploitation — report required, 52-3-811, See **DEVELOPMENTAL DISABILITIES, Abuse, neglect, or exploitation**
  community services, rulemaking authority on administration of medication, 53-20-204
  residential facilities, in — review of drug regimen, 53-20-145
Dietetics-nutrition, practice of — allowed when, 37-25-304
Disability insurance
  insured's selection of practitioner, 33-22-111
  nurse specialists, coverage for services provided by, 33-30-1013
Disciplinary hearings, 37-8-202
Discrimination in employment based on collective bargaining, 39-32-109
Domiciliary care, 39-71-1101
Drugs
  abuse, 37-8-202
  developmentally disabled persons in residential facilities, responsibility, 53-20-145
  prescriptions, authority, 37-2-101, 37-7-401, 37-8-202
Education programs, 37-8-102
  application for approval, 37-8-301
  approved list, removal from, 37-8-202, 37-8-302
  curriculum and standards, 37-8-202
  discriminatory practices, See **DISCRIMINATION, Educational institutions**
  health facility authority assistance, 90-7-104, See also **HEALTH FACILITY AUTHORITY**
  students enrolled in, practice by, 37-8-103
  survey and approval, 37-8-302
Elderly persons — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Emergency medical services advisory council, representation, 2-15-2215, 50-6-403
Emergency services, 27-1-734, 37-8-103, 37-27-311, 50-6-317, 50-78-205
Exemptions from provisions, 37-8-103
Family planning clinics, contraceptive dispensation, 37-2-104, 37-7-103, 50-31-307
Fetal deaths, reporting, 46-4-114
Fraud, 37-1-131, 37-8-443, 39-71-316
Guardianship proceedings, as visitor, 72-5-313
Gunshot wounds, reporting, 37-2-302, 37-2-303
Hazardous chemical emergencies, chemical identity provided, 50-78-205
Health care information, See **HEALTH CARE INFORMATION**; **INSURANCE, Information and privacy protection**
Health maintenance organization providers, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**
Health service corporations, coverage for services provided by nurse specialists, 33-30-1013, See **HEALTH SERVICE CORPORATIONS**
Home health care, insurance coverage for, 33-1-208, 33-22-1001 — 33-22-1003, See also **INSURANCE, DISABILITY**
Home infusion therapy services, requirements, 50-5-213
Hospital districts, employment, 7-34-2122
Incorporation, Title 35, chapter 4, See **CORPORATIONS, Professional corporations**
Injunction when, 37-8-444
Insurance
  disability
    insured's selection of practitioner, 33-22-111
    nurse specialists, coverage for services provided by, 33-30-1013

NURSING AND NURSES (Continued)
Insurance (Continued)

- health service corporations, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**
- information and privacy protection act, Title 33, chapter 19, See **INSURANCE, Information and privacy protection**
- professional liability, Title 33, chapter 23, part 3, See **INSURANCE, CASUALTY, Professional liability**

Labor organizations, See **Collective bargaining**
Liability, 50-6-317
Licensed practical nurses, See **Practical nursing**
Licenses and licensing, Title 37, chapter 8, part 4
- advanced practice registered nursing, 37-8-102, 37-8-202, 37-8-409
- courses in preparation for, 37-8-202
- denial, revocation, or suspension, 37-8-202, 37-8-443
- discrimination in issuance prohibited, 49-3-204
- fees, 37-8-202, 37-8-406, 37-8-418, 37-8-431
- fraud or deceit in procuring, 37-8-443
- indication of, without valid license unlawful, 37-8-401
- lapse and nonrenewal, 37-8-431
- practical nursing
  - applicants, qualifications, 37-8-415
  - discrimination in issuance prohibited, 49-3-204
  - examinations, 37-8-416
  - fee, 37-8-418
  - lack of, unlawful, 37-8-401, 37-8-443
  - qualifications, 37-8-415
- professional nursing
  - applicants, qualifications, 37-8-405
  - discrimination in issuance prohibited, 49-3-204
  - examinations, 37-8-406
  - fees, 37-8-406
  - issuance, 37-8-406
  - lack of, unlawful, 37-8-401, 37-8-443
  - qualifications, 37-8-405
- reinstatement when, 37-8-431
- renewal, 37-8-431
- suspension, 37-1-131, 39-71-316

Lien for services, Title 71, chapter 3, part 11
Limitations on authority, 37-8-103
Malpractice, See **INSURANCE, CASUALTY, Professional liability**; **MALPRACTICE, MEDICAL**
Medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Medical Examiners, Board of — rules for prescription authority, 37-8-202
Medical record information, See **HEALTH CARE INFORMATION**; **INSURANCE, Information and privacy protection**
Medicine, practice of — applicability of licensing provisions, 37-3-103
Midwifery, Title 37, chapter 27
Minors
- child abuse and neglect, reporting of, 41-3-201, 41-3-203 — 41-3-207
- county interdisciplinary child information teams, 41-3-205, 41-5-603, 52-2-211
- foster parents caring for, 37-8-103

Negligence, 50-6-317
Nonresidents, 37-8-103
"Nursing", unlawful use of word, 50-5-107
Nutrition, practice of — when, 37-25-304
Organ donation provisions, nonliability, 72-17-207
Organization, See **Collective bargaining**

NURSING AND NURSES (Continued)

Payment for services
  collective bargaining, See **Collective bargaining**
  generally, 37-8-101 — 37-8-103
  lien for, Title 71, chapter 3, part 11
  medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Peer review, See also **HEALTH CARE INFORMATION, Hospital medical staff committees**
  nonliability, 37-2-201
  reporting of incompetence or unprofessional conduct, 37-3-401 — 37-3-405
Personal care facilities, agreement statement for resident's admission, 50-5-226
Personnel Appeals, Board of — authority in collective bargaining, 39-32-103 — 39-32-106, 39-32-112 — 39-32-114
Physician assistants-certified utilization plans, applicability, 37-20-303
Practical nursing, 37-8-102
  licenses, See **Licenses and licensing**
  title and abbreviation, 37-8-419
Practice of nursing, 37-8-102
  delegation of nursing tasks, 37-8-103, 37-8-202
  licenses, See also **Licenses and licensing**
    expiration, following — unlawful, 37-8-431
    lack of, unlawful, 37-8-443
  qualifications for, evidence, 37-8-101
  students, by, 37-8-103
Practitioners, nurse, 37-2-101, 37-7-401, 37-8-202
Prescriptions for drugs, authority, 37-2-101, 37-7-401, 37-8-202
Professional corporations, Title 35, chapter 4, See **CORPORATIONS**
Professional counseling, applicability of provisions, 37-23-201
Professional liability, See **INSURANCE, CASUALTY**; **MALPRACTICE, MEDICAL**
Professional nursing, 37-8-102
  advanced practice registered nursing, 37-8-409
  licenses, See **Licenses and licensing**
  midwifery, Title 37, chapter 27
  title and abbreviation, 37-8-408
Public health nursing, 50-2-119
  consultation with department of public health and human services, 50-1-202
Purpose of provisions, 37-8-101
Registered nurses, See **Professional nursing**
Registration, courses in preparation for, 37-8-202
Regulation generally, See **PROFESSIONS AND OCCUPATIONS**
Retirement homes, service restrictions, 50-5-214
Schools and school nurses
  privileged communications, 26-1-809
  special education, allowable costs, 20-7-431
  teachers' retirement system, membership required, 19-20-302
  trustees, retained by — when, 20-3-324
Schools of nursing, See **Education programs**
Self-organization, See **Collective bargaining**
Senior citizens — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Specialists
  disability insurance, insured's choice of practitioner, 33-22-111
  drug prescriptions, 37-2-101, 37-7-401, 37-8-202
  health maintenance organizations, providers, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS**
  health service corporations, coverage for services, 33-30-1013
  medicaid, payment for services, 53-6-101

NURSING AND NURSES (Continued)

Stab wounds, reporting, 37-2-302, 37-2-303
Sterilization, participation, Title 50, chapter 5, part 5
Strikes, 39-32-102, 39-32-110, See also **Collective bargaining**
Student nurses, practice by, 37-8-103
Transportation, free or reduced rates when, 69-11-208
Trauma care, See **EMERGENCY MEDICAL SERVICES**
Unfair labor practices, 39-32-109, 39-32-112, See also **Collective bargaining**
Unions, See **Collective bargaining**
University system, service facilities, 20-25-302
Utilization reviews, Title 33, chapter 32, See **INSURANCE, DISABILITY**
Violations
  child abuse and neglect, failure to report, 41-3-207
  enumeration, penalties, 37-8-443
  fines and disposition, 37-8-432, 37-8-443
  health care facilities, unlawful use of word "nursing", 50-5-107
  injunction to restrain, 37-8-444
  jurisdiction, 37-8-443
  licenses
    expiration, practice following, 37-8-431
    lack of, 37-8-401, 37-8-443
  prosecution, 37-8-202
Vocational rehabilitation, physical restoration, 53-7-101, 53-7-301, See **BLIND OR VISUALLY DISABLED PERSONS; PUBLIC ASSISTANCE**
Wages, collective bargaining, See **Collective bargaining**
Workers' compensation
  claims, fraud or deception concerning — suspension of license, 37-1-131, 39-71-316
  managed care providers, Title 39, chapter 71, part 11

NURSING HOMES
  See also **HEALTH CARE FACILITIES**
Abuse, neglect, or exploitation of residents — report required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation; DEVELOPMENTAL DISABILITIES, Abuse, neglect, or exploitation**
Administrators
  board of nursing home administrators, 2-15-1845; Title 37, chapter 9, parts 2 and 3
  continuing education, 37-9-203, 37-9-305
  courses of instruction, 37-9-203, 37-9-301
  fees, 37-9-304, 37-9-306
  fines, 37-9-312
  insurance, professional liability, See **INSURANCE, CASUALTY, Professional liability**
  investigations, 37-9-203
  licenses and licensing
    cancellation, 37-9-302
    duplicate, 37-9-304
    examinations, 37-9-301
    expiration, 37-9-304
    fees, 37-9-304, 37-9-306
    issuance, 37-9-203, 37-9-301, 37-9-302, 49-3-204
    lack of, unlawful, 37-9-312
    nontransferability, 37-9-302
    qualifications, 37-9-203, 37-9-301
    registration, 37-9-203, 37-9-301, 37-9-302, 37-9-304, 37-9-305
    renewal, 37-9-304, 37-9-305
    revocation or suspension, 37-9-302
    rules for, 37-9-302

NURSING HOMES (Continued)
Administrators (Continued)
  licenses and licensing (Continued)
    standards for, 37-9-203
  long-term care facility administrators, as, 50-5-1103, See **LONG-TERM CARE FACILITIES, Residents' rights**
  malpractice, See **INSURANCE, CASUALTY, Professional liability; MALPRACTICE, MEDICAL**
  physician assistants-certified utilization plans, applicability, 37-20-303
  professional liability, See **INSURANCE, CASUALTY; MALPRACTICE, MEDICAL**
  qualifications, 37-9-202, 37-9-203
  rights of long-term care residents, See **LONG-TERM CARE FACILITIES, Residents' rights**
  standards, 37-9-203
  violations, 37-9-302, 37-9-312
Adult foster care homes, standards and limitation, 50-5-101, 50-5-215, 50-5-216
AIDS testing and counseling, 50-16-1003, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Autopsy records and reports, 50-21-104
Bed day utilization fee, Title 15, chapter 60
Certificate of need, 50-5-101, 50-5-301, See also **HEALTH CARE FACILITIES, Certificate of need**
Construction of facility, See **HEALTH CARE FACILITIES, Construction, alteration, or expansion**
County operation, See **HEALTH CARE FACILITIES, County operation**
Definitions, 37-9-101, 50-5-101
Developmental disabilities, persons with — for, 53-20-504
Federal aid, See **HEALTH CARE FACILITIES, State medical facility plan**
Fire protection and safety regulations, 50-61-103, See **FIRES AND FIRE PROTECTION**, generally
Health care information, Title 50, chapter 16, See **HEALTH CARE INFORMATION**
Health Facility Authority bonds to finance, 90-7-104, See **HEALTH FACILITY AUTHORITY**
HIV-related testing and counseling, 50-16-1003, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Housing development, 90-6-103, See **HOUSING, Lower income, development**
Indigent programs, county — optional, 53-2-802, 53-2-804
Inspections, joint inspections among governmental agencies, 50-8-101, 50-8-102, 50-8-105
Insurance, professional liability, See **INSURANCE, CASUALTY, Professional liability**
Licensing
  administrators, See **Administrators**
  facilities, 49-3-204, 50-5-101, 50-5-201
    one-step licensing required, 50-8-101, 50-8-102
Long-term care
  insurance, 33-1-208, 33-20-127, 33-20-128; Title 33, chapter 22, part 11, See **INSURANCE, DISABILITY**
  reform, 53-6-601 — 53-6-603
Medicaid, Title 53, chapter 6, See **PUBLIC ASSISTANCE**
Medical records, Title 50, chapter 16, See **HEALTH CARE INFORMATION**
Mental Health Nursing Care Center, Title 53, chapter 21, part 4, See **MENTAL ILLNESS OR INCAPACITY**
"Nursing", unlawful use of word, 50-5-107
Older Montanans, placement services, 52-3-504
Operation generally, 50-5-101, 50-5-103
Parole of incarcerated persons, medical — placement, 46-23-210
Payment for services
  county liability, 53-2-610
  medicaid, supplemental payments prohibited, 52-1-104, 53-6-101, See also **PUBLIC ASSISTANCE**
Public assistance recipients, 53-2-610
Public Health and Human Services, Department of — contracts for, 53-21-401, 53-21-402
Reports — abuse, neglect, or exploitation of residents, 52-3-811
Residents' rights, Title 50, chapter 5, part 11, See **LONG-TERM CARE FACILITIES**
Retirement homes, service restrictions, 50-5-214
Silicosis benefits, representative payee for, 39-73-111

NURSING HOMES (Continued)

Social security income paid to, exclusion from income for property tax purposes, 15-6-134
Taxation, exemption, 15-6-201; Const., VIII, 5
Utilization fee, bed day, Title 15, chapter 60
Veterans, 53-1-101 — 53-1-103, 53-1-202; Title 10, chapter 2, part 4, See **VETERANS, Montana Veterans' Homes**

NUTRITION AND NUTRITIONISTS
See also **DIETITIANS**
Advertising, 37-25-305
Aging services, 52-3-101, 52-3-504
Day-care facilities, 52-2-702, 52-2-723, 52-2-735
Developmentally disabled persons in residential facilities, rights, 53-20-142
Displaced homemakers, programs for, 39-7-305
Elderly persons, services, 52-3-101, 52-3-504
Ethical standards, 37-25-201
Exemptions, 37-25-304
Fines, 37-25-308
Food programs and nutrition services, 2-15-2210; Title 50, chapter 49, part 1
Fraud, 37-25-308
Health care facility standards, 53-6-106
Health programs for mothers and children, 50-1-202
Incompetence, 37-25-308
Infants, "withholding of medically indicated treatment" defined, 41-3-102
Interns, practice allowed when, 37-25-304
Legislative findings, 37-25-101
Licenses and licensing, Title 37, chapter 25, part 3
  applications, 37-25-302
  denial, revocation, or suspension, 37-25-308
  effective date and expiration, 37-25-303
  examinations, 37-25-201
  exemptions, 37-25-304
  fees, 37-25-302, 37-25-307
  issuance, 37-25-201, 37-25-303, 37-25-307
  renewal, 37-25-201, 37-25-307
  requirements, 37-25-302, 37-25-305, 37-25-307
Living wills, applicability of provisions, 50-9-202
Medical Examiners, Board of, 2-15-1841, 37-25-201
Mentally ill persons in mental health facilities, rights, 53-21-142
Naturopathic physicians, counseling and supplements, 37-26-301, 37-26-302
Paraprofessionals, practice allowed when, 37-25-304
Postattack emergency regulation, 10-3-505
Practice of dietetics-nutrition, 37-25-102
  medical examiners, board of — nutritionist member, qualification, 2-15-1841
  scope, 37-25-301
  standards, 37-25-201
Probation, 37-25-308
Professional standards, 37-25-201
Public health nutritionist, 50-49-107
Purpose of provisions, 37-25-101
Representation as nutritionist, 37-25-304, 37-25-305
School food services, 20-10-201, See **SCHOOLS, Food services**
Scope of provisions, 37-25-301
Senior citizens, services, 52-3-101, 52-3-504
Services and food programs, 2-15-2210; Title 50, chapter 49, part 1
Students, practice allowed when, 37-25-304

NUTRITION AND NUTRITIONISTS (Continued)

Title, limitation on use, 37-25-305
Unprofessional conduct, 37-25-308
Violations, 37-25-308

O

OATHS, 1-6-102, 1-6-104, 2-16-211; Const., III, 3
Administering, who may, 1-6-101, See also specific agency or officer
Affirmation in lieu of, 1-6-104; Const., III, 3; Title 25, chapter 20, M.R.Civ.P., Rule 43(d)
Constitutional convention delegates, Const., XIV, 6
Defined, 1-1-201
Elections, See **ELECTIONS**
Estates and probate, See **ESTATES AND PROBATE**
Executive officers, 2-16-211; Const., III, 3
False swearing, 45-7-202
Judicial officers, 2-16-211; Const., III, 3
Legislative members, 2-16-211, 5-2-105, 5-2-212 — 5-2-214, 5-5-403, 5-5-416; Const., III, 3
Perjury, 45-7-201
Public officers, 2-16-211; Const., III, 3, See also **PUBLIC OFFICERS OR EMPLOYEES**

OATHS OF OFFICE, 2-16-211, 2-16-212; Const., III, 3
  See also specific office

OBLIGATIONS
  See **CONTRACTS**; specific subject areas
Accord and satisfaction, Title 28, chapter 1, part 14
Alternative, Title 28, chapter 1, part 5
Cities and towns, See **CITY FINANCE**
Conditional, Title 28, chapter 1, part 4
Counties, See **COUNTY FINANCE**
Funds transfers, See **FUNDS TRANSFERS**
General provisions, Title 28, chapter 1, part 1
Imposed by law, Title 28, chapter 1, part 2
Joint, Title 28, chapter 1, part 3
Novation, Title 28, chapter 1, part 15
Performance, extinction and prevention, Title 28, chapter 1, parts 11 — 13
Registration of public obligations, Title 17, chapter 5, part 11
Release of debtor by creditor, Title 28, chapter 1, part 16
Transfer of rights and duties, Title 28, chapter 1, part 10

OCCUPATIONAL DISEASE
  See also **LABOR AND EMPLOYMENT**, **Health safeguards**
Actions
  enforcement, 39-72-206
  fellow employee, against, 39-71-413, 39-72-402
  investigation and prosecution services, 2-15-2015, 39-71-206, 39-71-211, 39-71-316
  records, production, 39-71-304, 39-72-402
  third parties, against, 39-71-412, 39-72-402
Administration, 39-72-201, 39-72-202
Aggravation of disease, 39-72-706
Appeals, See **Benefits**, disputes
Applicability of laws
  benefits, 39-72-701, 39-72-709
  claims for benefits, 39-72-204

OCCUPATIONAL DISEASE (Continued)
Applicability of laws (Continued)
  construction of laws, 39-71-105
  coverage, 39-72-301, 39-72-310
  payment, 39-72-401, 39-72-701
  procedure, 39-72-402
  remedy exclusive, 39-72-305
  scope of laws, 39-72-301
  uninsured employers, 39-72-305
  workers' compensation law, See **Workers' compensation**
Asbestos regulation, See **ASBESTOS**
Attorney's fees, 39-71-612 — 39-71-614, 39-72-712
Autopsies, 39-72-606, 39-72-608
Benefits
  acceptance of liability, 39-72-602
  aggravation of disease, 39-72-706
  attorney's fees, 39-71-612 — 39-71-614, 39-72-712
  burial expenses, 39-72-705
  claim for
    forms, 39-72-204
    mental stress, noncompensability, 39-71-105
    presentment, 39-72-403
    termination of worker for filing, not allowed, 39-71-317
    true claim, filing, 39-71-316
  compliance with other provisions prerequisite, 39-72-401
  compromise, 39-72-711
  costs, 39-72-613
  death, 39-72-701
    autopsy, 39-72-606, 39-72-608
    burial expenses, 39-72-705
    claim, 39-72-403
    medical report, 39-72-605
    silicosis, resulting from, 39-72-707
    statute of limitation, 39-72-403
  discharge of employee because of nondisabling occupational disease, 39-72-405
  dispute, 39-72-602
    appeal to judge, 39-72-612
    attorney's fees, 39-71-612 — 39-71-614, 39-72-712
    compromise, 39-72-711
    grounds to overturn decision, 39-72-612
    hearings, 39-72-611 — 39-72-613, 39-72-712
    mediation, Title 39, chapter 71, part 24, See **WORKERS' COMPENSATION, Mediation of disputes**
    medical reports, presumption of correctness, 39-72-610
    physical examination of claimant, 39-72-602
  eligibility, 39-72-401
  exclusive remedy, 39-72-305
  exposure requirements, 39-72-405
  false representation, 39-72-404
  federal programs, effect on benefits, 39-72-509, 39-72-701, 39-72-706
  fraud or deception, obtaining by, 39-71-316, 39-71-1006, 45-6-301, 53-2-105, 53-2-211, 53-3-111
  guardian, payment to, 39-71-742, 39-72-402
  hearings, 39-72-611 — 39-72-613, 39-72-712
  hospital expenses, 39-72-704
  lump-sum payment, 39-72-711
  mediation of disputes, Title 39, chapter 71, part 24, See **WORKERS' COMPENSATION**
  medical claims, payment without liability, 39-71-615

OCCUPATIONAL DISEASE (Continued)
Benefits (Continued)

- medical expenses, 39-72-704
- mentally incompetent persons, payment to, 39-71-742, 39-72-402
- minors, payment to, 39-71-742, 39-72-402
- misrepresentation, 39-72-404
- parent, payment to, 39-71-742, 39-72-402
- partial disability, 39-72-703
- permanent total disability, 39-72-701
- physical examination
  - disputed claims, 39-72-602, 39-72-608
  - periodic, 39-72-607
- pneumoconiosis, 39-72-509, 39-72-701
- preexisting conditions
  - exposure prior to certain dates, 39-71-405, 39-71-406
  - misrepresentation, 39-72-404
- proximate cause, 39-72-408
- reduction, 39-72-701, 39-72-706, 39-72-709, 39-72-714
- right to, 39-72-103, 39-72-305
- silicosis, 39-72-707, 39-72-708, 39-72-711
- social security benefits, effect, 39-72-701, 39-72-706
- statute of limitation, 39-72-403
- suspension of benefits, 39-72-607, 39-72-714
- temporary total disability, 39-72-701
- treatment, refusal, 39-72-714
- unsanitary practices of recipient, 39-72-714

Burial expenses, benefit, 39-72-705
Citation of Occupational Disease Act, 39-72-101
Claims for benefits, See **Benefits**
Compensation plans, 39-71-403, 39-71-406, 39-72-310, 39-72-402
Compromises
- benefits, award, 39-72-711
- department, authority, 39-72-206

Coverage under workers' compensation, 39-71-403, 39-72-310, 39-72-402, See also **Workers' compensation**
Damages, 39-71-412, 39-71-413, 39-72-402
Death benefits, See **Benefits**
Definitions, 39-72-102, 50-70-103
Disputes, See **Benefits**
Employees, 39-71-317, 39-72-714
- benefits, See **Benefits**
- fellow employee, liability, 39-71-413, 39-72-402
- hazardous chemical information to, no effect on liability of employer, 50-78-401
- physical examination prior to employment, 39-72-404
- premiums, deduction from wages prohibited, 39-71-406, 39-72-402
- waiver of rights invalid, 39-71-409, 39-72-402

Employers, 39-72-102, See also **Insurers**
- hazardous chemical information to employees, no effect on liability, 50-78-401
- liability, 39-71-411, 39-72-302, 39-72-303, 39-72-402, 50-78-401
- physical examination of prospective employee, 39-72-404
- preference to injured worker when, 39-71-317
- premiums, deduction from wages prohibited, 39-71-406, 39-72-402
- safety program requirement in policies, 33-15-318

Enforcement, 39-72-206
Exclusive remedy, 39-71-411, 39-72-305, 39-72-402
Extent of laws, 39-72-301, See also **Applicability of laws**
False representation, 39-72-404

OCCUPATIONAL DISEASE (Continued)

Federal programs, effect, 39-72-509, 39-72-701, 39-72-706
Fellow employee, liability, 39-71-413, 39-72-402
Forms, 39-72-203
Funding, 39-72-310
    administrative costs, 39-71-201
    occupational disease expendable trust fund, 39-71-1004
    plan no. 1 funding, 39-71-403, 39-72-402
Guardian, payment, 39-71-742, 39-72-402
Hazardous chemical information to employees, no effect on liability of employer, 50-78-401
Hearings, 39-72-610 — 39-72-613
Hospital expenses, benefit, 39-72-704, 71-3-1118
Inspection of records, 39-71-304, 39-72-402
Insurers, 39-72-102
    compromises, 39-72-711
    coverage, 39-72-310
    liability, acceptance, 39-72-602
    medical examinations, periodic — requests by, 39-72-607
Jurisdiction of
    labor and industry, department of, 39-71-317, 39-72-202
    workers' compensation judge, 39-71-317, 39-72-610, 39-72-612, 39-72-613
Laws applicable, See **Applicability of laws**
Liability
    employers, 39-71-411, 39-72-302, 39-72-303, 39-72-402, 39-72-404, 50-78-401
    fellow employee, 39-71-413, 39-72-402
    insurers, 39-72-602
    misrepresentation by employee, effect, 39-72-404
    reporting violations, no liability when, 39-71-106
    third parties, 39-71-412, 39-72-402
Liens, benefits exempt when, 71-3-1118
Lump-sum payment of benefits, 39-72-711
Managed care, Title 39, chapter 71, part 11, See **WORKERS' COMPENSATION**
Mediation of disputes, Title 39, chapter 71, part 24, See **WORKERS' COMPENSATION**
Medical examinations
    death benefits, for, 39-72-605, 39-72-606, 39-72-608
    disputed benefits, 39-72-602, 39-72-608
    periodic examinations of benefits recipients, 39-72-607, 39-72-608
Medical expenses, benefit, 39-72-704
Medical panel, 39-72-601
    benefits disputes, examination by, 39-72-602
    discontinuance of employment, determination, 39-72-405
    evidence, reports as, 39-72-609, 39-72-610
    periodic examinations by, 39-72-607
Medical reports
    death benefits, for, 39-72-605, 39-72-606
    disclosure, 50-16-527
    discovery of disease, inadmissibility, 50-70-107
    disputed benefits, 39-72-602
    expenses, 39-72-608
    inadmissibility when, 50-70-107
    presumption of correctness, 39-72-610
    prima facie evidence, 39-72-605, 39-72-609
Mentally incompetent, payment of benefits, 39-71-742, 39-72-402
Minors, payment of benefits to, 39-71-742, 39-72-402
Misrepresentation by employee, 39-72-404
Notice, rulemaking authority, 39-72-203

OCCUPATIONAL DISEASE (Continued)

Objectives of system, 39-71-105
Panel, See **Medical panel**
Parents, payment of benefits to, 39-71-742, 39-72-402
Payments, See **Benefits**
Physical examinations, See **Medical examinations**
Physicians, See **Medical** entries
Pneumoconiosis, special provisions, 39-72-102, 39-72-303, 39-72-509, 39-72-701
Powers of department, 39-72-202
Preexisting conditions, See **Benefits**
Premiums, deduction from wages prohibited, 39-71-406, 39-72-402
Prevention, Title 50, chapter 70, See **LABOR AND EMPLOYMENT, Health safeguards**
Procedure, applicability of laws, 39-72-402
Public agencies, coverage, 39-71-403, 39-72-402
Public policy, 39-71-105
Records, 39-71-304, 39-72-402
Remedy exclusive, 39-71-411, 39-72-305, 39-72-402
Right of compensation, 39-71-409, 39-72-103, 39-72-305, 39-72-402
Rulemaking authority, 39-72-203
  claim forms, 39-72-204
  compensation plans, 39-72-310
Safety Culture Act, Title 39, chapter 71, part 15, See **WORKERS' COMPENSATION**
Scope of laws, 39-72-301, See **Applicability of laws**
Settlements, See **Benefits**
Silicosis, Title 39, chapter 73, See **SILICOSIS**
Social security benefits, effect, 39-72-701, 39-72-706
Third party liability, 39-71-412, 39-72-402
Unemployment compensation, occupational disease benefits disqualify for, 39-51-2306
Uninsured employers, 39-72-305
Violation
  fraud or deception, obtaining benefits by, 39-71-316, 39-71-1006, 45-6-301, 53-2-105, 53-2-211, 53-3-111
  prohibited actions and penalty, 39-71-315
  reporting, no liability for, 39-71-106
Waiver
  claim time requirements, 39-72-403
  rights, 39-71-409, 39-72-402
Workers' compensation, applicability to occupational disease compensation, See also **WORKERS' COMPENSATION**
  benefits, 39-72-701, 39-72-709
  claim for benefits, 39-72-204
  compensation plans, 39-72-310
  coverage, 39-71-401, 39-71-2316, 39-72-301, 39-72-310
  mediation of disputes, Title 39, chapter 71, part 24
  procedure, 39-72-402
  remedy exclusive, 39-72-305
  scope of laws, 39-72-301
  subsequent injury when vocationally handicapped, Title 39, chapter 71, part 9
  uninsured employers, 39-72-305

OCCUPATIONAL HEALTH ACT OF MONTANA, Title 50, chapter 70
  See **LABOR AND EMPLOYMENT, Health safeguards**

OCCUPATIONAL SAFETY, Title 50, chapter 71
  See **LABOR AND EMPLOYMENT, Safety**

OCCUPATIONAL THERAPY AND OCCUPATIONAL THERAPISTS
  See also **HEALTH CARE FACILITIES; PUBLIC ASSISTANCE, Vocational rehabilitation; PUBLIC CONTRACTS, Sheltered workshops**
Administration of provisions, 37-24-201, 37-24-202
Aides, 37-24-103
  exemption from provisions, 37-24-104
  physical agent modalities, application by, 37-24-105
  supervision, 37-24-103
Assistants, 37-24-103
  aides, supervision, 37-24-103
  certified occupational therapy assistant (COTA), 37-24-104
  license required, 37-24-301, See **Licenses and licensing**
Board of Occupational Therapy Practice, Title 37, chapter 24, part 2
Certification as occupational therapist registered (OTR), 37-24-104
Certification requirement for licensing, 37-24-303
Certified occupational therapy assistant (COTA), 37-24-104
Citation of Occupational Therapy Practice Act, 37-24-101
Education requirements for licensing, 37-24-303
Enforcement of provisions, 37-24-202
Ethical standards, 37-24-202
Exemptions, 37-24-104
Federal occupational therapists, 37-24-104
Fieldwork experience
  exemption from provisions to persons fulfilling, 37-24-104
  licensing requirements, 37-24-303
Fraud, 37-1-131, 39-71-316
Institutional residents, ancillary charges — payment, 53-1-401, 53-1-501, 53-1-502
Licenses and licensing, Title 37, chapter 24, part 3
  applications, 37-24-302, 37-24-310
  examinations, 37-24-303, 37-24-304, 37-24-310
    approval and supervision, 37-24-202
    notice of, 37-24-304
    reexaminations, 37-24-304
    scores and review, 37-24-304
  expiration, 37-24-308
  fees, 37-24-304, 37-24-306, 37-24-308, 37-24-310
  issuance, 37-24-306, 37-24-310
  limited permit, 37-24-310
  qualifications of applicants, evaluation, 37-24-202
  renewal, 37-24-308, 37-24-310
  required, 37-24-301
  requirements, 37-24-303
  rules, 37-24-202, 37-24-304, 37-24-308
  suspension, 37-1-131, 39-71-316
Lien for services, Title 71, chapter 3, part 11
Limited permit, 37-24-310
Nonresidents, 37-24-104
Payment for services
  institutional residents, ancillary charges — payment, 53-1-401, 53-1-501, 53-1-502
  liens for, Title 71, chapter 3, part 11
Penalty for violations, 37-24-311
Physical agent modalities, 37-24-103
  sound and electrical agents, use, 37-24-106
  superficial, use, 37-24-105

OCCUPATIONAL THERAPY AND OCCUPATIONAL THERAPISTS (Continued)

Purpose of provisions, 37-24-102
Records, 37-24-202
Schools, special education — allowable costs, 20-7-431
Services, 37-24-103, 37-24-301, See also **Licenses and licensing**
Students or trainees, 37-24-104
Violations, 37-24-311
  investigation, 37-24-202
  workers' compensation claims, fraud or deception concerning — suspension of license, 37-1-131, 39-71-316

OCCUPATIONS AND PROFESSIONS
  See **PROFESSIONS AND OCCUPATIONS**; See also **LABOR AND EMPLOYMENT**; specific occupation or profession

OFFENDERS, FORMER
Banks and trust companies
  director, as — prohibited, 32-1-322
  employment in, 32-1-462
Concealed weapon, permit to carry — ineligibility when, 45-8-321
Consumer report, inclusion of information in, 31-3-112, 31-3-126
Conviction, effect generally, 46-18-801; Const., II, 30
Credit report, inclusion of information in, 31-3-112, 31-3-126
Drugs
  paraphernalia violations, as evidence, 45-10-102
  registration requirements for manufacturers, distributors, or dispensers — effect, 50-32-306, 50-32-311
Employment restrictions
  banks and trust companies, in, 32-1-462
  building and loan association agent, 32-2-409
  consumer report to employer, inclusion of information in, 31-3-112, 31-3-126
  county sheriff's deputies, prohibited, 7-32-2104
  disaster and emergency services personnel, 10-3-112
  drug manufacturer, distributor, or dispenser registration requirements, 50-32-306, 50-32-311
  highway patrol officers, 44-1-612
  law enforcement reserve officers, appointment as — prohibited, 7-32-213
  lottery, state, 23-7-110, 23-7-306
  peace officers, 7-32-303
  securities brokers, dealers, salespersons, or investment advisers, 30-10-201
Firearms, local government regulations, 45-8-351
Gaming suppliers, disclosure, 23-7-310
Insurers, mergers or acquisition of control — statement regarding, 33-2-1104
Licensing restrictions
  alcoholic beverage licenses, 16-4-401
  building and loan association agent, 32-2-409
  contract security companies, 37-60-303
  denial of license
    conviction not sole basis, 37-1-203
    written statement of reasons, 37-1-204
  employment agencies, 39-5-203
  fireworks, wholesaler permits, 50-37-104
  gambling, restrictions, 23-5-176
  guides, professional, 37-47-341
  health care facilities, 50-5-207
  legislative intent, 37-1-202
  lottery, state, 23-7-110, 23-7-306
  outfitters, 37-47-341
  policy of state, 37-1-202

OFFENDERS, FORMER (Continued)
Licensing restrictions (Continued)

  proprietary security organizations, 37-60-303
  purpose of provisions, 37-1-201
  supervision, licensure on completion, 37-1-205
  timeshare brokers or salespersons, 37-53-302
Minors, conviction in youth court, 41-5-106
Persistent felony offenders, See **SENTENCING AND SENTENCES**
Petroleum storage tank releases, ineligibility for reimbursement for expenses caused by, 75-11-308
Public office, candidacy, Const., IV, 4
Rights, restoration, 46-18-801, 46-23-1011, 46-23-1021; Const., II, 28; VI, 12; XII, 3
Subdividers' registration of land
  application, effect, 76-4-1236
  revocation, 76-4-1243
Timeshare developers, background information, 37-53-202
Voting right, effect, 13-1-111, 13-2-402; Const., IV, 2
Witnesses, as — testimony respecting conviction, Title 26, chapter 10, M.R.Ev., Rules 609, 803

OFFICIAL REPORTS AS EVIDENCE ACT, UNIFORM, Title 26, chapter 10, M.R.Ev., Rule 803
  See also **EVIDENCE, Official acts and writings**

OIL AND GAS
  See also **CITIES AND TOWNS, Utilities; COUNTIES, Utilities; PETROLEUM PRODUCTS; UTILITIES**, generally
Abandoned wells, See **Wells**
Actions
  board of oil and gas conservation, adjudication of decisions, 82-11-144, 82-11-151
  civil remedies, 82-11-142
  enforcement proceedings, 82-11-149
  injunction, for, 82-11-144, 82-11-145
  lease
    cancellation or quieting title, joinder of plaintiffs, 82-1-204
    release or record, 82-1-202
  royalties
    accounting and recovery of payment or delivery, 82-10-101, 82-10-102
    payment, enforcement of obligation, 82-10-103
  statutes of limitations, 27-2-303, 82-11-145
  surface owner, damage to property — compensation, 82-10-508
  trade secrets, establishment of existence, 82-11-117
  violations concerning, 82-11-147, 82-11-149
Administrative procedure, applicability, 82-11-115, 82-11-137, 82-11-141, 82-11-142
Affidavits
  lease expiration, of effectiveness and service of notice, 82-1-202
  notice of hearing, proof of service — printer's affidavit, 82-11-141
Appeals, 82-11-146, 82-11-151
Assignment and assignees
  leases
    cancellation or quieting title, joinder of plaintiffs, 82-1-204
    release of record, 82-1-201, 82-1-202
    royalties, payment, 82-10-103
  surface owner, damages for loss, 82-10-504
Board of Oil and Gas Conservation, 2-15-3303, 82-11-101
  abandoned wells, duties, 82-10-401, 82-10-402, 82-11-101, 82-11-111, 82-11-123, 82-11-161
  actions by or against, 82-11-142
  determinations, 82-11-114 — 82-11-116
  drilling, duties, 82-10-402, 82-11-122, 82-11-134
  emergency orders, 82-11-141, 82-11-151
  funding, 15-16-324, 82-11-118, 82-11-135 — 82-11-137, 82-11-161, 82-11-306

OIL AND GAS (Continued)
Board of Oil and Gas Conservation (Continued)

- ground water assessment steering committee, representation on, 2-15-1523
- national gas policy, implementation, 82-11-113
- oil and gas production damage mitigation account, 15-38-202, 82-10-402, 82-11-111, 82-11-161, 82-11-164
- powers and duties generally, 82-11-111
- production tax, duties, 82-11-135; Title 15, chapter 36, part 3
- reclamation and development grant requests, priority, 90-2-1113
- regulation and conservation, duties, Title 82, chapter 11, part 1
- rules and orders
  - administrative procedure, applicability, 82-11-141
  - adversely affecting persons, effect, 82-11-143, 82-11-144
  - determinations, for, 82-11-115
  - enforcement, 82-11-145
  - enhanced recovery projects, application processing fees, 82-11-118
  - environmental review, for, 75-1-201
  - plugging, pollution prevention, and reclamation — for, 82-10-402, 82-11-123
    - exceptions to pollution, 82-11-101
  - regulation and conservation, generally, 82-11-111
  - underground gas storage reservoirs, eminent domain — use, 82-10-303
  - unit operations, 82-11-144, 82-11-201, 82-11-202, 82-11-205, 82-11-207 — 82-11-209, 82-11-213, 82-11-214
  - violation, 82-11-127, 82-11-142, 82-11-147 — 82-11-149, 82-11-151
  - wells
    - abandonment, 82-11-123
    - class II injection well operating fee, 82-11-137
    - stratigraphic test wells, definition, 82-11-125
- seismic operations for geophysical exploration, duties, 82-1-101, 82-1-104, 82-1-106, 82-10-402, 82-11-122, 82-11-123
- underground gas storage reservoirs, duties, 70-30-203, 70-30-206, 82-10-301 — 82-10-305
- unit operations, duties, Title 82, chapter 11, part 2
- water use
  - investigations, 85-2-512
  - production by oil or gas wells, jurisdiction, 85-2-510
- wells, enhanced recovery projects — application processing fee, 82-11-118

Bonds
- injunction, surety for, 82-11-145
- wells, plugging, 82-11-123, 82-11-125, 82-11-136, 82-11-162, 82-11-163

"Buyer in the ordinary course of business" defined, 30-1-201
Carriers, pipeline, Title 69, chapter 13
Centennial acre, title to — mineral rights, 2-89-205, 2-89-206
Construction of provisions, 82-11-104
Court review, 82-11-144, 82-11-151
Definitions, 1-4-110, 82-1-111, 82-10-110, 82-10-301, 82-10-402, 82-10-502, 82-11-101, 82-11-144, 82-11-206
Determinations, 82-11-101
- examiners, appointment of, 82-11-114
- procedure to make, 82-11-115
- public availability, 82-11-116

Drilling, 82-11-123, 82-11-124, 82-11-161, See also **Unit operations**; **Wells**
- actions for waste, trespass, or injury, 27-2-303
- contamination or damage prevention, 82-11-111
- cores or chips, cuttings, bottom-hole temperatures, 82-11-123, 82-11-125
- interested person, interpretation of term, 82-11-144
- notice of intention required, 82-10-503, 82-11-122
- penalties, delay, 7-8-2510, 77-3-430, 82-10-202

OIL AND GAS (Continued)
Drilling (Continued)

- permit required, 82-11-122, 82-11-127, 82-11-134
  - fee, 82-11-103, 82-11-134, 82-11-135
  - reclamation plan, 82-10-402
- records, 82-10-402
- surface owner damage and disruption compensation, Title 82, chapter 10, part 5

Emergencies, 82-11-141, 82-11-151
Employees, wage protection, 39-3-407; Title 39, chapter 3, part 5
Energy supply emergencies, Title 90, chapter 4, part 3
Enforcement, 82-11-111, 82-11-137, 82-11-142, 82-11-145, 82-11-147, 82-11-149, 82-11-150
Evidence

- board of oil and gas conservation
  - actions against, 82-11-144
  - production compelled by, 82-11-142
- determinations, cross-examination, 82-11-115
- leases, release of record
  - damages or sufficiency of notice, 82-1-202
  - demand for, copy, 82-1-203
- trusts for unlocatable owners, presumption of ownership, 82-1-306
- unit operations, hearings, 82-11-201, 82-11-205
- violations, of, 82-11-147

Exploration

- actions for waste, trespass, or injury, 27-2-303
- conservator's authority, 72-5-427
- county leases, 7-8-2507, 7-8-2514
- geophysical, Title 82, chapter 1, part 1
- personal representative's authority, 72-3-613
- rights of entry, tax exemption, 15-6-201
- surface owner damage and disruption compensation, Title 82, chapter 10, part 5
- trust property, power of trustee, 72-34-322

Financing of operations, fraud, 30-14-701 — 30-14-704
Hearings, 82-11-141 — 82-11-144, 82-11-151

- unit operations, relating to, 82-11-201, 82-11-202, 82-11-204, 82-11-205, 82-11-207
- waste prevention, gas-oil and water-oil ratios for wells, 82-11-124

Injunction, 82-11-142, 82-11-144, 82-11-145, 82-11-147, 82-11-149
Intergovernmental cooperation, 82-11-112
Interstate Compact to Conserve Oil and Gas

- authorization to join, 82-11-301
- commission representative, 82-11-304 — 82-11-306
- expiration date, extension, 82-11-303
- text, 82-11-302

Investigations, 82-11-111, 82-11-142
Lands subject to law, 82-11-103
Leases

- conservator's authority, 72-5-427
- county, 7-8-2507, 7-8-2510, 7-8-2514, 7-14-2505
- county road fund, allocation, 7-14-2505
- division order, 82-10-110
- forfeiture, cancellation, or expiration, 82-1-201, 82-1-202
  - joinder of plaintiffs in cancellation or quieting title, 82-1-204
- local government land, 82-10-201
  - acquired interests, 82-10-204
  - acreage pooling, 82-10-202
  - interference with normal use of land prohibited, 82-10-203
- principal and income determinations, 72-34-404, 72-34-410, 72-34-412
- release of record, 82-1-201 — 82-1-203

OIL AND GAS (Continued)
Leases (Continued)

  state lands, See **STATE LANDS, Natural gas, leases for underground storage; Oil and gas leases**
  surface owner damage and disruption compensation, Title 82, chapter 10, part 5
  transactions, goods — nonapplicability, 30-2A-103
  trust property, power of trustee, 72-34-322
  trusts for unlocatable owners, Title 82, chapter 1, part 3
  unit operations, 82-11-204, 82-11-211
Legal assistance, 82-11-150
Liens
  labor and materials, for, Title 71, chapter 3, part 10
  lease forfeiture or cancellation, effect, 82-1-202
  oil and gas production damage mitigation account, for expenditures, 82-11-161, 82-11-164
  production tax, 15-36-319
  unit operations, lien of operator, 82-11-212
Mines and Geology, Bureau of — facilities available to, 82-11-126
National gas policy, implementation, 82-11-113
Natural gas, See also **STATE LANDS, Natural gas, leases for underground storage**
  facility siting, Title 75, chapter 20
  underground gas storage reservoirs, 70-30-102, 70-30-104, 70-30-105, 70-30-203, 70-30-206, 82-10-301 — 82-10-305
Operations, requirements, 82-11-123
Pipelines, See **PIPELINES**
Pollution of state waters, 82-11-101, 82-11-117, 82-11-127, 82-11-151
Pooling, See **Unit operations**
Production tax, 82-11-135; Title 15, chapter 36, part 3
Prohibited activities, 82-11-127
Reclamation, 82-10-402, 82-11-123, 82-11-161; Title 90, chapter 2, part 11; Const., IX, 2
Records, 82-11-111, 82-11-117, 82-11-123, 82-11-126, 82-11-148
Regulation, 82-11-305; Title 82, chapter 11, part 1
Reports, 82-11-103, 82-11-123, 82-11-148
Reservation of mineral rights, state lands, 77-2-304
Resource indemnity trust and ground water assessment tax, Title 15, chapter 38
Right of entry, property tax exemption, 15-6-201
Royalty interests
  accounting and recovery of payment or delivery, actions for, 82-10-101
    remedy not exclusive, 82-10-102
  centennial acre, disposition of proceeds, 2-89-206
  counties, 7-8-2305, 7-8-2306, 7-8-2510, 7-8-2514, 15-17-326, 27-2-210, 70-19-421
  county road fund, allocation, 7-14-2505
  liens for labor and materials not extended to, 71-3-1002
  local government land leases, 82-10-201, 82-10-202
  payment of royalty, 45-2-311, 82-10-103, 82-10-104
  principal and income determinations, 72-34-404, 72-34-410, 72-34-412
  subdivisions, securities exemption, 76-4-1222
  taxation, exemption, 15-36-309
  trusts for unlocatable owners, Title 82, chapter 1, part 3
  unit operations, 77-3-430, 82-10-202, 82-11-102, 82-11-202, 82-11-205, 82-11-207, 82-11-208
Sales transactions, uniform commercial code — applicability, 30-1-201, 30-2-107
Securities
  registration, exclusion by notification, 30-10-203
  transactions, exemption, 30-10-103, 30-10-105
Security interests, 30-9-103, 30-9-105, 30-9-401 — 30-9-403, 30-9-405, 30-9-409, 30-9-410
Seismic operations for geophysical exploration, Title 82, chapter 1, part 1
Severance tax, 15-36-325
Solid waste disposal exclusions, exceptions, 75-10-214

OIL AND GAS (Continued)

State lands, 77-2-304, 82-11-103, See also **STATE LANDS, Natural gas, leases for underground storage; Oil and gas leases**
Storage tank releases, cleanup, Title 75, chapter 11, part 3
Subpoenas, 82-11-142
Surface owner
  abandonment of well, notices relating to, 82-10-401
  board of oil and gas conservation, representation, 2-15-3303
  damage and disruption compensation
    definitions, 82-10-502
    liability for damage to property, 82-10-505
    notice of drilling operations, 82-10-503
    notice of injury, 82-10-506, 82-10-507
    offer of settlement, 82-10-507, 82-10-508
    payments, 82-10-504
    purpose of provisions, 82-10-501
    rejection, 82-10-508
    remedies cumulative, 82-10-511
  drilling, notice to owner or purchaser under contract for deed, 82-10-503, 82-11-122
  noncommercial well, bond requirement, 82-11-123, 82-11-163
Taxation, 82-11-103, 82-11-135; Title 15, chapter 36, part 3; Title 15, chapter 38
Trade secrets, 82-11-117
Trusts for unlocatable owners, Title 82, chapter 1, part 3
Underground facilities, excavations near, Title 69, chapter 4, part 5
Underground gas storage reservoirs
  definitions, 82-10-301
  eminent domain, use, 70-30-102, 70-30-104, 70-30-105, 70-30-203, 70-30-206, 82-10-303 — 82-10-305
  policy, 82-10-302
Underground storage tanks, Title 75, chapter 11, part 2
Uniform Commercial Code, applicability, 30-1-201, 30-2-107, 30-2A-103
Unit operations
  action considered as action by all owners, 82-11-211
  agreements for pooling, 7-8-2510, 77-3-421, 77-3-430, 82-11-104, 82-11-203
  antitrust laws, applicability, 82-11-203, 82-11-215
  contract not terminated by order, 82-11-213
  counties, 7-8-2510
  federal lands, on, 82-11-103
  hearings, 82-11-201, 82-11-202, 82-11-204, 82-11-205, 82-11-207
  land commissioners, board of — agreements, 77-3-430, 82-11-104
  less than whole of pool, 82-11-210
  lien of operator, 82-11-212
  limitation on production not authorized, 82-11-111
  local government land, on, 82-10-202
  order for pooling, 82-11-144, 82-11-202
  order for spacing units, 82-11-201
  order for unit operation, 82-11-205, 82-11-207 — 82-11-209, 82-11-213, 82-11-214
  plan, 82-11-204, 82-11-206, 82-11-207
  preexisting units, 82-11-209
  property rights, 82-11-212, 82-11-214
  relationship between parties not created, 82-11-216
  reports, 82-11-101
  restraint of trade, applicability of laws, 82-11-203, 82-11-215
  spacing units, establishment and pooling within, 82-11-141, 82-11-201, 82-11-202
  state lands, 77-3-421, 77-3-430
  title to oil and gas rights, effect, 82-11-214

OIL AND GAS (Continued)

Violations, 82-11-127, 82-11-142, 82-11-147 — 82-11-149, 82-11-151
  financing of operations, fraud, 30-14-704
  lease, failure to release from record, 82-1-201
  penalties, 82-11-147 — 82-11-149
  permits, operations without, 82-11-122, 82-11-127
  royalties, payment, 45-2-311, 82-10-104
  wage claims, failure to file statement of commencement of operations, 39-3-502
Waste, 82-11-101, See also **Unit operations**
  actions for waste, trespass, or injury, 27-2-303
  investigations, 82-11-111
  nonsignificant activities, 75-5-317
  prevention, 82-11-103, 82-11-124
  prohibited, 82-11-121
Water use
  abandoned wells, conversion to water wells, 85-2-303
  ground water, See **WATER USE, Ground water**
  investigations, 85-2-512
  production by oil or gas well, 85-2-510
Wells, See also **Drilling**; **Unit operations**
  abandoned wells
    inventory, 82-10-402
    notice of intent and for burial depth of pipe, 82-10-401
    plugging, 82-11-111, 82-11-123 — 82-11-125, 82-11-136, 82-11-161
    reclamation, 82-10-402
    responsible persons, 82-11-101, 82-11-111
  bond requirements, 82-11-123, 82-11-125, 82-11-136, 82-11-163
    release, 82-11-162
  classification, 82-11-111
  class II injection wells, 82-10-402, 82-11-101, 82-11-111, 82-11-123, 82-11-127, 82-11-137
  cores or chips, cuttings, and bottom-hole temperatures, 82-11-123, 82-11-125, 82-11-126
  emergency orders concerning, 82-11-151
  enhanced recovery projects, application processing fees, 82-11-118
  explosives, use — exemption and rule compliance under construction blasting provisions, 37-72-101
  fire prevention and safety rules, 50-3-103
  lien for labor and materials, Title 71, chapter 3, part 10
  logs, 82-11-123, 82-11-125
  mining, strip and underground — permit applications, map requirements, 82-4-222
  noncommercial, bond requirements, 82-11-123, 82-11-163
  ownership, identification, 82-11-123
  plugging, 82-11-123 — 82-11-125, 82-11-136, 82-11-161, 82-11-163
  stratigraphic test wells, 82-11-125, 82-11-127, 82-11-134
  stripper wells, 82-11-111
  trailers transporting well machinery, registration fee, 61-3-321, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, **Registration**
  utilities, not considered as, 82-11-102
  water, production by oil or gas well, 85-2-510
  water well, conversion to, 85-2-303
  wildcat wells, 82-11-111, 82-11-123

OIL AND NATURAL GAS PRODUCTION TAX ACT, Title 15, chapter 36, part 3
  See **TAXATION, MINERALS**

OLDER AMERICANS ACT, Title 52, chapter 3, part 5
  See **AGING AND AGED PERSONS, Older americans**

OPENCUT MINING ACT, Title 82, chapter 4, part 4
    See **MINES AND MINING, Opencut mining, reclamation**

OPEN OR PUBLIC MEETINGS, Const., II, 9; Title 2, chapter 3, part 2
    See also specific public entity
Agency decisions set aside when, 2-3-114
Assembly, freedom of, Const., II, 6
Cities and towns, 7-1-4141, 7-1-4143
    budget hearings, 7-6-4227, 7-6-4228
    emergency expenditures and liabilities
        appeal from order for, 7-6-4253
        hearing on resolution for, 7-6-4252
    provision for, 7-1-4131, 7-1-4142, 7-1-4143
Committees or subcommittees, requirements, 2-3-203
Constitutional provision, enforcement — costs to plaintiff, 2-3-221
Construction of provisions, 2-3-201
County claims
    disallowance, appeals from, 7-6-2424
    opposition, 7-6-2422
County Commissioners, Board of, 7-5-2125
    meeting not public when, 7-21-3213
County drinking and driving prevention task force meetings, 61-2-106
Declaratory rulings, publication and judicial review, 2-3-113
Definitions, 2-3-102
Disturbing or disrupting, 20-1-206, 45-8-101
Enforcement, 2-3-114
Exceptions, 2-3-112, 2-3-103
Legislative intent, 2-3-101, 2-3-201
Legislature, Const., V, 10
Local government study commissions, 7-3-182
"Meeting" defined, 2-3-202
Minutes, public availability, 2-3-212
Notice provisions, 2-3-103
    affidavit for proof of publication, 2-3-107
    compliance, requirements, 2-3-104
    supplemental by radio or television, 2-3-105, 7-1-4128
        copy, retention, 2-3-106
        proof of publication, 2-3-107
Opportunity to submit views, 2-3-111
Policy of state, 2-15-101
Press representatives, 2-3-211
Procedures, 2-3-103
Public agencies and associations of agencies, requirements, 2-3-203
Recording or transcription, 2-3-211, 45-8-213
Rulemaking, negotiated, Title 2, chapter 5, part 1, See **ADMINISTRATIVE RULES**
Violation of, 45-7-401
    disturbing or disrupting, 20-1-206, 45-8-101
    voidability of decisions made in, 2-3-213

OPEN RANGE, 60-7-102, 81-4-203, 81-4-501
Abandoned horses on, Title 81, chapter 4, part 5, See **LIVESTOCK, Roundup of abandoned horses**
Dogs, injuring or destroying livestock upon, 81-7-403
Fencing on highway right-of-way, 60-2-208, 60-7-101 — 60-7-103
Grazing adjacent to, 60-7-202
Marks and brands, recording or rerecording required, 81-3-102

OPEN RANGE (Continued)

Predator control funds, 81-7-104, See also **PREDATORS AND PREDATOR CONTROL**
Running at large upon, Title 81, chapter 4, part 2, See **LIVESTOCK, Running at large**

OPEN-SPACE LANDS, Title 76, chapter 6
  See **LAND USE PLANNING**

OPTOMETRY AND OPTOMETRISTS
Advertising, 37-10-301
Affidavits, 37-10-201, 37-10-302
Board of Optometry, 2-15-1846; Title 37, chapter 10, part 2
Certificates of registration, Title 37, chapter 10, part 3
  applicants, qualifications, 37-10-302
  discrimination in issuance prohibited, 49-3-204
  display, 37-10-306
  examinations, 37-10-302
  expiration date, 37-10-307
  false statements, 37-10-301
  fees, 37-10-302, 37-10-307
  issuance, 37-10-304
  nonresidents, 37-10-302
  practice without, unlawful, 37-10-301
  register, 37-10-302
  renewal, 37-10-307
  revocation or suspension, 37-1-131, 37-10-307, 39-71-316
  rules for, 37-10-202, 37-10-302
  unlawful practices concerning, 37-10-301
Child abuse and neglect, reporting of, 41-3-201, 41-3-203 — 41-3-207
Choice of practitioner, 33-22-111
Developmental disabilities, persons with — report of abuse, neglect, or exploitation required, 52-3-811, See **DEVELOPMENTAL DISABILITIES, Abuse, neglect, or exploitation**
Disability insurance, insured's selection of practitioner, 33-22-111
Discrimination by public agencies prohibited, 37-10-104
Drug companies and practitioners, unlawful practices between, 37-2-102
Drugs
  administration, 37-10-101
  diagnostic, course and examination, 37-10-304
  dispensation
    definitions, 37-2-101
    exceptions to unlawful dispensation, 37-2-104
    practices declared unlawful when, 37-2-102, 37-2-103
    violations, actions concerning, 37-2-105
  pharmacy law, use not prohibited by, 37-10-103
  prescriptions, 37-10-101
  therapeutic course, examination and certification, 37-10-304
Elderly persons — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Emergencies, drug dispensation, 37-2-104
Exemptions from provisions, 37-10-102
Fines and disposition, 37-10-313
Fraud, 37-1-131, 37-10-301, 39-71-316
Glaucoma, treatment prohibited, 37-10-101
Hazardous chemical provisions, nonapplicability, 50-78-103
Health care information, See **HEALTH CARE INFORMATION; INSURANCE, Information and privacy protection**
Health maintenance organization providers, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**

OPTOMETRY AND OPTOMETRISTS (Continued)

Health service corporations, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**
Incorporation, Title 35, chapter 4, See **CORPORATIONS, Professional corporations**
Injunctions when, 37-2-105, 37-10-301
Insurance
  disability
    insured's selection of practitioner, 33-22-111
    payment for services, Title 33, chapter 22, See **INSURANCE, DISABILITY, Payments**
  health service corporations, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**
  information and privacy protection act, Title 33, chapter 19, See **INSURANCE, Information and privacy protection**
  professional liability, See **INSURANCE, CASUALTY, Professional liability**
Licensing, See **Certificates of registration**
Malpractice, See **INSURANCE, CASUALTY, Professional liability; MALPRACTICE, MEDICAL**
Medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Medical records information, See **HEALTH CARE INFORMATION; INSURANCE, Information and privacy protection**
Medicine, practice of — applicability of licensing provisions, 37-3-103
Neglect by, 37-10-307
Nonresidents, 37-10-302
Ocular diseases — course in and examination for diagnosis, treatment, and management, 37-10-304
Ophthalmic lenses, unlawful practices concerning, 37-10-301
Opticians, exemptions from provisions, 37-10-102
Payment for services
  insurance, Title 33, chapter 22, See **INSURANCE, DISABILITY, Payments**
  medicaid, See Title 53, chapter 6, part 1, **PUBLIC ASSISTANCE**
Peer review, See also **HEALTH CARE INFORMATION, Hospital medical staff committees; Peer review**
  nonliability, 37-2-201
  reporting of incompetence or unprofessional conduct, 37-3-401 — 37-3-405
Pharmacies and practitioners, unlawful practices between, 37-2-103
Pharmacy, community — ownership prohibited, 37-2-103, 37-2-106
Physician assistants-certified
  exception to authority, 37-20-103
  utilization plans, applicability, 37-20-303
Practice of, 37-10-101
  drugs, courses and examinations in use of, 37-10-304
  exemptions, 37-10-102
  ocular diseases — diagnosis, treatment, and management — requirements, 37-10-304
  purpose of provisions, 37-10-105
  unlawful when, 37-10-301
Professional corporations, Title 35, chapter 4, See **CORPORATIONS**
Professional liability, See **INSURANCE, CASUALTY; MALPRACTICE, MEDICAL**
Public agencies, discrimination by — prohibited, 37-10-104
Purpose of provisions, 37-10-105
Regulation generally, See **PROFESSIONS AND OCCUPATIONS**
Schools of optometry, certificate of graduation from — required, 37-10-302
Senior citizens — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Unlawful practices, See **Violations**
Utilization reviews, Title 33, chapter 32, See **INSURANCE, DISABILITY**
Violations, 37-10-301
  child abuse and neglect, failure to report, 41-3-207
  drug companies and practitioners, unlawful practices between, 37-2-102
  drug dispensation when, 37-2-104
  fraud, misrepresentation, or deception, 37-1-131, 39-71-316

OPTOMETRY AND OPTOMETRISTS (Continued)
Violations (Continued)

    injunction to restrain, 37-10-301
    penalty, 37-10-313
    pharmacies and practitioners, unlawful practices between, 37-2-103
    prosecution, 37-10-312
Workers' compensation claims — fraud, misrepresentation, or deception prohibited, 37-1-131, 39-71-316

ORDINANCE NOS. I AND II
    Refer to Annotations to Montana Code Annotated, Vol. I, Federal materials

ORGANIC ACT OF THE TERRITORY OF MONTANA
    Refer to Annotations to Montana Code Annotated, Vol. I, Federal materials
Publication with Montana Code Annotated, 1-11-204

ORGANIC FOODS, MONTANA TRUTH IN LABELING ACT FOR, 50-31-221 — 50-31-223, 50-31-231
    See **FOOD AND FOOD PRODUCTS, Organic foods, labeling**

ORGANS OR ORGAN DONORS
    See **BLOOD, TISSUE, ORGANS, AND BONES**; **ANATOMICAL GIFTS**

OSTEOPATHY AND OSTEOPATHS
    See also **MEDICINE AND MEDICAL CARE**
Acupuncture, practice of — requirements, 37-13-104
Anatomical gifts, Title 72, chapter 17
Child abuse and neglect, reporting of, 41-3-201, 41-3-203 — 41-3-207
Chiropractors, limitations on practice, 37-12-102, 37-12-104
Choice of practitioner, 33-22-111
Developmental disabilities, persons with — report of abuse, neglect, or exploitation required, 52-3-811, See **DEVELOPMENTAL DISABILITIES, Abuse, neglect, or exploitation**
Disability insurance, insured's selection of practitioner, 33-22-111
Drug companies and practitioners, unlawful practices between, 37-2-102
Drugs, 37-2-101
    dispensation
        exceptions to unlawful dispensation, 37-2-104
        practices declared unlawful when, 37-2-102, 37-2-103
        violations, actions concerning, 37-2-105
    prescribing or use in practice unlawful, 37-5-305
Elderly persons — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Emergencies, drug dispensation, 37-2-104
Hazardous chemical provisions, nonapplicability, 50-78-103
Health maintenance organization providers, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**
Health service corporations, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**
Hospitals, staff membership or privileges, 50-5-105
Incorporation, Title 35, chapter 4, See **CORPORATIONS, Professional corporations**
Injunction when, 37-2-105
Insurance
    disability
        insured's selection of practitioner, 33-22-111
        payment for services, Title 33, chapter 22, See **INSURANCE, DISABILITY, Payments**
    health service corporations, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**
    professional liability, Title 33, chapter 23, part 3, See **INSURANCE, CASUALTY, Professional liability**
Licenses and licensing, Title 37, chapter 5, part 3
    applicants, qualifications, 37-5-301
    applications, 37-5-301

OSTEOPATHY AND OSTEOPATHS (Continued)
Licenses and licensing (Continued)
  certificates
    limitations, 37-5-305
    renewal, 37-5-307
  discrimination in issuance prohibited, 49-3-204
  examinations, 37-5-301, 37-5-302
  fees, 37-5-302, 37-5-307
  issuance, 37-5-302
  physicians, as, 37-3-103, 37-3-306, See also **PHYSICIANS AND SURGEONS**
  practicing without, unlawful, 37-5-301
  reinstatement, 37-5-307
Malpractice, See **INSURANCE, CASUALTY, Professional liability; MALPRACTICE, MEDICAL**
Medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Medical Examiners, Board of, 2-15-1841, 37-5-101
Medicine
  licensing provisions, applicability, 37-3-103, 37-3-306
  osteopathy not practice of, 37-5-102
Naturopathic physicians, childbirth attendance — supervision, 37-26-304
Organ donations, Title 72, chapter 17
Payment for services
  insurance, Title 33, chapter 22, See **INSURANCE, DISABILITY, Payments**
  medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Peer review, See also **HEALTH CARE INFORMATION, Hospital medical staff committee; Peer review**
  nonliability, 37-2-201
  reporting of incompetence or unprofessional conduct, 37-3-401 — 37-3-405
Pharmacies and practitioners, unlawful practices between, 37-2-103
Pharmacy, community — ownership prohibited, 37-2-103, 37-2-106
Physical therapists
  exemptions from provisions, 37-11-102
  restrictions on practice, 37-11-103
Physician assistants-certified utilization plans, applicability, 37-20-303
Physicians, licensed as, 37-3-103, 37-3-306, See also **PHYSICIANS AND SURGEONS**
Practicing osteopathy, 37-5-101
  chiropractic not, 37-12-102, 37-12-104
  physical therapy, exemptions and restrictions, 37-11-102, 37-11-103
Prescribing drugs unlawful, 37-5-305
Professional corporations, Title 35, chapter 4, See **CORPORATIONS**
Professional liability, See **INSURANCE, CASUALTY; MALPRACTICE, MEDICAL**
Regulation generally, See **PROFESSIONS AND OCCUPATIONS**
Renewal fee, 37-5-307
Rural physician incentive program, 20-26-1501 — 20-26-1503
Schools of osteopathy, approval, 37-5-301, 37-5-302
Senior citizens — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Surgery by, limitations, 37-5-305
Utilization reviews, Title 33, chapter 32, See **INSURANCE, DISABILITY**
Violations
  child abuse and neglect, failure to report, 41-3-207
  diploma, holder of — false representation, 37-5-312
  drug companies and practitioners, unlawful practices between, 37-2-102
  drugs
    dispensation when, 37-2-104
    prescribing or use in practice, 37-5-305
  fines, 37-5-312
  pharmacies and practitioners, unlawful practices between, 37-2-104

OSTEOPATHY AND OSTEOPATHS (Continued)
Violations (Continued)

  practicing without license, 37-5-301, 37-5-312
  prosecution, 37-5-312
  surgery, performing — when, 37-5-305
Workers' compensation managed care and preferred providers, Title 39, chapter 71, part 11
X-ray radiation, application, Title 37, chapter 14

OUTDOOR ADVERTISING
Actions, remedial, 75-15-131, 75-15-132
Appeals, 75-15-131
Citation of Outdoor Advertising Act, 75-15-101
Commercial or industrial areas, signs within, 75-15-111, 75-15-124
Conservation easements, prohibitions or limitations, 76-6-203
Criteria, 75-15-111, 75-15-113
Cultural exhibits, 75-15-111
Definitions, 75-15-103
Directional signs, 75-15-111
Election materials, 13-35-225
Eminent domain, relocation assistance, 70-31-102
Entry for inspection, 75-15-131
Erection, rules for, 75-15-121
Federal
  funds for removal, 75-15-123
  laws, amendment or change — effect, 75-15-105
Highways
  location of signs, 75-15-113
  proximity of signs, 75-15-111
Historical attractions, signs for, 75-15-111
Illumination, 75-15-113, 75-15-124
Industrial or commercial areas, signs within, 75-15-111, 75-15-124
Inspection, 75-15-131
Lighting, 75-15-113, 75-15-124
Location, 75-15-113
Maintenance, rules for, 75-15-121
Motorist information signs, 75-15-111
  eligibility of businesses, 60-5-514, 60-5-522
Nonconforming
  acquisition and compensation, 75-15-123
  nuisance, as, 75-15-133
  permits and identification tags, 75-15-122
Open-space lands, conservation easements — prohibitions or limitations, 76-6-203
Outdoor Advertising Act, citation, 75-15-101
Permits
  failure to have, 75-15-112
  false applications, 75-15-132
  general provisions, 75-15-122
  identification tags, issuance with, 75-15-122
  permittee, noncompliance with notice of violation, 75-15-112
  revocation, 75-15-132
  rules for, 75-15-111
Policy of state, 75-15-102
Prohibited when, 75-15-111
Property
  rights, acquisition and compensation, 75-15-123
  signs regarding activities upon, 75-15-111
Public grounds, regulation upon, 7-14-4102

OUTDOOR ADVERTISING (Continued)

Regulations
    amended or changed, when, 75-15-105
    more restrictive, preservation, 75-15-104
Removal, 60-5-514, 60-5-522, 75-15-123, 75-15-131, 75-15-132
Rights, acquisition and compensation, 75-15-123
Scenic attractions, signs for, 75-15-111
Secretary
    defined, 75-15-103
    size, lighting, and spacing — agreements for, 75-15-124
    unzoned commercial or industrial areas, agreements for determination, 75-15-111
Short title, 75-15-101
Sidewalks, regulation upon, 7-14-4102
Size, 75-15-113, 75-15-124
Spacing, 75-15-113, 75-15-124
Standards, 75-15-113
    rules for, 75-15-111
Streets, regulation upon, 7-14-4102
Structures
    disrepair, 75-15-132
    location, spacing criteria, 75-15-113
    nonconforming, See **Nonconforming**
    permit requirements, See **Permits**
    preexisting, 75-15-122
    removal, 60-5-514, 60-5-522, 75-15-123, 75-15-131, 75-15-132
Timeshare offerings, advertisements, 37-53-214
Unlawful advertising, 75-15-112, 75-15-134
    misdemeanor, as, 75-15-134
    notice of, 75-15-131
        noncompliance, 75-15-112
    removal for, 60-5-514, 60-5-522, 75-15-123, 75-15-131

OUTFITTERS AND GUIDES
Administration of provisions, 37-47-201, 37-47-306
Administrative costs and penalty, 37-47-306
Advertising, 37-47-301, 37-47-302, 37-47-304, 37-47-341
Affidavit requirement, 37-47-304
Appeals, 37-47-343
Arrests for violations, 37-47-345
Big Hole River, moratorium, 37-47-201
Board of Outfitters, 2-15-1883, 37-47-201, 37-47-202
Boats and boat safety, 37-47-101, 37-47-305
Breach of contract, 37-47-341
Clothing, color requirements, 87-1-102, 87-3-302
Competition prohibited, 37-47-301
Complaints against, 37-47-202
Consideration, determination of what constitutes, 37-47-101
Council, 2-15-1883, 37-47-101, 37-47-201
Duties, 37-47-402
Employment prohibited when, 37-47-341, 37-47-404
Enforcement of provisions, 37-47-201, 37-47-306, 37-47-344 , 37-47-345
Environmental protection standards, compliance, 37-47-301
Equipment, 37-47-101, 37-47-201, 37-47-301, 37-47-302, 37-47-304, 37-47-403
False advertising, 37-47-301, 37-47-302, 37-47-341
Federal cooperation, 37-47-201
Federal lands, permit requirements, 37-47-301

OUTFITTERS AND GUIDES (Continued)

Fines or penalties, 37-47-344
Fish and game wardens
  administration of provisions, 37-47-201
  ex officio, executive director and board of investigators as, 87-1-503
  violations, investigations and arrests, 37-47-345, 87-1-506
Fishing regulations, See **FISH AND WILDLIFE**
Float fishing, 37-47-101, 37-47-201
Forage, noxious weed seed free provisions, 7-22-2126; Title 80, chapter 7, part 9, See **WEEDS AND WEED CONTROL**
Fraudulent practices, 37-47-302, 37-47-341
Guides, 37-47-101
  independent contractors, 37-47-101, 37-47-304, 37-47-341
  licensing, See **Licensing and licenses**
  qualifications, 37-47-303
  violations committed by, liability, 37-47-404
Hunting regulations, See **FISH AND WILDLIFE**
Inspections, 37-47-202, 37-47-302
Investigations, 37-47-202, 37-47-306, 37-47-307, 37-47-344, 37-47-345, 87-1-506
Investigators, qualifications, 37-47-351
Landowners
  hunting camps, approval, 37-47-304
  protection, 37-47-201
Liability, 37-47-401, 37-47-404
Licensing and licenses, Title 37, chapter 47, part 3
  amendment, 37-47-310
  applications, 37-47-304, 37-47-306 — 37-47-308
  denial when, 37-47-307, 37-47-308
    appeals, 37-47-343
  discrimination in issuance prohibited, 49-3-204
  estate, as part of, 37-47-310
  examination requirements, 37-47-305, 37-47-307
  expiration, 37-47-312
  fees and disposition, 37-47-306, 37-47-307
  investigation of applicant, 37-47-306, 37-47-307
  issuance, 37-47-307, 37-47-308
  kinds, 37-47-308
  "license year" defined, 37-47-101
  moratorium, 37-47-201, 37-47-315
  nonresidents, 37-47-306
  number held, limitation, 37-47-311
  previous licensure, 37-47-314
  qualifications, 37-47-302, 37-47-303
  renewals, 37-47-201, 37-47-302, 37-47-314
  required when, 37-47-301, 37-47-404
  rules, 37-47-201
  suspension or revocation
    effect, 37-47-304
    grounds for, 37-47-341
    hearings, 37-47-201
  transfer, 37-47-310
  unlicensed outfitters or guides, employment or contract with prohibited, 37-47-341, 37-47-404
  validity, 37-47-308
Livestock, care of, 37-47-305
Madison River, moratorium, 37-47-201
Misrepresentation, 37-47-301, 37-47-344

OUTFITTERS AND GUIDES (Continued)

Negligence, 37-47-341, 37-47-403
Nonresident applicants for reserved licenses, responsibilities, 87-1-242, 87-1-268, 87-2-505, 87-2-510, 87-2-511
Outfitters, 37-47-101
  examination requirements, 37-47-305
  liability, 37-47-404
  licensing, See **Licensing and licenses**
  pamphlet of licensees, publication and distribution, 37-47-201
  qualifications, 37-47-302
Participants, 37-47-101
  competition prohibited, 37-47-301
  duties, 37-47-403
  liability, 37-47-401
Penalties, 37-47-307, 37-47-344, 37-47-404
Records required, 37-47-301
Regulation generally, See **PROFESSIONS AND OCCUPATIONS**
Rivers and streams, recreational use — "class I waters" defined, 23-2-301
Safety, 37-47-201, 37-47-305, 37-47-401
Shuttle and rental services, exemption, 37-47-313
Smith River recreational use permits, allocation, 23-2-408
Standards, 37-47-201, 37-47-402
State lands, recreational use, 77-1-101, See **STATE LANDS, Recreational use**
Unemployment insurance coverage, 39-51-203, See also **UNEMPLOYMENT INSURANCE**
Unlicensed, employment or contract with prohibited, 37-47-341, 37-47-404
Violations
  arrests, 37-47-345, 87-1-506
  liability, 37-47-404
  license suspension or revocation for, 37-47-341
  penalties, 37-47-344
  reporting, 37-47-404
  statute of limitation on prosecution, 45-1-205

OUT-OF-STATE PAROLEE SUPERVISION, UNIFORM ACT FOR, Title 46, chapter 23, part 11
  See **PROBATION, PAROLE, AND CLEMENCY, Interstate supervision of probationers and parolees**

P

PACIFIC NORTHWEST ECONOMIC REGION
Appointments, 5-11-301, 5-11-703
Compensation of appointees, 5-11-704
Legislative findings, 5-11-701
Participation, text of agreement, 5-11-702

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL, Title 90, chapter 4, part 4

PARADES, 7-21-4201, 10-1-611, 10-1-612, 19-17-105, 27-1-725 — 27-1-728

PARDONS AND PAROLE, BOARD OF
  See **PROBATION, PAROLE, AND CLEMENCY**

PARENTAGE ACT, UNIFORM, Title 40, chapter 6, part 1
  See **PARENT AND CHILD**

PARENT AND CHILD
Abandonment
  child, by parent, See **MINORS, Abandonment**
  endangering the welfare of children, 45-5-622
  "harm to a child's health or welfare" defined, 41-3-102
  parent, by child, 40-6-216
  waiver of summons, 41-5-503
Abduction, suit for, 27-1-515
Abortion, Title 50, chapter 20, See **ABORTION**
Abused, neglected, and dependent children, Title 41, chapter 3, See **CHILD ABUSE AND NEGLECT**
Abuse of family or household members, See **ABUSE**; **ASSAULT AND BATTERY, Partner or family member assault**
Abuse victims, order of protection, 40-15-102
Actions, conducting for child, 41-1-202
  abduction, for, 27-1-515
  death of child, for, 27-2-205
  injury to child, for, 27-1-512
  paternity actions, See **Paternity proceedings**
  seduction, for, 27-1-514
  service of process, Title 25, chapter 20, M.R.Civ.P., Rule 4D
Adoption, See also **ADOPTION OF CHILDREN**
  adults, Title 40, chapter 8, part 2
  agencies, 40-6-125, 40-6-130, 40-6-135
  child relinquished by parent or guardian for, 40-6-125, 40-6-127, 40-6-128, 40-6-130, 40-6-135, 40-8-109
  children, Title 40, chapter 8, part 1; Title 52, chapter 2, parts 4 and 5
  children born out of wedlock, release or consent for, 40-6-125, 40-6-127, 40-6-128, 40-6-130
  expected child, petition and notice of intent to release for, 40-6-127
  parents, adoptive — child placed with, when, 40-6-135
  paternity actions, 40-6-108, 40-6-109
  relationship between parent and child, establishment, 40-6-104
AIDS testing and counseling, 50-16-1003, 50-16-1007
Aid to families with dependent children (AFDC), Title 53, chapter 4, See **PUBLIC ASSISTANCE**
Alcoholic beverages, making available to child, 16-6-305, 45-5-622
Alcoholism, See **CHEMICAL DEPENDENCY, Family members**; **Minors**
"Alleged father" defined, 40-5-201
Anatomical gifts, 72-17-214, 72-17-215
Artificial insemination, paternity determination as result of, 40-6-106
Authority of parent
  abuse, civil remedy for, 40-6-233
  ceases when, 40-6-234
  protective or welfare services do not abrogate, 52-2-102
Birth certificate
  confidentiality, 40-6-123
  father's name on, presumption of paternity, 40-6-105, 50-15-109
  substitute, issuance when, 40-5-235, 40-6-116, 40-6-123
Birth date of child, judicial determination, Title 27, chapter 32, See **BIRTH, Date, judicial determination**
Birth of baby
  acknowledgment process, 50-15-210
  rights regarding, 37-27-111
Blood tests, See Paternity proceedings
Boats, liability of owner for negligent operation by family member, 23-2-505
Chemical dependency, See **CHEMICAL DEPENDENCY**
Child abuse and neglect, Title 41, chapter 3, See **CHILD ABUSE AND NEGLECT**

PARENT AND CHILD (Continued)

Child as party to action, 40-6-110
Child-Care Advisory Council, membership, 52-2-705
Children born out of wedlock
    adoption, relinquishment or consent for, 40-6-125, 40-6-128, 40-6-130
    custody awarded to putative father when, 40-6-130
    legitimization, 40-6-130
    paternity, notice of intent to claim filed when, 40-6-126
Children generally, See **MINORS**
Child welfare services, Title 52, chapter 2, part 1, See **CHILD ABUSE AND NEGLECT**
Citation of Uniform Parentage Act, 40-6-101
Close Corporation Act, Title 35, chapter 9, See **CLOSE CORPORATIONS**
Confidential communications
    artificial insemination, record of husband's consent, 40-6-106
    birth certificate, 40-6-123
    consent for disclosure, 26-1-808, 26-1-809
    father's identity when, 40-6-114
    records and hearings, 40-6-111, 40-6-120
    support payments when, 40-6-122
Conservatorships, See **ESTATES AND PROBATE**
Contempt, 40-6-111, 40-6-117
Corporal punishment or physical restraint of child, 20-4-302, 45-3-107
    "physical injury" defined, 41-3-102
Corporation director's conflicting interest transactions, 35-1-461 — 35-1-464
Criminal charges filed against parent when, 16-6-305, 45-5-621, 45-5-622, 45-8-345
Criminal liability, immunity given when, 40-6-111
Custody of child, See also **CHILD CUSTODY**
    awarded to father when, 40-6-116, 40-6-125, 40-6-130
    child's best interests as consideration, 40-6-130
    expected child, father's rights respecting, 40-6-127
    modification or revocation when, 40-6-118
    proceedings, 40-5-236, 40-6-116
    putative father's rights, 40-6-127 — 40-6-130
    relinquishment, 40-6-125, 40-6-135
Day care, Title 52, chapter 2, part 7, See **DAY CARE**
Deaf and Blind, Montana School for the, Title 20, chapter 8, part 1
Death, effect
    child, suit for, 27-2-205
    decedents' estates, relationship to, 40-6-105, 40-6-107, 40-6-108
    parent
        aid to families with dependent children (AFDC), 53-4-201, See **PUBLIC ASSISTANCE**
        conservatorship of protected person, appointment, 72-5-410
        custody of child, 40-4-219, 40-6-221
        custody, services, and earnings of child — entitlement, 40-6-221
        guardian of
            incapacitated person, appointment, 72-5-302, 72-5-312
            minor, testamentary appointment, 72-5-211
        name change by minor, 27-31-101
        property, future interest — posthumous children, 70-1-420, 70-1-422
        support of child
            provisions if marriage had been dissolved, 40-4-208
            remedy for lack of provisions, 40-6-213
    parties to action, 40-6-107
    presumption of paternity, 40-6-105
    venue, 40-6-109

PARENT AND CHILD (Continued)

Delinquent children, Title 41, chapters 5 and 6, See **MINORS**, **Interstate Compact on Juveniles**; **YOUTH COURT**
Dependency or neglect of child — proceedings, presumption of paternity created when, 40-6-126
Dependent children, See **CHILD ABUSE AND NEGLECT**; See also **CHILD SUPPORT**
Desertion
  child, by parent, See **MINORS**, **Abandonment**
  "harm to a child's health or welfare" defined, 41-3-102
  parent, by child, 40-6-216
Destruction of property by child, parental liability for damages, 40-6-237
  recovery, limitation on amount, 40-6-238
  school property, 20-5-201
Developmental disabilities, Title 53, chapter 20, See **DEVELOPMENTAL DISABILITIES**
Discrimination in housing prohibited when, 49-2-305
Dissolution of marriage or legal separation, Title 40, chapter 4, See **CHILD CUSTODY**; **CHILD SUPPORT**; See also **DISSOLUTION OF MARRIAGE**
District court
  jurisdiction, 40-5-236, 40-5-237, 40-6-109, 40-6-116, 40-6-135
  notice of intent to claim paternity filed when, 40-6-126
  petition of intent to release expected child filed when, 40-6-127
  relinquishment of child, 40-6-135
Drug abuse, See **CHEMICAL DEPENDENCY**
Earnings of child, 40-6-221, 40-6-235, 40-6-236
Education of children, See also **EDUCATION**
  criteria for determining amount of support, 40-4-202, 40-4-204, 40-5-226, 40-6-116, 40-6-118
  exclusive control of children, action brought by parent — order or decree, 40-6-223
  expenses chargeable upon property, 40-2-106, 40-2-210
  "harm to a child's health or welfare" defined, 41-3-102
  home schools, 20-5-102, 20-5-109, 20-5-111
  "necessary articles" defined, 40-2-210
  parental obligations generally, 40-6-211
    enforcement, 40-6-233
  paternity proceedings, criteria for support payments, 40-6-116, 40-6-118
  property of child used for, when, 40-6-212
  property settlement following dissolution of marriage, provisions for, 40-4-202
  special, for children with disabilities, Title 20, chapter 7, part 4
Emergency medical care to child, notification, 41-1-402, 41-1-403
Emotionally disturbed children, advisory council membership requirement, 53-21-202
Endangering the welfare of children, 45-5-622
Estates and probate, 40-6-105, 40-6-107, 40-6-108, See **ESTATES AND PROBATE**, **Child**; **Minors**; **Parents**; **Unborn persons**
Evidence
  blood tests as, 40-5-234, 40-5-236, 40-5-237, 40-6-113, 40-6-115
  general inclusions, 40-6-113
  inadmissible, 40-5-237, 40-6-115
  witnesses, immunity from liability, 40-6-111
Ex parte petition and notice of intent to release expected child, 40-6-127
Families achieving independence in Montana (FAIM) project, time limitation on assistance — exemptions, 53-4-605, See also **PUBLIC ASSISTANCE**
Family law mediation, Title 40, chapter 4, part 3
Family law order, retirement benefits — alternate payee, 19-20-305
Family policy, 40-7-101, 40-7-102
Family services advisory councils, state and local — membership requirements, 52-1-202, 52-1-203
Family Support Act, Uniform Interstate, Title 40, chapter 5, part 1
Father's identity
  confidential when, 40-6-114

PARENT AND CHILD (Continued)
Father's identity (Continued)

  determination, 40-5-231 — 40-5-237, 40-6-125, 40-6-126, 40-6-128
  putative father, 40-6-127, 40-6-129
  termination of father's rights, 40-6-129
Father's liability for public assistance payments, limitation, 40-6-108
Father's rights
  expected child, rights respecting, 40-6-127
  grounds for termination, 40-6-129
  putative fathers, 40-6-127 — 40-6-130
  termination, 40-6-125, 40-6-127, 40-6-128
Firearms, use by children under 14 unlawful and exception, 45-8-344
  liability of parent or guardian, 45-8-345
Force, right to use — when, 49-1-103
Foster parent, notice of review hearing when, 41-3-1004, See also **YOUTH COURT**, **Foster care**
Genetics program, voluntary statewide, 33-2-712, 33-2-713, 50-19-211
Guardian ad litem, See also **GUARDIANS AND GUARDIANSHIP**
  appointment, 40-5-236, 40-6-110
  recommendation, acceptance or refusal by, 40-6-114
"Harm to a child's health or welfare" defined, 41-3-102
Health care information concerning child, disclosure — authorization requirement, 33-19-104, 50-16-542, 50-19-107
Hearing aid dispensers, recommendation for medical examination of child required, 37-16-303
Heirship, determination — relationship to, 40-6-105, 40-6-107, 40-6-108
Home schools, 20-5-102, 20-5-109, 20-5-111
HIV-related testing and counseling, 50-16-1003, 50-16-1007
Hotel property, damage to by minor — liability, 70-6-514
Housing, discrimination prohibited when, 49-2-305
Illegitimate children, See **Legitimacy of children**
Immunity to suit when, 40-5-175
Incest, 40-1-401, 45-1-205, 45-5-507
Indigent parents, support of
  duty of child, 40-6-214, 40-6-301
  enforcement, civil, 40-6-303
  penalty for nonsupport, 40-6-302
Injury to child, suit for, 27-1-512, 27-2-205
Institutional care, per diem payments, Title 53, chapter 1, part 4
Insurance
  disability, benefits, 33-22-604
  life and disability, effectuation, 33-15-401
Interstate Family Support Act, Uniform, Title 40, chapter 5, part 1
Joined with other proceedings when, 40-6-109
Judgment or order, 40-6-116
  child, temporary care, 40-6-125
  custody, awarding of, 40-6-130
  enforcement, 40-6-117
  entered when, 40-6-114, 40-6-116
  modification or revocation when, 40-6-116, 40-6-118
  parental rights, termination, 40-6-129, 40-6-135
  relinquishment of child, 40-6-135
  review and modification, 40-6-116
Jurisdiction
  district court, 40-5-236, 40-5-237, 40-6-109, 40-6-135
  justice's court, 3-10-301
  personal, 40-5-231, 40-6-109
  social and rehabilitation services, department of, 40-5-231

PARENT AND CHILD (Continued)

Legal relationship termination, Title 41, chapter 3, part 6, See **CHILD ABUSE AND NEGLECT, Parent-child legal relationship termination**
Legitimacy of children, Title 40, chapter 6, part 1, See also **Paternity proceedings**
  adoption of illegitimate children, 40-8-106
  birth certificate upon proof of legitimation, 50-15-207
  disclosure of information, 40-8-126
  dissolution of marriage, born after, 40-6-202
  hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rules 803, 804
  invalid or prohibited marriages, 40-1-401, 40-1-402
  marriage of parents subsequent to birth, 40-1-107, 40-6-203
  presumption, 26-1-602, 40-6-201
Local Citizen Review Board
  dispositional review hearing, request for, 41-3-1014
  written notice of review to, 41-3-1004
Majority, age of — attainment, 40-6-218, 40-6-234
Marriage, See also **MARRIAGE**
  between parent and child, unlawful, 40-1-401, 45-1-205, 45-5-507
  minor child, parental consent required, 40-1-203, 40-1-213
    lack of, effect, 40-1-402
  parent and child relationship, not dependent on, 40-6-103
  parents
    bigamists, child may petition for declaration of invalidity, 40-1-402
    license, information regarding children required, 40-1-107
Maternity expenses, father's liability, 40-6-116
Mausoleums and columbariums
  disposition of remains, right to control, 35-21-301
  family plot, right of interment, 35-21-425, 35-21-426
  removal of remains, consent, 35-21-305
Medal of Valor, Montana — awarding, 1-1-515
Mediation, Title 40, chapter 4, part 3
Medicaid, Title 53, chapter 6, See **PUBLIC ASSISTANCE**
Medical care for minor, Title 41, chapter 1, part 4, See **MINORS, Medical care**
Medical record information concerning child, disclosure — authorization requirement, 33-19-104, 50-16-542, 50-19-107
Medical Support Reform Act, Title 40, chapter 5, part 8, See **CHILD SUPPORT**
Mentally ill persons, Title 53, chapter 21, See **MENTAL ILLNESS OR INCAPACITY**
MIAMI Project Advisory Council, representation of parents' organization, 2-15-2213
Minor parents
  action for support, 40-5-159
  child abuse, neglect, and dependency — petitions alleging, service and contents, 41-3-401
  child of, relinquishment for adoption irrevocable, 40-8-105
  consent for health services, 41-1-402
  parent-child legal relationship termination, guardian ad litem appointed for, 41-3-607
Missing children information program, Title 44, chapter 2, part 5
Mother and child relationship, determination, 40-6-121
Mother's relinquishment of child, 40-6-125, 40-6-128, 40-6-130, 40-6-135, 40-8-109
Motor vehicles
  child safety restraint systems, 61-9-420 — 61-9-423
  driver's license for child, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Drivers' licenses**, minors
Name change, petition by parent, 27-31-101, 27-31-201
Necessaries, contracts for, 28-2-202, 28-2-204, 41-1-305
  "necessary articles" defined, 40-2-210
  parental liability, 40-6-215
  payment for parent by adult child, 40-6-214

PARENT AND CHILD (Continued)

Occupational disease benefits, payment to parent, 39-71-742, 39-72-402
Organ donation of deceased parent or child, 72-17-214, 72-17-215
Parental rights, termination, 40-6-135, 41-3-1010
Parent-Child Legal Relationship Termination Act of 1981, Title 41, chapter 3, part 6
Parent and child relationship, 40-6-102, 41-3-603, 72-2-124
    adoption, defined, 40-8-103
    compromise agreement, 40-6-114
    established how, 40-5-235, 40-6-104, 40-8-125
    immunity from disclosure of information based on, nonapplicability, 40-5-175
    judgment conclusive when, 40-6-116
    liability for support when, 40-6-215, 40-6-216
    marital status, effect, 40-6-103
    reciprocal duties, 40-6-214
    termination, effect, 41-3-401, 41-3-611, See also **CHILD ABUSE AND NEGLECT**
"Parent" defined, 40-8-103, 41-5-103, 72-1-103
Parole of incarcerated persons, medical — request for, 46-23-210
Paternity proceedings
    acknowledgment, 40-5-232, 40-5-235, 40-6-105, 40-6-114, 40-6-117, 40-6-126, 40-6-128, 40-6-129, 50-15-210
    adoption actions, 40-6-108, 40-6-109
    appeal of orders when, 40-6-129
        transcript for, 40-6-119
    artificial insemination, effect on, 40-6-106
    birth registration, 50-15-122, 50-15-223
    blood tests, 40-5-201, 40-6-102
        failure to appear, contempt, 40-5-226
        objection to, 40-5-237, 40-6-115
        required when, 40-5-232, 40-5-233, 40-5-237, 40-6-112, 40-6-114
        results as evidence, 40-5-234, 40-5-236, 40-5-237, 40-6-113, 40-6-115
    child support orders, 40-5-226
    commencement, 40-6-108
    confidentiality, 40-5-238
    counsel, party's right to, 40-6-119
    criteria for support payments, 40-5-234, 40-6-105, 40-6-116, 40-6-118
    establishing, 40-6-104
    denial, 40-5-232, 40-5-233, 40-6-129
    dismissal when, 40-6-114
    evidence, relating to, 40-5-237, 40-6-113
    notice of intent to claim filed when, 40-6-126
    parties, 40-5-236, 40-6-107, 40-6-108, 40-6-110, 40-6-115
    presumption, 40-5-234, 40-6-105, 40-6-122, 40-6-126
    pretrial
        proceedings, 40-6-111
        recommendations, 40-6-114
    prior agreements, effect, 40-6-107
    records, confidentiality, 40-6-111, 40-6-120, 40-6-123
    service of process, 40-6-107, 40-6-109
    statute of limitation, 40-6-108
    stay of, when, 40-6-107, 40-6-128
    testimony
        court may compel, 40-6-111, 40-6-115
        relinquishment petition, verbatim record, 40-6-135
    trial feasibility, determination, 40-6-114
    venue, 40-5-231, 40-6-109
    vital statistics, disclosure, 50-15-122

PARENT AND CHILD (Continued)
Paternity proceedings (Continued)

witnesses, immunity from criminal liability when, 40-6-111
Pawnbroker or junk dealer purchases from minor, written consent of parent, 7-21-4208, 45-5-623
Placement of children, interstate, Title 41, chapter 4, part 1, See **MINORS**, **Interstate Compact on the Placement of Children**
Postsecondary educational institutions, indemnification, 20-30-305
Power of attorney, powers delegated by, 72-5-103
Pregnancy of child, See also **MINORS**, **Medical care**; **PREGNANCY**, **Minors**
  abortion, notice to parents, Title 50, chapter 20, part 2, See **ABORTION**
  serological test results to parent, 50-19-107
Privacy of hearings, 40-6-111, 40-6-120
Property destroyed by child, parental liability, 20-5-201, 40-6-237, 40-6-238
Property of child
  conveyance, transfer certificate exemption, 15-7-307
  future interest, posthumous children, 70-1-420, 70-1-422
  parental control, 40-6-232
  support, liability for, 40-6-212
  wages, 40-6-221, 40-6-235, 40-6-236
Prostitution, promoting, 45-5-603, 45-5-622
Protection, right to use force, 49-1-103
Public assistance, See **PUBLIC ASSISTANCE**
Putative fathers
  birth registration, 50-15-221
  custody awarded to, when, 40-6-130
  grounds for termination of rights, 40-6-129
  notices of intent or hearings, 40-6-128
  rights respecting, 40-6-127
Reciprocal duties, 40-6-214
Releases to terminate rights, 40-6-127
Residence of child
  right of parent to determine, 40-6-231
  rules for determining, 1-1-215
Rodeos and similar events, approval of consent for child's voluntary participation, 27-1-733
Runaway children, return of, Title 41, chapter 6, See **MINORS**, **Interstate Compact on Juveniles**
Rules of civil procedure, applicability
  actions, 40-6-115
  jurisdiction, personal, 40-6-109
  notices, 40-6-127, 40-6-128
  service of process, 40-6-109
Schools, See **PRIVATE SCHOOLS**; **SCHOOL DISTRICTS AND TRUSTEES**; **SCHOOLS**; **SCHOOL TRANSPORTATION**
Seduction of child, suit for, 27-1-514
Shoplifting by minor, liability, 27-1-718
State agencies
  child placed in, when, 40-6-125, 40-6-130
  petition filed by, 40-6-125
State employees, parental leave when, 2-18-606
Stepchildren
  adoption of, 40-8-106, 40-8-109, 40-8-117, 40-8-122, 40-8-123, 40-9-102
  aid to families with dependent children (AFDC), effect of stepparent's resources, 53-4-237
  incest, 45-1-205, 45-5-507
  inheritance taxes, specific provision, 72-16-313
  support by stepparent, 40-6-217, 53-4-237
Support of child, See **CHILD SUPPORT**
Support of parent, See **Indigent parents, support of**
Teachers, parental abuse, 20-4-303

PARENT AND CHILD (Continued)

Terminally ill persons, withholding or withdrawal of life-sustaining treatment — consent, 50-9-106
Termination of parental rights
  fathers of children born out of wedlock, 40-6-125, 40-6-127, 40-6-128, 40-6-130
  grounds for termination, 40-6-129
  hearings respecting, 40-6-126, 40-6-128, 40-6-135
  mothers, when, 40-6-125, 40-6-130, 40-6-135
  parent-child legal relationship, Title 41, chapter 3, part 6
  parents or guardians, when, 40-6-135
  putative fathers, 40-6-127 — 40-6-130
Transfers to child, 72-26-502, 72-26-702, See **TRUSTS, Minors, transfers to**
Trust account or report, receipt by parent for child, 72-34-511
Tuberculosis, consent for treatment, 50-17-110
Uniformity of application, 40-6-130
Uniform Parentage Act, Title 40, chapter 6, part 1
University system students, residence requirements, 20-25-501, 20-25-503, 20-25-504
Unknown parentage, child of, 41-3-102, 50-15-203
Vicarious liability of parent, 16-6-305, 20-5-201, 40-6-237, 40-6-238, 45-8-345
Visitation, provision for, 40-5-236, 40-6-116
Voting program for youth, participation, 13-22-105
Wages of child, 40-6-221, 40-6-235, 40-6-236
Welfare, See **CHILD ABUSE AND NEGLECT, Child welfare services; PUBLIC ASSISTANCE**
Workers' compensation
  beneficiary, 39-71-116
  benefits
    claims, statute of limitation, 39-71-602
    payment to parent, 39-71-721, 39-71-742, 39-72-402
  newspaper carrier, minor as — coverage exclusion, 39-71-401
Youth court, Title 41, chapter 5, See **YOUTH COURT**
Youth residential services, Title 41, chapter 3, part 11, See **CHILD ABUSE AND NEGLECT**, **Youth in need of care; YOUTH COURT, Youth residential services**

PARENT-CHILD LEGAL RELATIONSHIP TERMINATION ACT OF 1981, Title 41, chapter 3, part 6
  See **CHILD ABUSE AND NEGLECT**

PARK COMMISSIONERS
  See **PARKS, County Board of Park Commissioners; Municipal Board of Park Commissioners**

PARKING
Areas
  acquisition, 7-14-4501
  aircraft, for, 7-14-4801
  facilities, See **Facilities**
  financing, 7-14-4502
  floodplains and floodways, uses within, 76-5-401
  pedestrian malls, construction, 7-14-4704
  revenues from, 7-14-4502
Bicycles, 61-8-354
Bond issues
  areas or facilities, to finance, 7-14-4502
  improvement districts, See **Improvement districts**
  prohibited when, 7-14-4735
Buildings, 7-14-4627
Business improvement districts, facilities, 7-12-1131
Capitol complex, citations for violations within, 2-17-113
City or town council, powers, See **CITY OR TOWN COUNCILS**

PARKING (Continued)

Commissions, See **PARKING COMMISSIONS**
Disabled persons, permits and special spaces for, 49-4-301 — 49-4-307, 61-3-332
Disabled veterans, privileges, 49-4-302, 49-4-304, 61-3-332, 61-3-454
Districts, See **Improvement districts**; **Street parking**, improvement districts
Eminent domain, 7-14-4501
Facilities, See also **PARKING COMMISSIONS, Parking facilities**
    bonds issued for, 7-7-4402, 7-14-4502, See also **CITY FINANCE, Revenue bonds**, generally; **SPECIAL IMPROVEMENT DISTRICTS, Bonds and warrants**
    charges for use, 7-14-4501
    construction, 7-14-4501
    leasing, See **Improvement districts**, offstreet parking
    maintenance, 7-14-4501
    revenues from, 7-14-4501
    state capitol area, 5-17-102
Garages, 7-14-4627, See also **Improvement districts**
Improvement districts, See also **Street parking**
    annual statements, 7-14-4713, 7-14-4734
    assessments, 7-14-4716, 7-14-4734
        affidavit of property owner, 7-14-4718
        installments, 7-14-4721
            advance payment, 7-14-4723
            uncollected and interest, 7-14-4722
        lien, as, 7-14-4721
        unpaid, list
            bonds
                issued for, 7-14-4719
                liability, 7-14-4721
            certification, 7-14-4717
            removal of property from, 7-14-4718
    bond issues
        assessments, unpaid
            for, 7-14-4719
            liability, 7-14-4721
        authorization, 7-14-4715
        defenses against, barred when, 7-14-4718
        due date, 7-14-4720
        interest, 7-14-4720, 7-14-4722
        investment of proceeds, 7-14-4723
        procedure for issuance, 7-14-4716
        prohibited when, 7-14-4735
        redemption, 7-14-4723
    creation, 7-14-4711, 7-14-4731
        petition for, 7-14-4712, 7-14-4732
    expenses, estimates, 7-14-4713, 7-14-4734
    financing, method, 7-14-4714
    lien, assessments as, 7-14-4721
    offstreet parking
        annual statements, 7-14-4734
        assessments, 7-14-4734
        bond issues prohibited, 7-14-4735
        city, participation by, 7-14-4736
        creation, 7-14-4731, 7-14-4737
            petition, 7-14-4732
        expenses, estimates, 7-14-4734

PARKING (Continued)
Improvement districts (Continued)
  offstreet parking (Continued)
    leases, 7-14-4731
      agreements, 7-14-4733
    tax levy, 7-14-4734
    territory deleted from, 7-14-4737
  petition for creation, 7-14-4712, 7-14-4732
  special improvement district provisions, applicability, 7-14-4711 — 7-14-4714, 7-14-4716, 7-14-4718, 7-14-4731 — 7-14-4733
  street parking, See **Street parking**
  tax levy, 7-14-4713, 7-14-4734
Leases
  areas, land for, 7-14-4501
  meters, 7-12-4243, 7-14-4511
  offstreet facilities, 7-14-4731, 7-14-4733
Lighting
  offstreet facilities, 7-14-4731
  pedestrian malls, 7-14-4704
Long-term care facilities, permits for, 49-4-310
Lots
  revenues from, 7-6-4133, 7-14-4502
  tax increment financing, costs paid by, 7-15-4288
Meters, See **Street parking**
Motor vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Offstreet parking, See also **PARKING COMMISSIONS, Offstreet parking**; **Parking facilities**
  improvement districts, See **Improvement districts**
  special improvement district assessments for, 7-12-4165, 7-12-4175
  tax increment financing, costs paid by, 7-15-4288
Onstreet parking, See **Street parking**
Pedestrian malls
  assessments, 7-14-4703
    affidavit of property owner, 7-14-4718
  establishment
    authority, 7-14-4701
    damages due to, payment, 7-14-4703
  improvement districts for, See **Improvement districts**
  improvements related to, construction, 7-14-4704
  tax increment financing, costs paid by, 7-15-4288
  traffic, control, 7-14-4702
Private parking services, impoundment of vehicles and citations, 61-12-102
Special improvement districts
  applicability of provisions, 7-14-4711 — 7-14-4714, 7-14-4716, 7-14-4718, 7-14-4731 — 7-14-4733
  offstreet parking, assessments for, 7-12-4165, 7-12-4175
Street parking, See also **Improvement districts**
  improvement districts
    abandonment
      notice of intention, 7-12-4502
      owners of property, 7-12-4502 — 7-12-4504
      protests, written, 7-12-4502, 7-12-4503
      resolution for, 7-12-4501 — 7-12-4503
    bankruptcy provisions, 7-7-131 — 7-7-134
    tax increment financing, costs paid by, 7-15-4288
    water user entities, nonprofit — exemption from assessments, 7-12-4511
  meters
    lease, 7-12-4243, 7-14-4511

PARKING (Continued)
Street parking (Continued)
  meters (Continued)
    ordinance for
      referendum prior to, 7-14-4512
      required when, 7-14-4511
    revenue from, 7-12-4241, 7-12-4243, 7-14-4502, 7-14-4643, See also **SPECIAL IMPROVEMENT DISTRICTS, Supplemental revolving fund**
  regulations, 7-14-4622, 7-14-4628
Structures, 7-14-4627
Unincorporated places, in, 7-14-2106
Water user entities, nonprofit — exemption from assessments, 7-12-4511

PARKING COMMISSIONS
Actions
  commission, relating to, 7-14-4607
  obligee's rights, enforcement, 7-14-4664
  sue and be sued, power to, 7-14-4621
Administration, funds for, 7-14-4613
Agents, 7-14-4621, 7-14-4625, 7-14-4664
Appointment of members, 7-14-4609, 7-14-4610
Assessments, proceeds, 7-14-4624, 7-14-4643
Audits, 7-14-4614
Bequests, acceptance, 7-14-4622
Bids for lease of parking facilities, 7-14-4629, 7-14-4630
Bondholders
  indenture provisions
    amendment or modification, vote or written assent, 7-14-4656, 7-14-4657
    bound by, 7-14-4655
  investments by commission, 7-14-4624
  meetings, 7-14-4657
  property of commission, transfer to city, 7-14-4623
  rates, fees, and charges — changes in, 7-14-4634
  remedies, 7-14-4663
  rights, 7-14-4664, 7-14-4666
    prosecution, 7-14-4663
    protection, 7-14-4656
  trustee for, authorization, 7-14-4663
Bonds, See **Refunding and funding bonds**; **Revenue bonds**
Bylaws, 7-14-4621
Chairman, 7-14-4612
City
  commission, as, 7-14-4602
  in-lieu payments to, 7-14-4633
Compensation of members, 7-14-4612
Contracts, 7-14-4621, 7-14-4634, 7-14-4658, 7-14-4664
Cooperation with other city offices, 7-14-4632
Counsel, 7-14-4621, 7-14-4625
Creation
  authorization, 7-14-4603
  need
    determination, 7-14-4605
    resolution of, 7-14-4603, 7-14-4606
Definitions, 7-14-4602
Devises, acceptance, 7-14-4622
Election required when, 7-14-4642
Eminent domain, 7-14-4622, 7-14-4626
Employees, 7-14-4621, 7-14-4625, 7-14-4664

PARKING COMMISSIONS (Continued)

Employment powers, 7-14-4621, 7-14-4625
Execution, property exempt from — when, 7-14-4666
Expenditures, 7-14-4615, 7-14-4624
Expenses of members, 7-14-4612
Federal funds, 7-14-4624, 7-14-4643
Financial affairs
    audits, 7-14-4614
    management, 7-14-4624
    summary statement, 7-14-4615
Financial aid, 7-14-4624, 7-14-4643
Findings, 7-14-4601
Function, resolution for, 7-14-4607
Funding bonds, See **Refunding and funding bonds**
Funds
    administrative purposes, for, 7-14-4613
    claims, payment, 7-14-4656
    expenditure, 7-14-4624
    investment, 7-14-4624
    pledge or mortgage, 7-14-4643
Grants, 7-14-4622
Hearings, 7-14-4626
Indentures, See **Revenue bonds**
Injunction, 7-14-4664
In-lieu payments to city, 7-14-4633
Insurance on property or projects, 7-14-4622, 7-14-4634, 7-14-4656
Investments, 7-14-4624
    revenue bonds, as, 7-14-4662
Judgments, 7-14-4666
Jurisdiction, 7-14-4608
Leases
    air rights above buildings, 7-14-4627
    limitations or restrictions, 7-14-4656
    obligee's rights conferred by, 7-14-4664
    parking facilities, 7-14-4629, 7-14-4630
        offstreet, property for, 7-14-4616, 7-14-4622
        surplus space, 7-14-4627
Legislative body
    assessments, appropriation or pledge, 7-14-4643
    chairman, term of office, 7-14-4612
    defined, 7-14-4602
    employment powers of commission, determination, 7-14-4625
    funds for administrative purposes, 7-14-4613
    in-lieu payments to city, 7-14-4633
    jurisdiction, change, 7-14-4608
    members
        appointment, approval, 7-14-4609
        compensation prescribed by, 7-14-4612
        removal, consent, 7-14-4611
    need for commission
        determination, 7-14-4605
        resolution of, 7-14-4603, 7-14-4606, 7-14-4607, 7-14-4616
    parking facilities, foreclosure of mortgage on, 7-14-4643
    parking meter revenues, appropriation or pledge, 7-14-4643
    property
        acquisition, approval, 7-14-4622

PARKING COMMISSIONS (Continued)
Legislative body (Continued)
    property (Continued)
        title to, 7-14-4616
        transfer to city, 7-14-4623
    reports required by, 7-14-4615
    reserves, establishment, 7-14-4643
    revenue bonds, election for issuance, 7-14-4642
    tax levy, 7-14-4644
    termination of commission, 7-14-4616
Liens, 7-14-4635, 7-14-4656, 7-14-4666
Mortgages, 7-14-4643, 7-14-4656, 7-14-4664, 7-14-4666
Nature of, 7-14-4604
Notices
    bond issue elections, 7-14-4642
    parking facilities
        acquisition, hearing for, 7-14-4626
        leases, bids, 7-14-4629, 7-14-4630
    revenue bonds, redemption, 7-14-4651
Obligees, See **Bondholders**
Officers, 7-14-4621, 7-14-4650, 7-14-4664
Offstreet parking
    facilities, See **Parking facilities**
    legislative body, title to property, 7-14-4616
    powers regarding, 7-14-4622
Onstreet parking
    meters, revenue from, 7-14-4643
    regulations, 7-14-4622, 7-14-4628
Ordinances, See **Revenue bonds**, indentures, generally
Organization, 7-14-4612
Parking facilities
    buildings, incidental uses, 7-14-4627
    charges for use, See **Rates, fees, and charges**
    eminent domain, acquisition by, 7-14-4626
    incidental uses, 7-14-4627
    income and revenues, 7-14-4634, 7-14-4643
    land use laws, compliance, 7-14-4631
    lease of, 7-14-4629, 7-14-4630
    mortgages, foreclosure, 7-14-4643
    obligee, possession surrendered to, 7-14-4664
    operation, 7-14-4629
    powers regarding, 7-14-4622
    receiver
        appointment, 7-14-4664
        role, 7-14-4665
    surplus space, leasing, 7-14-4627
Parking services
    charges for use, See **Rates, fees, and charges**
    powers regarding, 7-14-4622
Payments in lieu of taxes (PILT), 7-14-4633
Petition for creation, 7-14-4605
Pledge of revenues, funds, or property, 7-14-4635, 7-14-4643, 7-14-4656, 7-14-4666
Powers, 7-14-4612, 7-14-4622, 7-14-4624, 7-14-4645, 7-14-4664
    generally, 7-14-4621
    limitations, 7-14-4625, 7-14-4626
    suspension when, 7-14-4616

PARKING COMMISSIONS (Continued)

Projects
- bonds to finance, See **Revenue bonds**
- charges for use, See **Rates, fees, and charges**
- defined, 7-14-4602
- facilities, See **Parking facilities**
- jurisdiction, 7-14-4608
- mortgages, limitations, 7-14-4656
- repairs, 7-14-4656

Property
- execution, exempt from — when, 7-14-4666
- legislative body, title to, 7-14-4616
- obligees' rights, 7-14-4666
- pledge or mortgage when, 7-14-4643
- powers regarding, 7-14-4622
- transfer to city, 7-14-4623

Purpose, 7-14-4601

Rates, fees, and charges
- general provisions, 7-14-4634, 7-14-4656
- lien on, 7-14-4635, 7-14-4666
- receiver, collection by, 7-14-4665

Receivers, See **Parking facilities**

Refunding and funding bonds
- authorization, 7-14-4659
- expenses paid by, 7-14-4660
- negotiability, 7-14-4661

Removal of members, 7-14-4611

Reports, 7-14-4615

Reserves, 7-14-4624, 7-14-4643, 7-14-4644, 7-14-4656

Resignation of members, 7-14-4609

Resolutions
- adoption, 7-14-4608
  - inaction, effect, 7-14-4616
- city to act as commission, 7-14-4602
- employment powers, determination, 7-14-4625
- function, for commission to, 7-14-4607, 7-14-4616
- indentures as, See **Revenue bonds**, indentures, generally
- in-lieu payments, for, 7-14-4633
- lease of parking facilities, 7-14-4629
- members, number of — change, 7-14-4609
- need for commission, of, 7-14-4603, 7-14-4606
- obligee, rights conferred by, 7-14-4664
- property, transfer to city, 7-14-4623
- revenue bonds, terms and conditions, 7-14-4645
- termination, for, 7-14-4616

Revenue bonds
- amendment, 7-14-4657
- default, 7-14-4656
- funding bonds, See **Refunding and funding bonds**
- holders of, See **Bondholders**
- indentures
  - amendment or modification, 7-14-4656, 7-14-4657
  - authorization for, 7-14-4655
  - contents, 7-14-4656
  - contracts, incorporation, 7-14-4658
  - defined, 7-14-4602

PARKING COMMISSIONS (Continued)
Revenue bonds (Continued)
  indentures (Continued)
    interest, payment — provision for, 7-14-4653
    obligees' rights, 7-14-4664
    rates, fees, and charges — terms regarding, 7-14-4634
  interest, 7-14-4647
    lien, as, 7-14-4635
    payment, 7-14-4634, 7-14-4643, 7-14-4647, 7-14-4648, 7-14-4652, 7-14-4656
    rates, 7-14-4646
    taxation, exemption from — when, 7-14-4654
  interim, 7-14-4653
  investments, as, 7-14-4662
  issuance, 7-14-4643, 7-14-4645, 7-14-4646
    additional bonds, 7-14-4656
    authority, 7-14-4641
    election required, 7-14-4642
  maturity dates, 7-14-4646, 7-14-4649, 7-14-4651
  modification, 7-14-4657
  negotiability, 7-14-4661
  payment, 7-14-4634, 7-14-4635, 7-14-4643, 7-14-4644, 7-14-4648, 7-14-4652, 7-14-4656
  principal, 7-14-4643, 7-14-4648, 7-14-4656, 7-14-4663
  proceeds, 7-14-4624, 7-14-4643, 7-14-4652, 7-14-4653, 7-14-4656
  redemption, 7-14-4651, 7-14-4659, 7-14-4663
    lien, as, 7-14-4635
    payments, 7-14-4634
  refunding bonds, See **Refunding and funding bonds**
  registration, 7-14-4663
  retirement, 7-14-4659
  sale, 7-14-4645, 7-14-4652
  security, 7-14-4635, 7-14-4646, 7-14-4656, 7-14-4663
  series or divisions, 7-14-4646, 7-14-4649
  signatures on, 7-14-4650
  taxation, exemption from — when, 7-14-4654
  temporary, 7-14-4653
  terms and conditions, 7-14-4645, 7-14-4646, 7-14-4652, 7-14-4656
  trust fund for payment, 7-14-4635
Revenues, 7-14-4615, 7-14-4624, 7-14-4634, 7-14-4643, 7-14-4663
  lien on, 7-14-4635, 7-14-4656, 7-14-4666
  receiver, collection, 7-14-4665
Right-of-way for offstreet parking, 7-14-4622
Rulemaking power, 7-14-4621
Seal, 7-14-4621
Sinking fund, 7-14-4624, 7-14-4656, 7-14-4663
  lien on, 7-14-4635
Sue and be sued, 7-14-4621
Tax levy, 7-14-4644
Termination, 7-14-4616
Term of office of members, 7-14-4610
Transactions
  reports, 7-14-4615
  suspension when, 7-14-4616
Travel expenses of members, 7-14-4612
Trust indentures, 7-14-4664
Vacancies, 7-14-4610, 7-14-4616

PARKS
  See also generally **RECREATION**
Amusement parks, See **RECREATION**, **Amusement areas or facilities**
Bicycle trails and footpaths, establishment, 60-3-303
Community service corps and volunteer projects, 90-14-105
Counties
  buildings, 7-8-2102, 7-8-2103, 7-16-2101
  expenditures for, 7-16-2107
  inventory, 7-16-2324
  land or facilities
    acquisition, 7-16-2105, 7-16-2106, 7-16-2321, 7-16-2322
    dedicated land, 7-5-2504, 7-16-2324, 76-3-621
    deeded entities for establishment and maintenance, 7-8-102, 7-16-102
    improvements and maintenance, 7-16-2321, 7-16-2322
    nonpark purposes, leasing for, 7-16-2323
    use charges, 7-16-2321
  name or number, 7-16-2106
  park superintendent, 7-16-2312
  park warden, 7-16-2322
  state parks, cooperation, 23-1-107
  tax levy for, 7-16-2102, 7-16-2103, 7-16-2109
  vacation, in unincorporated places, 7-5-2504
  violation of ordinances and rules, 7-16-2322
  weapons, carrying — local government regulation, 45-8-351
County Board of Park Commissioners
  appointment, 7-16-2302, 7-16-2303, 7-16-2305
  authorization, 7-16-2301
  bond issues, 7-16-2327
  business, conduct, 7-16-2313
  claims, audit and allowance, 7-16-2330
  clerk, 7-16-2310
  commerce, department of — technical assistance from, 90-1-103
  compensation, 7-16-2306
  composition, 7-16-2302
  conflict of interest, 7-16-2314
  contracts, 7-16-2314, 7-16-2325 — 7-16-2327
  disbursements, 7-16-2310
  eminent domain, power of, 7-16-2321
  employment of persons, 7-16-2325, 7-16-2326
  expenses, 7-16-2306
  federal aid, acceptance, 7-16-2332
  gifts and grants, 7-16-2321, 7-16-2332, 20-7-803
  indebtedness, power to contract, 7-16-2327
  lands or facilities, 7-16-2321 — 7-16-2324, 7-16-2328
  liability, limitation, 7-16-2329
  meetings, 7-16-2305, 7-16-2309, 7-16-2312, 7-16-2313
  minutes of proceedings, 7-16-2310, 7-16-2311, 7-16-2325, 7-16-2330
  money, disbursement or receipt, 7-16-2328, 7-16-2331
  neglect of duty, 7-16-2305
  nepotism, 7-16-2314
  obligations, payment, 7-16-2321
  officers, 7-16-2308 — 7-16-2310, 7-16-2313, 7-16-2325, 7-16-2331
  orders by, 7-16-2325, 7-16-2330
  organization, 7-16-2308

PARKS (Continued)
County Board of Park Commissioners (Continued)

- park superintendent, appointment, 7-16-2312
- park warden, employment, 7-16-2322
- powers and duties, 7-16-2321, 7-16-2322
- qualifications, 7-16-2303
- quorum, 7-16-2313, 7-16-2325, 7-16-2331
- receipts, 7-16-2310
- record book, 7-16-2310, 7-16-2311
- reports, 7-16-2310, 7-16-2312
- resolutions, 7-16-2321, 7-16-2325, 7-16-2330
- rules, 7-16-2313, 7-16-2322
- sale of hay, trees, or plants, 7-16-2328
- secretary, 7-16-2310, 7-16-2312, 7-16-2330, 7-16-2331
- term of office, 7-16-2302
- transition, 7-1-202
- vacation of office, 7-16-2305
- warrants, 7-16-2309, 7-16-2331

County park districts
- administration, 7-16-2423
- agreements for operation, 7-16-2423
- annexation of territory, 7-16-2441
- assets, distribution upon dissolution, 7-16-2443
- bonds, issuance, 7-16-2433
- borrowing, 7-16-2433
- boundaries, 7-16-2411, 7-16-2441, 7-16-2442
- budget, 7-16-2431
- buildings and facilities, 7-16-2423, 7-16-2433
- commissioners
    - alteration of boundaries, 7-16-2432
    - appointment, 7-16-2413, 7-16-2421
    - budget, preparation, 7-16-2431
    - compensation, 7-16-2422
    - dissolution of district, 7-16-2442, 7-16-2443
    - election, 7-16-2421
    - improvements to land, 7-16-2402
    - number of members, 7-16-2411
    - powers generally, 7-16-2423
    - rulemaking authority, 7-16-2423
    - tax levy, resolution for election to change, 7-16-2432
    - term and vacancies, 7-16-2413, 7-16-2421
- contracts, 7-16-2423
- creation, 7-16-2411, 7-16-2412
- debts and obligations, procedures upon dissolution, 7-16-2443
- dissolution, 7-16-2442, 7-16-2443
- donations and devises, acceptance, 7-16-2423
- duties, 7-16-2402
- elections, 7-16-2411, 7-16-2412, 7-16-2421, 7-16-2432, 7-16-2441, 7-16-2442
- enlargement, 7-16-2441
- facilities, 7-16-2423, 7-16-2433
- hearings, 7-16-2411, 7-16-2432, 7-16-2442
- leases, 7-16-2401, 7-16-2423
- maintenance, 7-16-2402, 7-16-2423
- municipalities, inclusion, 7-16-2403, 7-16-2432
- operation, 7-16-2402, 7-16-2423
- "park and recreation land" defined, 7-16-2401
- personnel, 7-16-2423

PARKS (Continued)
County park districts (Continued)

- petitions, 7-16-2411, 7-16-2421, 7-16-2432, 7-16-2441, 7-16-2442
- purchases, 7-16-2423
- reduction in size, 7-16-2441
- resolutions, 7-16-2411, 7-16-2423, 7-16-2432, 7-16-2441, 7-16-2442
- rules, 7-16-2423
- services and facilities, charges for, 7-16-2423
- tax levy, 7-16-2411, 7-16-2423, 7-16-2431, 7-16-2432, 7-16-2443
- territory, 7-16-2403
- withdrawal of territory, 7-16-2441, 7-16-2442

County park superintendent, 7-16-2312
Dedicated land
- counties, 7-5-2504, 7-16-2324, 76-3-621
- subdivisions, Title 76, chapter 3, See **SUBDIVISIONS, Dedication of land**

Easements for, 7-16-2423, 70-17-101, 70-17-102, 72-16-445; Title 77, chapter 2, part 1
Estate taxes, in-kind payment for preservation, 72-16-445
Fireworks displays, 50-37-103, 50-37-107
Fish, Wildlife, and Parks Commission — representation on, 2-15-3402
Floodways, within, Title 76, chapter 5
Footpaths and bicycle trails, establishment, 60-3-303
Forage, noxious weed seed free provisions, 7-22-2126; Title 80, chapter 7, part 9
Hard-rock mining impact on park districts, Title 90, chapter 6, part 3
Highways, land acquired for parks adjacent to, 60-4-103
Housing projects, 7-15-4416
Industrial parks, 15-24-1901, 15-24-1902, 76-3-103, 90-5-112
Inheritance taxes, in-kind payment for preservation, 72-16-445
Landscape architects, Title 37, chapter 66
Mining operations, strip and underground — protection from, 82-4-227
Municipal Board of Park Commissioners
- appointment, 7-16-4202, 7-16-4205
- authorization, 7-16-4201
- band fund, use, 7-16-4107
- business, conduct, 7-16-4211
- claims, audit and allowance, 7-16-4227
- clerk, 7-16-4208, 7-16-4209, 7-16-4227
- commerce, department of — technical assistance from, 90-1-103
- compensation, 7-16-4206
- composition, 7-16-4202
- conflict of interest, 7-16-4212
- contracts, 7-16-4212, 7-16-4224
- creation, 7-16-4201
- disbursements, 7-16-4209, 7-16-4228
- employment of persons, 7-16-4224
- expenses, 7-16-4206
- gifts, 7-16-4109, 20-7-803
- lease of lands, 7-8-4201, 7-16-4223, 7-16-4225
- liability, limitation, 7-16-4226
- meetings, 7-16-4205, 7-16-4209, 7-16-4211
- minutes of proceedings, 7-16-4209, 7-16-4210, 7-16-4224, 7-16-4227
- money, disbursement and receipt, 7-16-4225, 7-16-4228
- municipal commission government, 7-3-4252
- neglect of duty, 7-16-4205
- obligations, payment, 7-16-4221, 7-16-4227
- officers, 7-16-4208, 7-16-4209, 7-16-4211, 7-16-4224, 7-16-4228
- orders, 7-16-4224, 7-16-4227
- organization, 7-16-4208

PARKS (Continued)
Municipal Board of Park Commissioners (Continued)

park fund, use, 7-16-4107
powers and duties, 7-16-4221, 7-16-4222
public recreation programs, 7-16-4107, 7-16-4108, 20-7-801, 20-7-802
qualifications, 7-16-4203
quorum, 7-16-4211
receipts, 7-16-4209
record book, 7-16-4209
recreational facilities, control and management, 7-16-4103, 7-16-4107
reports, 7-16-4209
resolutions, 7-16-4224, 7-16-4227
rules, 7-16-4211, 7-16-4222
sale of hay, trees, or plants, 7-16-4225
term of office, 7-16-4204
transactions, report, 7-16-4209
vacation of office, 7-16-4205
warrants, issuance, 7-16-4209, 7-16-4228

Municipalities
birds, protection, 7-16-4222
county board of park commissioners, acquisition of land and facilities, 7-16-2321
county park districts, inclusion, 7-16-2403, 7-16-2412, 7-16-2432
establishment, alteration, and maintenance, 7-16-4101
land
    acquisition, 7-16-2321, 7-16-4104
    county-owned, 7-8-102, 7-16-102
    leases, 7-16-4223, 7-16-4225
    nonpark purposes, leases for, 7-16-4223
management and control, 7-16-4221
property, 7-5-4106, 7-8-103, 7-8-104
public welfare, director of — management, 7-3-4463
public works, director of — authority, 7-3-1331
rules, 7-16-4222
special improvement districts, creation for, 7-12-4102
state parks, cooperation concerning, 23-1-107
taxes for, 7-16-4105, 7-16-4225
trees and plants, 7-16-4221, 7-16-4222
urban renewal, 7-15-4206, 7-15-4209, 7-15-4255, 7-15-4262, 7-15-4267
vacation, 7-16-4101
weapons, carrying — local government regulation, 45-8-351

National parks
airports, near, 67-11-221
approach roads, funds for maintenance, 60-3-201
big hole national battlefield, 2-1-213, 2-1-214
big horn canyon, 2-1-214
fort union trading post, 2-1-214
glacier, 2-1-205, 2-1-206
grant-kohrs national historic site, 2-1-214
jurisdiction over lands dedicated to, 2-1-205 — 2-1-208, 2-1-213, 2-1-215, 2-1-216
railroad hotels within, 69-14-559
wild buffalo disease management, policy, 81-2-120, 87-1-216, 87-3-130
yellowstone, 2-1-207, 2-1-208, 81-2-120, 87-1-216, 87-3-130

National Park Service
approach roads to national parks, maintenance agreements, 60-3-201
firewardens, officers as, 77-5-104
water rights compact, 85-20-401

Natural areas preservation, Title 76, chapter 12, part 1

PARKS (Continued)

Obstruction of use as nuisance, 27-30-101
Open-space lands for, Title 76, chapter 6, part 1
Park rangers
  arrest, power of, 23-1-106, 23-1-122, 23-2-410, 23-2-506, 87-1-502
  employment, education, and certification standards, 7-32-303
  enforcement by, 23-1-121, 23-1-122
    boating provisions, 23-1-122, 23-2-506
    off-highway vehicle provisions, 23-1-122, 23-2-806
    rules, 23-1-105, 23-1-106, 23-1-110, 23-1-121, 23-1-122, 23-1-202, 87-1-301
    snowmobile provisions, 23-1-122
  firewardens, as, 77-5-104
  inspections and investigations by, 23-1-106, 23-2-410, 23-2-506, 77-1-801
  powers and duties generally, 23-1-121
  qualifications, 7-32-303, 23-1-121
  search and seizure, 23-1-106, 23-2-410, 23-2-506, 87-1-502
  violations, reporting, 23-1-106, 23-2-410, 23-2-506
Planning boards, authority, 76-1-408, 76-1-601
Primitive parks
  citation of Montana primitive parks act, 23-1-115
  development and limitations, 23-1-117
  establishment and designation, 23-1-116
  user fees, 23-1-118
Signs, location, 75-15-113
Special improvement districts, creation for, 7-12-4102
Speed of vehicle in public parks, 61-12-101
State lands, easements on, Title 77, chapter 2, part 1
State parks
  acquisition, 23-1-102, 23-1-103, 23-1-108, 87-1-209
  aging persons, overnight camping fee discount, 23-1-105
  airports, near, 67-11-221
  antiquities, designation and preservation, See **ANTIQUITIES**, generally
  biological station, 23-1-201, 23-1-202, 87-5-404
  camping and recreation sites, 23-1-102, 23-1-103, 23-1-105, 87-1-303, 87-2-112
  custody and control over, 23-1-102, 23-1-109
  damage or destruction of property, penalty, 23-1-106
  designation of site, 23-1-102, 23-1-103
  development, rules and public involvement, 23-1-110
  disabled persons, overnight camping fee discount, 23-1-105
  discriminatory practices, See **DISCRIMINATION**, generally
  eminent domain, acquisition by, 23-1-102
  enforcement of provisions, 23-1-121, 23-1-106, 23-1-122, 87-1-503
  fees and charges, 23-1-105, 23-1-106, 23-1-118
  fines for violations, 23-1-106
  fireworks prohibited, 50-37-103
  funding, 15-35-108, 15-65-121, 23-1-102, 23-1-108, 60-3-201, 61-3-512
  highways, state — roads connecting parks to, 23-1-104
  historical sites, 23-1-101, 23-1-102, 23-1-107, 23-1-108, 23-1-110, 87-1-209, See also **ANTIQUITIES**
  improvement projects, rules and public involvement, 23-1-110
  jurisdiction, 23-1-102, 23-1-109
  land commissioners, board of — authority, 23-1-102, 23-1-103, 77-1-204, 77-1-214
  land donated for, 23-1-102, 77-1-214
  lodging facility use tax, allocation and use, 15-65-121
  management, 77-1-204
  Montana agricultural center and museum of the northern great plains, 23-1-109
  Montana conservation corps work experience projects, Title 23, chapter 1, part 3

PARKS (Continued)
State parks (Continued)

name, 23-1-102, 23-1-103, 23-2-404
natural areas as part of, 76-12-117
purpose, 23-1-101, 23-2-402, 23-2-407
rangers, See **Park rangers**
recreational vehicle fee, disposition, 61-3-512
rules, 23-1-106, 23-1-110, 23-1-121, 23-1-122
scientific and recreational park, 23-1-201, 23-1-202, 87-5-404
title to grounds, 23-1-103
vehicles, violations involving fee collection, 23-1-105
violations of state park provisions, 23-1-105, 23-1-106
wayside camps and areas contiguous to highway system, exclusion from state park designation, 23-1-102
Subdivisions, 76-3-102, 76-3-621
Unincorporated places, vacation of public sites in, 7-5-2504
Vietnam Veterans' Memorial, State — location, 1-1-512
Water supply and sewer systems, maintenance, 7-13-3012
Zoning regulations to facilitate, 76-2-203, 76-2-304

PAROLE
See also **PROBATION, PAROLE, AND CLEMENCY**; **PROBATION AND PAROLE OFFICERS**
Interstate Compact for the Supervision of Parolees and Probationers, 46-23-1102
Parole and Executive Clemency Act, Title 46, chapter 23, parts 1 — 3 and 10
Uniform Act for Out-of-State Parolee Supervision, Title 46, chapter 23, part 11

PARTITION
Abstracts of title, 70-29-216, 70-29-217
Actions
personal property, 70-2-211
real property, 70-2-211, 70-29-101, 70-29-102, 70-29-311
Affidavits
abstract of title, verification, 70-29-217
lienholders, of amounts due, 70-29-108, 70-29-321
minor's interests, verification, 70-29-102
out-of-state or unknown parties, 70-29-111
Allotment of land
grantee of tenant in common, to, 70-29-208
shares of land and effect of improvements, 70-29-207
Answer, 70-29-112, 70-29-201
Appeal permitted, Title 25, chapter 21, M.R.App.P., Rule 1
Appraisal, 70-29-206
Assignment, 70-29-205, 70-29-208, 70-29-212
Authorization of action, 70-29-101, 70-29-102
conveyance, bar to subsequent action, 70-29-311
personal property, 70-2-211
City or town site included in area to be partitioned, procedure, 70-29-206
Compensation of parties for inequities when, 70-29-209
Complaint, 70-29-103, 70-29-107, 70-29-109, 70-29-112, 70-29-201, 70-29-202, 70-29-216
Condominiums, common elements, 70-23-405, 70-23-805
Continuation of action when, 70-29-324
Costs
abstract of title, 70-29-216
apportionment among parties, 70-29-218, 70-29-219, 70-29-221
attorneys' fees, when, 70-29-113
disbursements by parties and interest on, 70-29-220
previous litigation, 70-29-221
referee or surveyor expenses, 70-29-219
sale proceeds, application, 70-29-321

PARTITION (Continued)

Disbursements by parties and interest on, 70-29-220
Dominant tenement, of, 70-17-107
Encumbrances, **See Liens and encumbrances**
Estates and probate, partition of estate land
    appeal, Title 25, chapter 21, M.R.App.P., Rule 1
    conservator, by, 72-5-427
    distribution, for, 72-3-914
    personal representative, by, 72-3-613
Estates for life or years, 70-29-101
    joinder of defendants, 70-29-105
    judgment binding upon, 70-29-212
    judgment, effect on estate for years, 70-29-213
    parties to action, 70-29-104
    sale of property
        partial, effect, 70-29-214
        tenant, compensation upon sale, 70-29-326
Estates of inheritance, 70-29-101
    judgment binding upon, 70-29-212
    parties to action, 70-29-104
Evidence
    city or town site included in area, 70-29-206
    continuation of action when sale proceeds deposited in court, 70-29-324
    minor's interests, 70-29-102
    prejudice to owners, partition cannot be made without, 70-29-202
Grantees, interests of, 70-29-104, 70-29-106, 70-29-208
Improvements, effect, 70-29-206, 70-29-207
Incompetent persons
    effect of incompetency on proceedings, 70-29-113
    guardian, consent to share, 70-29-210
    sale proceeds, disposition, 70-29-328
Irrigation districts, tax-deed lands, 85-7-2165
Joinder of issues, 70-29-201
Joint tenants
    action by, 70-29-101
    guardian, consent to share, 70-29-210
    parties, 70-29-104
    summons to, 70-29-110
Judgment, 70-29-105, 70-29-212
    costs, specification in, 70-29-218, 70-29-221
    minor, when action brought by, 70-29-102
    partial partition, 70-29-204
    previous litigation, costs allowed in, 70-29-221
    recording, 7-4-2613, 70-21-306
    tenants for years, effect on, 70-29-213
Jury trial, 70-29-201
Liens and encumbrances
    answer, statement of lien in, 70-29-112
    attorneys' fees, 70-29-113
    costs or expenses of partition, 70-29-218, 70-29-221
    notice to lienholders, 70-29-108
    party to action, lienholder as, 70-29-105 — 70-29-107
    previous litigation, expenses, 70-29-221
    sale of property, effect, 70-29-301, 70-29-304, 70-29-311, 70-29-321, 70-29-322
    summons to lienholders, 70-29-110
    undivided interest, on — status after partition, 70-29-215

PARTITION (Continued)

Minors
  action by, 70-29-102
  compensation of parties for inequities when, 70-29-209
  guardian, consent to share, 70-29-210
  sale of property
    proceeds, disposition, 70-29-305, 70-29-327
    purchaser, guardian as, 70-29-303
    security for credit sales in name of guardian, 70-29-306
Nonresidents
  sale proceeds, investment, 70-29-305, 70-29-329
  summons, service, 70-29-111
Notice
  abstract of title, 70-29-216
  action, of, 70-29-109, 70-29-212
  lienholder, to, 70-29-108
  sale, of, 70-29-301
Order for partition, 70-29-202
Partial partition, 70-29-204
Parties, 70-29-104, 70-29-106, 70-29-107
  compensation for inequities, 70-29-209
  conveyance, bar to subsequent action, 70-29-311
  death or incompetency of, 70-29-113, 70-29-212
  guardian as, 70-29-210
  joinder of defendants, 70-29-105
  judgment binding upon, 70-29-212
  minor as, 70-29-102
  nonresidents, 70-29-111
  purchaser of property, as, 70-29-304
  referees, appointment — consent, 70-29-202
  sale of property, security — agreement, 70-29-308
  unknown, 70-29-111, 70-29-202, 70-29-203, 70-29-311
Personal property, 70-2-211, 70-2-212, 72-3-914
Power of attorney, statutory — authority, 72-31-224
Previous litigation, expenses, 70-29-221
Referees
  appointment, 70-29-202, 70-29-212
  city or town site, procedure when included in area to be partitioned, 70-29-206
  continuation of action, effect, 70-29-324
  division of property by, 70-29-205, 70-29-207
  fees and expenses, 70-29-218, 70-29-219, 70-29-321
  liens and encumbrances, ascertainment of status, 70-29-107, 70-29-108
  report of, 70-29-108, 70-29-211, 70-29-212, 70-29-309
  sale of property
    conducted by, 70-29-301
    conveyances, execution, 70-29-310
    incompetent person's share of proceeds, payment, 70-29-328
    minor's share of proceeds, payment, 70-29-327
    party or encumbrancer as purchaser, 70-29-304
    purchase by referee prohibited, 70-29-303
    report, 70-29-309
    securities taken by, 70-29-306, 70-29-308, 70-29-310, 70-29-323
Rights of parties, partition to be according to, 70-29-101, 70-29-202, 70-29-205, 70-29-209
Roads, streets, or public ways — portions of property allocated for, 70-29-205, 70-29-206
Sale of property
  action for, 70-29-101

PARTITION (Continued)
Sale of property (Continued)

- auction, by, 70-29-301
- city or town site, procedure when included in area to be partitioned, 70-29-206
- confirmation by court, 70-29-310
- conveyances, 70-29-310, 70-29-311
- credit terms, 70-29-305, 70-29-306
- farms to be sold separately, 70-29-302
- future interests, 70-29-325
- investment terms, 70-29-305, 70-29-307, 70-29-330
- lots to be sold separately, 70-29-302
- notice, 70-29-301
- order for, 70-29-202, 70-29-305
- partial sale, 70-29-214
- personal property, 70-2-211
- proceeds
  - application, 70-29-321, 70-29-322
  - deposit in court, 70-29-323, 70-29-324, 70-29-326
  - disposition generally, 70-29-323
  - future interests, 70-29-325
  - incompetent person's share, payment to guardian, 70-29-328
  - investment, 70-29-305, 70-29-307, 70-29-325, 70-29-329
  - minor's share, disposition, 70-29-305, 70-29-327
  - nonresident's share, investment, 70-29-329
  - order directing, 70-29-310
  - purchaser, party or encumbrancer as — receipt, 70-29-304
  - security, 70-29-307
  - tenant for life or years, compensation, 70-29-326
  - unknown persons, investment, 70-29-305, 70-29-329
- purchasers, who may be, 70-29-303, 70-29-304
- report on, 70-29-309
- roads, streets, or public ways — allocation of property for, 70-29-205, 70-29-206
- security for, 70-29-306, 70-29-307, 70-29-309, 70-29-310
  - agreement of parties required, 70-29-308
  - clerk of the court, taken in name of, 70-29-306, 70-29-307, 70-29-330
  - deposit with county treasurer, 70-29-330
  - distribution, 70-29-323
  - future interests, for, 70-29-325
  - minor's share of proceeds, payment, 70-29-327
- tenant for life or years, compensation, 70-29-326
- terms of sale, 70-29-301, 70-29-302, 70-29-305, 70-29-309
- title, proof prerequisite, 70-29-203

Set off, 70-29-210, 70-29-214
Summons, 70-29-110 — 70-29-112, 70-29-203, 70-29-311
Survey of property, 70-29-205, 70-29-206, 70-29-219, 70-29-221
Tenants in common

- action by, 70-29-101
- grantee of, allotment of land, 70-29-208
- guardian, consent to share, 70-29-210
- improvements made by, effect, 70-29-207
- partial partition, 70-29-204
- parties, 70-29-104
- previous litigation, expenses, 70-29-221
- summons to, 70-29-110

Title or interest of parties, 70-29-201, 70-29-203, 70-29-216, 70-29-217, 70-29-221
Trial, 25-2-123, 70-29-201
Trust property, power of trustee, 72-34-317, 72-34-320

PARTITION (Continued)

Unknown persons
  compensation of parties for inequities when, 70-29-209
  complaint, interests set out in, 70-29-103
  conveyance, bar to subsequent action, 70-29-311
  judgment binding upon, 70-29-212
  parties to action, 70-29-111, 70-29-202, 70-29-203, 70-29-311
  sale proceeds, disposition, 70-29-305, 70-29-326, 70-29-329
  summons to, 70-29-110
Venue, 25-2-123, 70-2-211

PARTNERSHIPS
Accountants, by, Title 37, chapter 50
Accounting to partners, 35-10-401, 35-10-405, 35-10-409, 35-10-510, 35-10-629
Actions by and against, 35-10-312, 35-10-409
  depositions, Title 25, chapter 20, M.R.Civ.P., Rules 30(b), 31(a), 32(a), 37(a), 37(b), 37(d)
  disassociated partner's interest, purchase — buyout price determination, 35-10-619
  interrogatories, Title 25, chapter 20, M.R.Civ.P., Rule 33(a)
  limited liability partnerships, effect of registration, 35-10-702
  merger with partnership or limited partnership, effect, 35-10-642
  service of process upon, 35-10-710; Title 25, chapter 20, M.R.Civ.P., Rules 4A, 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 4A, 4D
  small claims court, in, 25-34-105, 25-35-505
  statutes of limitations, 35-10-409, 35-10-619
  winding up of business, effect, 35-10-609
Affidavits
  fictitious names, register and proof of publication — printer's affidavit, 35-11-202
  property rights, for order to discharge attachment, 35-10-506
Agents
  information, right to, 35-10-402
  partner as agent, 35-10-301
  partnership authority, statement of — contents, 35-10-310, 35-10-311
  purported partners, 35-10-308
Agricultural chemical ground water protection, Title 80, chapter 15
Agricultural commodity dealers, Title 80, chapter 4, part 6
Agricultural development projects, Title 90, chapter 9
Agricultural loan authority program loans, Title 80, chapter 12
Amendment of provisions, subject to, 35-10-117
Animal and research facilities protection, Title 81, chapter 30, part 1
Applicability of laws, 35-10-104
  limited partnerships, 35-12-503, 35-12-509, 35-12-803
  right to work, 39-33-101
Appraisal, disassociated partner's interest — expenses in action to determine buyout price, 35-10-619
Architects, prohibited from registering as, 37-65-302
Asbestos regulation, Title 75, chapter 2, part 5
Assignment for benefit of creditors
  applicability of laws, 31-2-201, 31-2-205
  disassociation of partner, 35-10-616
  dissolution, obligation of contribution, 35-10-629
Assignment, transfer of property, 35-10-102
Assumed business name, 30-13-201, 30-13-202, 30-13-206, 35-10-113, 35-10-701
Attorneys, See **ATTORNEYS AT LAW**
Auctioneers, 30-11-513
Bankruptcy, debtor in, 35-10-102, 35-10-312, 35-10-616
Books and records, 35-10-402, 35-10-510
Capital companies, tax credits for investment in, 90-8-202

PARTNERSHIPS (Continued)

Care, partner's duty of, 35-10-405, 35-10-618
Certified public accountants, by, Title 37, chapter 50
Chiropractic physicians, malpractice, Title 27, chapter 12
Citation of Uniform Partnership Act, 35-10-101
Cities and towns, gifts of property to, 7-8-104
Close corporations, treatment as, 35-9-301
Community service projects, contracts or cooperative agreements, 90-14-105
Compensation of partners, 35-10-401
Construction of provisions, 35-10-104
Continuation of partnership, 35-10-406, 35-10-510, 35-10-602, 35-10-623 — 35-10-625
Contractor registration, 39-9-202, 39-9-205
Contract security companies, Title 37, chapter 60
Contributions to, 35-10-401, 35-10-629, 35-10-642
Conversion, See **Limited partnerships**
Corporations
  close corporation shareholders, 35-1-550
  director's conflicting interest transactions, 35-1-461 — 35-1-464
  "entity" defined, 35-1-113
  indemnification, 35-1-451 — 35-1-459
  power generally, 35-1-115
Creation, 35-10-202
Dairies and dairy products, Title 81, chapters 21 — 23
Death of partner
  accounting, 35-10-405
  creation of partnership, determination, 35-10-202
  disassociation of partner, 35-10-616, 35-10-624
  dissolution, liability of estate, 35-10-629
  information, availability to representative, 35-10-403
  inheritance tax, closely held business, 72-16-337, 72-16-453, 72-16-455
  surviving partner, winding up of business, 35-10-609
Definitions, 35-10-102
Denial, statement of, 35-10-102, 35-10-311
Depositions of, Title 25, chapter 20, M.R.Civ.P., Rules 30(b), 31(a), 32(a), 37(a), 37(b), 37(d)
Disassociation of partner, 35-10-616, 35-10-642
  effect, 35-10-618
  liability of disassociated partner, 35-10-620, 35-10-621, 35-10-623, 35-10-642
  name of partnership, continued use, 35-10-623
  power of disassociated partner to bind partnership, 35-10-620
  purchase of disassociated partner's interest, 35-10-409, 35-10-619, 35-10-642
  statement of, 35-10-308, 35-10-622
  wrongful, 35-10-617, 35-10-619, 35-10-642
    winding up of business, effect, 35-10-609
Discriminatory practices, See **DISCRIMINATION**, generally
Dissolution, 35-10-624, See also **Winding up of business**
  accounting to partners, 35-10-405
  continuation of partnership, 35-10-602
  covenant not to compete, 28-2-705
  deferral for ninety days, 35-10-625
  disassociation of partner, upon, 35-10-618
  expulsion of partner, 35-10-616
  liability of partner, 35-10-628
  limited liability partnerships, effect of registration, 35-10-702
  limited partnership, effect, 35-12-802
  power of partner to bind partnership, 35-10-626
  restraint of trade, agreement, 28-2-703, 28-2-705

PARTNERSHIPS (Continued)
Dissolution (Continued)

statement of, 35-10-102, 35-10-627
transfer of partner's transferable interest, effect, 35-10-510
Distributions
accounting of profits and losses, 35-10-401
disassociated partner's interest, buyout price, 35-10-619
dissolution, upon, 35-10-625, 35-10-629
in kind, 35-10-407
partnership status, effect upon, 35-10-202
receivership, 35-10-505
transferable interest, 35-10-509
charging order, subject to, 35-10-505
transfer of, 35-10-510, 35-10-616, 35-10-624
winding up of business, 35-10-609
Electrical contractors, business as, 37-68-103, 37-68-322
Eminent domain — condemnation commissioners, partnership relationship excludes as, 70-30-207
Engineering, professional — practice of, 37-67-320
Entity, partnership as, 35-10-201
Equine activities, liability, 27-1-725 — 27-1-728
Escrow businesses, regulation, Title 32, chapter 7
Evidence
continuation of partnership, 35-10-406
creation of partnership, 26-1-602, 35-10-202
fictitious name, 35-11-202
property
partnership property, presumed to be, 35-10-203
undertaking for discharge of attachment, fixing sum or determination of sureties' sufficiency, 35-10-506
vesting in person, 35-10-302
Expulsion of partner, 35-10-106, 35-10-616, 35-10-617
Farm animal and research facilities protection, Title 81, chapter 30, part 1
Fictitious names, register of, 35-11-201, 35-11-202
Fiduciary duty of partners, 35-10-405
Fireworks provisions, Title 50, chapter 37, part 1
Foreign-money claims, Title 25, chapter 9, part 7
Foreign partnership, 35-10-642
Forest practices in streamside management zones, 77-5-301 — 77-5-307
Forest protection and conservation, See **FORESTS AND FORESTRY**, generally
Fraudulent transfers, Title 31, chapter 2, part 3
Gambling, public, 23-5-112
Good faith and fair dealing, 35-10-106, 35-10-405
Goodwill, 35-10-202
Group insurance
damages, payments as collateral source reduction, 27-1-307, 27-1-308
disability, See **INSURANCE, DISABILITY**
life, See **INSURANCE, LIFE**
Hazardous or deleterious substances, remedial action upon release, Title 75, chapter 10, part 7
Hazardous wastes, Title 75, chapters 10 and 11
Health care information, Title 50, chapter 16, parts 5 and 6
Health maintenance organizations, 33-31-102, 33-31-311
Health service corporations, Title 33, chapter 30
Horses and horseracing, 23-4-304
Housing development sponsor, as, 90-6-103
Incapacity of partner, effect, 35-10-403, 35-10-616
Income tax, individual
adjusted gross income, 15-30-111

PARTNERSHIPS (Continued)
Income tax, individual (Continued)

    income tax involving partnerships, requirements, 15-30-133
    information agents, 15-30-101
    investment credit, 15-30-161, 15-30-162
Incoming partner, liability, 35-10-309
Indemnification of partners, 35-10-401, 35-10-619, 35-10-625
Information, release by partners, 35-10-403
Inheritance tax, closely held business, 72-16-337, 72-16-453, 72-16-455
Insurance, See also **INSURANCE**, generally
    adjuster license, 33-17-301, 33-17-1004
    credit life and disability, See **INSURANCE, LIFE**
    franchise disability, 33-22-401
    group, See **INSURANCE, DISABILITY**; **INSURANCE, LIFE**
    insurance producer, licensed as, See **INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS, AND ADMINISTRATORS**
        surplus lines, 33-2-301, See **INSURANCE, SURPLUS LINES**
Insurers, reciprocal — as subscribers, 33-5-503, See also **INSURERS, RECIPROCAL**, generally
Interest in, See **Distributions**; **Property**
Interest rate, 35-10-105
Internal affairs, law governing, 35-10-116, 35-10-710
Investment advisers, notice of change of partners when, 30-10-301
Irrigation ditches controlled by water commissioners, 85-5-401 — 85-5-408
Jurors, partnership relationship grounds for challenge, 25-7-223
Knowledge, 35-10-103
    disassociation of partner, 35-10-620, 35-10-621
Landscape architects, licensing by individual partners, 37-66-303
Land surveying, professional — practice of, 37-67-320
Liabilities
    actionable conduct of partner, 35-10-305, 35-10-616
    disassociated partner, 35-10-620, 35-10-621, 35-10-623, 35-10-642
        wrongful disassociation, upon, 35-10-617
    dissolution, upon, 35-10-625, 35-10-628, 35-10-629
    documents, falsification by facsimile filing, 35-10-112
    incoming partner, 35-10-309
    indemnification, 35-10-401, 35-10-619, 35-10-625
    joint and several, of partners, 35-10-307, 35-10-308
    judgment creditor, execution levied by — when, 35-10-312
    limited liability partnerships, 35-10-702, 35-10-710
    limited partners, 35-10-635, 35-10-636
    merger, partners of surviving entity, 35-10-642
    partner, to partnership, 35-10-408, 35-10-710
    purported partners, 35-10-308
    sales finance companies, 31-1-222
    winding up of business, 35-10-609
Liens, federal — filing, 71-3-204
Limited liability companies, Title 35, chapter 8
Limited liability partnerships, 35-10-102
    assumed business name, 30-13-201, 30-13-202, 30-13-206, 30-13-217, 35-10-701
    foreign or interstate commerce, applicability to, 35-10-710
    liability of partners, 35-10-307, 35-10-710
    name, 35-10-703
    registration, 30-13-202, 30-13-206, 30-13-217, 35-10-701, 35-10-710
        effect of, 35-10-702
        statement, 35-10-102
    service of process, 35-10-710

PARTNERSHIPS (Continued)

Limited partnerships
  conversion
    limited partnership to partnership, 35-10-636, 35-10-637, 35-10-644
    partnership to limited partnership, 35-10-635, 35-10-637, 35-10-644
  general provisions, Title 35, chapter 12, part 5
  merger with, 35-10-641 — 35-10-644
  surviving partnership, 35-10-620, 35-10-621
Liquidation, See **Dissolution**; **Winding up of business**
Liquor vendors, resident representative required, 16-3-107
Livestock, See **LIVESTOCK**, **Markets and marketing**; **Rendering or disposal plants**
Living will provisions, Title 50, chapter 9, parts 1 and 2
Losses, 35-10-401, 35-10-625
Lottery, state — gaming suppliers, Title 23, chapter 7
Loyalty, partner's duty of, 35-10-405, 35-10-618
Management rights, 35-10-401, 35-10-510, 35-10-618, 35-10-625
Medical record information, Title 50, chapter 16, parts 5 and 6
Megalandfill siting, Title 75, chapter 10, part 9
Merger with partnership or limited partnership, 35-10-641, 35-10-644
  effect, 35-10-642
  statement of, 35-10-643
  surviving entity, 35-10-620, 35-10-621
Mining partnerships, Title 35, chapter 13
Mint and mint oil production, Title 80, chapter 11, part 4
Montana Conservation Corps program, contracts, 23-1-303
Mortgages, execution — governing law, 71-1-112
Motor carriers, See **MOTOR CARRIERS**
Motor fuel marketing, retail, Title 30, chapter 14, part 8
Motor vehicle wholesalers, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, **Dealers and wholesalers**
Name
  assumed business name, registration, 35-10-113, 35-10-701
  conversion to limited partnership, 35-10-635
  denial, statement of, 35-10-311
  disassociation of partner
    statement of, 35-10-622
    use following, 35-10-623
  fictitious, register of, 35-11-201, 35-11-202
  instruments, execution, 35-10-301
  limited liability partnership, 35-10-703
  merger of partnerships, 35-10-641
    statement of, 35-10-643
  partnership authority, statement of, 35-10-310
  property of partnership, 35-10-203, 35-10-302
Negotiable instruments, 30-3-308, See **NEGOTIABLE INSTRUMENTS**, **Fiduciary**; **Represented person**
Nonprofit corporations
  "entity" defined, 35-2-114
  indemnification, 35-2-446, 35-2-453
  power generally, 35-2-118
Notarial acts, Title 1, chapter 5, part 6, See **NOTARIES PUBLIC**
Notice, 35-10-103
  disassociated partner's interest, purchase — payment, 35-10-619
  disassociation of partner, 35-10-620 — 35-10-622
  dissolution, 35-10-627
  transfer of partner's transferable interest, 35-10-510

PARTNERSHIPS (Continued)
Notice (Continued)

  withdrawal as partner, 35-10-106, 35-10-616, 35-10-624, 35-10-625
Oil or gas unit operation does not create, 82-11-216
Outfitters and guides, Title 37, chapter 47
Partnership agreement, 35-10-102
  amendment, 35-10-401, 35-10-624
  breach, 35-10-408, 35-10-409, 35-10-616, 35-10-617
  disassociation of partner, events agreed to, 35-10-616
  duties and conduct of partners, 35-10-405, 35-10-409
  effect, 35-10-106
  expulsion of partner pursuant to, 35-10-106, 35-10-616
  merger provisions, 35-10-641
  nonwaivable provisions, 35-10-106
  winding up of business, events agreed to, 35-10-624
Partnership at will, 35-10-102, 35-10-624
Partnership authority, statement of, 35-10-102, 35-10-301, 35-10-302, 35-10-310, 35-10-311, 35-10-627
  amendment, 35-10-308, 35-10-310
  cancellation, 35-10-627
Petroleum storage tank releases, cleanup, Title 75, chapter 11, part 3
Physicians and health care facilities, 37-3-322
Pipeline carriers, as, See **PIPELINES**
Potatoes, seed — disease control, Title 80, chapter 5, part 4
Power of attorney, statutory — authority, 72-31-229
Presumption of partnership, 26-1-602
Principal and income, determination, 72-34-409
Professional employers organizations and groups, licensing conditions, 39-8-202, 39-8-207
Profits, See Distributions
Property
  accounting by partner, 35-10-405
  attachment, 35-10-506
  cities and towns, gifts to, 7-8-104
  conversion of partnership or limited partnership, effect, 35-10-637
  creation of partnership, determination, 35-10-202
  definitions, 35-10-102, 70-1-312
  disassociation of partner, 35-10-616
  distribution, 35-10-102
  interest in partnership property, 35-10-506, 70-1-306, 70-1-312
    not transferable, 35-10-508
  joint or common tenancy, 35-10-202, 70-1-306
  limited liability partnerships, effect of registration, 35-10-702
  merger with partnership or limited partnership, effect, 35-10-642, 35-10-643
  misapplication by partner, 35-10-305
  statements, filing — effect, 35-10-111
  transfer, 15-7-307, 35-10-102, 35-10-111, 35-10-203, 35-10-302, 35-10-310, 35-10-609
    certificate exemption for real property, 15-7-303
  unclaimed personal property, verification of report, 70-9-301
  use or possession by partner, 35-10-401
  winding up of business, 35-10-609
Proprietary security organizations, Title 37, chapter 60
Public contracts, bid requirements, 18-1-103
Purported partners, 35-10-308
Rangeland and range management, Title 76, chapter 14
Real estate appraisers, use of term, 37-54-201
Real estate brokers and salesmen
  exemption from provisions, when, 37-51-103
  licensee, as — when, 37-51-301

PARTNERSHIPS (Continued)

Receiver, 27-20-102, 35-10-505, 35-10-616
Reclaimable material, property to collect or process — tax credits and deduction, Title 15, chapter 32, part 6
Records, 35-10-402, 35-10-510
Remedies, 35-10-409, 35-10-505
Repeal of provisions, subject to, 35-10-117
Research and farm animal facilities protection, Title 81, chapter 30, part 1
Retirement of partner, 35-10-202
Rights and duties of partner, 35-10-106, 35-10-401, 35-10-405
  breach of duty, 35-10-616
  continuation of partnership, effect, 35-10-406
  distributions in kind, 35-10-407
  enforcement, 35-10-409
  information
    duty to render, 35-10-403
    right to, 35-10-106, 35-10-402, 35-10-510
  property, See **Property**
  transferee and transferor of partner's transferable interest, 35-10-510
  union interference, right to work, 39-33-101
Sales finance companies, licensing as, 31-1-202, 31-1-221, 31-1-222
Scientific development, Title 90, chapter 3
Security companies, contract or proprietary, Title 37, chapter 60
Service of process on, 35-10-642, 35-10-710; Title 25, chapter 20, M.R.Civ.P., Rules 4A, 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 4A, 4D
Short title, 35-10-101
Small business investment capital companies, tax credits for investment in, 90-8-202
Small business licensing coordination, Title 30, chapter 16
Small claims court, status in, 25-34-105, 25-35-505
Small employer health insurance, Title 33, chapter 22, part 18
Standards of conduct of partners, 35-10-405
Statements, 35-10-102
  amendment or cancellation, 35-10-111
  denial, of, 35-10-102, 35-10-311
  disassociation, of, 35-10-308, 35-10-622
  dissolution, of, 35-10-102, 35-10-627
  execution, filing, and recording, 35-10-106, 35-10-111 — 35-10-113
  facsimile filing, 35-10-112
  merger, of, 35-10-643
  partnership authority, of, 35-10-102, 35-10-301, 35-10-302, 35-10-310, 35-10-311, 35-10-627
    amendment, 35-10-308
    cancellation, 35-10-627
Streamside management zones, forest practices in, 77-5-301 — 77-5-307
Supplemental principles of law, 35-10-105
Technological development, Title 90, chapter 3
Telecommunications services, Title 69, chapter 3, part 9
Termination, 35-10-602, See also **Winding up of business**
Third parties, rights, 35-10-106
Timeshare sales, Title 37, chapter 53
Title insurance associates or producers of business, Title 33, chapter 25
Trademarks, See **TRADE REGULATION AND COMPETITION**, **Trademarks and service marks**
Underground storage tanks and installers, Title 75, chapter 11, part 2
Unemployment insurance coverage for employees, 39-51-203
Uniformity of provisions, 35-10-104
Unions, right to work without interference, 39-33-101
University system and private college endowment fund contributions, tax credit, 15-30-163, 15-31-136
Water owners, as, 85-1-102

PARTNERSHIPS (Continued)

Water well contractors, business as, 37-43-301
    monitoring well constructors, 37-43-104
Wind-generated electricity, commercial investment, 15-32-402 — 15-32-407
Winding up of business, See also **Dissolution**
    accounting, 35-10-405, 35-10-629
    assets of partnership, 35-10-609, 35-10-629
    compensation for partner's services, 35-10-401
    judicial supervision, 35-10-609
    limited liability partnerships, effect of registration, 35-10-702
    power of partner to bind partnership, 35-10-626
    right to and waiver, 35-10-609, 35-10-625
    termination of partnership by, 35-10-602
    transfer of partner's transferable interest, effect, 35-10-510
Withdrawal as partner, 35-10-106, 35-10-616, 35-10-617, 35-10-624, 35-10-625
Workers' compensation
    coverage exclusions, 39-71-118, 39-71-123, 39-71-401
    group purchase, 39-71-433
    old fund liability tax, 39-71-2503 — 39-71-2505
    "wages" defined, 39-71-123
Youth residential services, Title 41, chapter 3, part 11

PATENTS
    See **TRADE REGULATION AND COMPETITION**

PATERNITY PROCEEDINGS
    See **PARENT AND CHILD, Paternity proceedings**

PAWNBROKERS AND JUNK DEALERS
    See also generally **CREDIT TRANSACTIONS**; **JUNKYARDS**; **LOANS**; **PLEDGES**
Action to recover excess charges, 31-1-401
Buyer in ordinary course of business, nonapplicability, 30-2A-103
City and town regulation, 7-21-2120, 7-21-4201, 7-21-4207, 7-21-4208, 49-3-204
Consumer loan business, exempt from licensee requirements, 32-5-103
County regulation, 7-21-2120
Definitions, 7-21-2120, 46-5-212
Fee for extending agreement, 31-1-401
Holding stolen property and warrant for holding, 45-6-314, 46-5-212
Identification of persons pledging or selling articles, 7-21-2120
Inspections, 7-21-4207
Interest allowable, 31-1-401
Investigations, 7-21-2120
Lessee in ordinary course of business, nonapplicability, 30-2A-103
Licensing, 7-21-4201, 31-1-401, 32-5-103, 49-3-204
Military property, pawning unlawful, 10-1-613, 10-1-615
Minors
    purchases from, city regulations, 7-21-4208
    unlawful transactions with, 45-5-623
Pledges generally, Title 71, chapter 2
Power of attorney, statutory — authority, 72-31-225
Records, 7-21-2120, 7-21-4207, 31-1-402
Register required, 7-21-4207, 31-1-402
Sale of pawned article, 7-21-2120, 30-9-203, 31-1-402, 45-6-314
Secured transactions, applicability of laws, 30-9-203, 44-12-204
Stolen property, pawn of and surrender, 45-6-314, 46-5-212
Theft by disposal of stolen property, 45-6-314

PAWNBROKERS AND JUNK DEALERS (Continued)

Violations, 31-1-407
  county regulations, noncompliance, 7-21-2120
  military property, pawn of, 10-1-613, 10-1-615
  minors, unlawful transactions with, 45-5-623
  theft by disposal of stolen property, 45-6-314
Waiting period, examination of merchandise, 7-21-2120

PAY PLAN, STATEWIDE CLASSIFICATION AND
  See **PUBLIC OFFICERS OR EMPLOYEES**, **Classification**; **Compensation determination**

PEACE OFFICERS
  See also specific officer; **LAW ENFORCEMENT**
Advisory council for standards and training, 2-15-1891
Aircraft operators — blood, breath, or urine tests — administration, 67-1-211
Alcoholic Beverage Code enforcement, Title 16, chapter 6
Alcoholics, services or detention, 53-24-303
Arrest, See **ARREST**
Assault upon, 45-5-202
Bail, powers and duties, See **BAIL**
Boats and boating, duties, 23-2-506, 23-2-511, 23-2-512, 23-2-523
Cigarette laws, enforcement duties, 16-11-141, 16-11-142, 16-11-147
Commerce, Department of — powers as, 30-12-210
Contract security company, license qualifications, 37-60-303
Crimes, 45-2-101
  failure to aid, 45-7-304
  homicide, when officer is victim, 46-18-303
  obstructing officer, 45-7-302
Criminal Intelligence Information Advisory Council, representation on, 44-5-501
Criminal proceedings, charge by complaint — signing, 46-11-401
Death
  caused by officer, 46-4-201
  officer's death, written notification to board of crime control, 7-32-303
  person in custody of, 46-4-122, 46-4-201
  university system tuition waiver for survivors, 20-25-421
Defined, 1-1-207, 7-32-201, 7-32-303, 44-11-303, 45-2-101, 45-8-108, 46-1-202
Dogs attacking or killing game animals, destruction allowed when,87-3-124
Elections, arrest authority, 13-13-122
Employment standards, 7-32-303, 44-4-301
Endangered species, enforcement of provisions, 87-5-111
Extradition, duties, Title 46, chapter 30
Firearms
  concealed weapons, carrying — exemption from criminal provisions, 45-8-317
  sawed-off, possession, 45-8-340
Firewardens, power as, 77-5-105
Fish and game wardens
  ex officio, peace officer's appointment and duties as, 87-1-503
  powers of peace officers, wardens to have when, 23-1-122, 87-1-502, 87-1-505, 87-1-506
Fish, Wildlife, and Parks — Department officers as, 23-1-106, 23-2-410, 23-2-506, 23-2-641, 23-2-806
Gambling investigations, department of justice agents, 23-5-113
Health officials, to assist, 50-2-120
Highway patrol officer, assistance — peace officer may request when, 44-1-1001
Inquests, 46-4-201
Intoxicated persons, services or detention, 53-24-107, 53-24-303
Livestock
  county road emergency areas, impoundment when running on, 7-14-2129
  hide certificates, inspection, 81-9-402

PEACE OFFICERS (Continued)
Livestock (Continued)

  vehicles transporting stolen, petition for forfeiture proceedings, 81-5-104
Machine gun manufacture for, criminal provisions not to interfere, 45-8-307
Mausoleum or columbarium personnel to have authority of, 35-21-216
Mentally ill persons, emergency commitment by, 53-21-129
Motor carriers, inspectors, 44-1-1005, 69-12-203
Motorcycle Safety Advisory Committee, representation on, 20-7-511
Motor vehicles
  blood, breath, and urine tests requested by — when, 61-8-402, 61-8-405, 61-8-806
  commercial vehicle operators, operating vehicle with excessive alcohol concentration, 61-8-805, 61-8-806, 61-8-808
  dealer and wholesaler provisions, enforcement, 61-3-602
  drivers' licenses, duties, 61-5-116, 61-6-112, 61-8-806
  identification numbers, inspection, 61-3-107, 61-3-202
  liability insurance cards, exhibition when, 61-6-302
  manufacturers, improper licensing or misuse of license plates, 61-4-223
  preliminary alcohol screening test, requirements, 61-8-409
  registration and license plate provisions, enforcement, 61-3-201, 61-3-602
  salvage vehicles, inspection, 61-3-202, 61-3-212
  size, weight, and load
    confiscation of special permits when, 61-10-143
    excess size and weight permits, duties, 61-10-142
  special mobile equipment identification plate, receipt — inspection, 61-3-434
  theft or insurance fraud, information concerning, 61-3-106
  weighing, authorization for, 61-10-141
Oath of office, 7-32-303
Outfitter and guide practices
  investigators, qualifications, 37-47-351
  violations — investigations, arrests, and reporting, 37-47-345, 37-47-404
Park rangers, as, 7-32-303, 23-1-122
Parks, state — inspection of permits, 23-1-106
Partner or family member assault protection orders, to have knowledge of, 40-15-303
Pawnbrokers and junk dealers
  records availability, 7-21-4207, 31-1-402
  stolen property, administrative warrant for holding and surrender when, 46-5-212
Predator control by aerial hunting, investigation of violations, 81-7-512
Private investigators' or security guards' identification cards, requests to see, 37-60-310
Private Security Patrol Officers and Investigators, Board of — representation, 2-15-1891
Probationary period, 7-32-303
Proprietary security organizations, license qualifications, 37-60-303
Railroad personnel as, 44-4-901 — 44-4-904, 69-14-1003
Rendering or disposal plants, production of records when, 81-9-315
Restraining orders, self-help temporary — information of existence and terms, 40-4-125
School attendance officers, as — when, 20-5-104
Search and seizure, Title 46, chapter 5
Shoplifting, temporary detention by merchant, 46-6-506
State lands recreational use license, inspection, 77-1-801
Stop, investigative — authority, 46-5-401
Subpoenas, service, 46-15-107, 46-23-205
Training standards prescribed by Board of Crime Control, 7-32-214, 7-32-303, 44-4-301
Transportation, Department of — employees as, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Peace officers, departmental**

PEARL HARBOR MEMORIAL COMMITTEE, Title 5, chapter 17, part 3

PEDESTRIANS
Blind or visually disabled persons
  pedestrians approaching, duty and liability, 49-4-216, 49-4-217
  rights as pedestrians, 49-4-211, 49-4-213, 49-4-215, 49-4-216
Children, 61-8-502, 61-8-504
Controlled-access highways, use restrictions, 61-8-332
Crossing at other than crosswalks, 61-8-503
Crosswalks, 61-1-209, See also **Sidewalks**; **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
  ordinances for use, 61-8-501
  right half of, to use, 61-8-505
  right-of-way, 61-8-207, 61-8-502, 61-8-503
  schools or senior citizen centers, near — speed limit, 61-8-310
Deaf persons' rights as pedestrians, 49-4-211, 49-4-215
Defined, 61-1-308
Drivers duty to exercise due care, 61-8-504
Footpaths and bicycle trails, Title 60, chapter 3, part 3
Habitual traffic offender provisions, purpose, 61-11-201
Hitchhiking, 61-8-507
Incapacitated persons, 61-8-504
Intoxicated persons, 61-8-508
Jaywalking, 61-8-503
Local authorities, powers, 61-8-501, 61-12-101
Motor vehicle accident reports, 61-7-114
Pedestrian control signals, 61-8-208
Right-of-way
  alleys, driveways, or buildings — vehicles emerging from, 61-8-345
  crosswalks, in, 61-8-207, 61-8-502, 61-8-503
  funeral processions, 61-8-380
  intersections, 61-8-207, 61-8-502, See also **Crosswalks**; **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Intersections**
  sidewalks, on, 61-8-509
  vehicles, yielded to, 61-8-503
  walk signal, on, 61-8-208
Roadways, walking on, 61-8-506
Safety zone, 61-1-405
School children, 61-8-502
Sidewalks, 61-1-208, See also **Crosswalks**; **STREETS AND ALLEYS**
  right-of-way on, 61-8-509
  use of, 61-8-506
Solicitation of rides or business, 61-8-507
Traffic-control signals, 61-8-207, 61-8-208
"Traffic" defined, 61-1-401
Traffic regulations, subject to, 61-8-501
Traffic safety program, purpose, 61-2-101, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**; **SCHOOLS, Traffic education**

PENSIONS
  See **RETIREMENT AND RETIREMENT SYSTEMS**; See also specific retirement system

PERPETUITIES, UNIFORM STATUTORY RULE AGAINST, 72-2-1001 — 72-2-1007
  See **ESTATES AND PROBATE, Perpetuities, statutory rule against**

PERSONAL CARE FACILITIES
  See also **HEALTH CARE FACILITIES**
Adult foster care homes, standards and limitation, 50-5-101, 50-5-215, 50-5-216

PERSONAL CARE FACILITIES (Continued)

Definitions, 50-5-101
Eligibility for residence, 50-5-226
Hotel or motel, exclusion as, 50-51-107
Housing development, 90-6-103, See **HOUSING, Lower income, development**
Inspections, 50-5-227, 50-8-101, 50-8-102, 50-8-105
Licensing of facility, 50-5-101, 50-5-201, 50-5-227, See also **HEALTH CARE FACILITIES**
  categories for, 50-5-226, 50-5-227
  one-step licensing required, 50-8-101, 50-8-102
  provisional license, 50-5-228
Managers, resident — minimum wage and overtime compensation exclusions, 39-3-406
Medicaid, supplementary payments prohibited, 52-1-104, 53-6-101
Medication assistance to residents, 50-5-225
Minors eligible for residence, 50-5-226
Noncompliance with provisions, 50-5-228
Older Montanans, placement services, 52-3-504
One-step licensing required, 50-8-101, 50-8-102
Placement in, 50-5-226, 52-3-504
Residents' rights, See **LONG-TERM CARE FACILITIES**
Rulemaking authority, 50-5-226 — 50-5-228
Services to residents, 50-5-225

PERSONAL INJURY
  See also **TORTS**, generally
Actions for damages, venue, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3A
Arbitration laws, nonapplicability, 27-5-114
Boating accidents, 23-2-527
Claims for liability, voluntary payment, 26-1-701 — 26-1-706
Concealed weapons, permits to carry — arising from, 45-8-326
Contribution from joint tortfeasors, 27-1-703
Damages
  collateral source reductions, 27-1-307, 27-1-308
  consumer goods, 30-2A-503
  dueling, damages for, 27-1-223, 27-1-301
  emotional or mental distress, prohibited when, 27-1-310
  future, periodic payments, 25-9-401 — 25-9-406, 25-9-412
  interest allowed when, 27-1-210
  justice's court, jurisdiction, 3-10-301
  "liability" defined, 33-11-102, See **INSURANCE, CASUALTY, Risk retention groups and purchasing groups**
  medical malpractice
    future damages, periodic payment, 25-9-412
    noneconomic damages, limitations, 25-9-411
  voluntary payment, effect, 26-1-703, 26-1-706
Emergency care, liability limited, 27-1-714
Employer liability, 39-2-705, See also **LABOR AND EMPLOYMENT, Fellow servant; Personal injury actions; WORKERS' COMPENSATION**
Equine activities, liability, 27-1-725 — 27-1-728
Firearms or ammunition, defect in design — considerations in products liability actions, 27-1-720
Force, right to use, 1-1-224, 7-1-111, 49-1-103; Const., II, 12
Governmental entities, See **GOVERNMENT LIABILITY, Actions** entries; **Claims**
Hazardous or deleterious substance, release — third party claims, 75-10-718
"Injury" defined, 27-1-106
Investigators, Title 37, chapter 60
Irrigation ditch owners and operators, nonliabilities, 85-7-2212
Joinder of parties, 27-1-703

PERSONAL INJURY (Continued)

Joint and several liability, 27-1-703
Joint liability, 27-1-703
Lease warranties, breach, 30-2A-216, 30-2A-520
Malpractice, Title 27, chapters 6 and 12
Off-highway vehicle use, inherent risks, 23-2-822
Parties, 27-1-512, 27-1-703, 27-5-114
Pleading of damages, 25-4-311 — 25-4-314
Products liability actions, 27-1-719, 27-1-720
Right of protection, 49-1-101
Sales warranties, breach, 30-2-318
Several liability, 27-1-703
Snowmobiles
  accidents, 23-2-635
  area operators or snowmobilers — responsibilities, liability, and assumption of risk, 23-2-651 — 23-2-656
  reckless or careless operation, 23-2-632
Statutes of limitations, 27-2-102, 27-2-204
Threats and other improper influence in official and political matters, offense of, 45-7-102
Water damage causing, surface or ground — legislative acts resulting in, liability, 2-9-111
Workers' compensation, Title 39, chapter 71

PERSONAL REPRESENTATIVE
  See **ESTATES AND PROBATE**

PERSONNEL APPEALS, BOARD OF, 2-15-1705
Collective bargaining, authority, Title 39, chapter 31, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Firefighters, arbitration in collective bargaining, 39-34-101 — 39-34-103
Fish, wildlife, and parks — department employees, grievance procedures, 87-1-205, 87-1-403
Nurses' collective bargaining, authority, 39-32-103 — 39-32-106, 39-32-112 — 39-32-114
Public employee classification or compensation, grievance procedures, 2-18-1011 — 2-18-1013
Transportation, Department of — personnel, grievance procedures, 2-18-1001 — 2-18-1003
Wage claims, review, 39-3-216, 39-3-217

PESTS AND PESTICIDES
Accidents, 50-30-201, 80-8-105, 80-8-209, 80-8-212, 80-8-305
Administration of provisions, 80-8-104, 80-8-106, 80-8-116
Adulterated or misbranded, 80-8-102
  embargo, 80-8-303
  sale unlawful, 80-8-202
Advisory council, 80-8-108, 80-8-201
Aerial application, 80-8-102, 80-8-204
Agricultural chemical ground water protection, Title 80, chapter 15, See also **AGRICULTURAL CHEMICAL GROUND WATER PROTECTION**
  "agricultural chemical" defined, 80-15-102
  applicability of provisions, 80-8-105, 80-8-107, 80-8-305, 80-15-104, 80-15-217
  farm applicators, administrative civil penalty assessment limited, 80-15-412
  labeling of chemicals, 80-15-104, 80-15-203, 80-15-401
  management plans, specific — contents, 80-15-214
  registration fee, 80-15-302
Agricultural practices, sustainable, 20-25-233 — 20-25-236
Analysis, See **Samples and analysis**
Animals, See **Rodent control districts**; **Vertebrate pest management**; See also **PREDATORS AND PREDATOR CONTROL**
Applicability of laws, 50-30-106, 50-30-201, 50-31-103, 50-78-103
Application, short-term water authorizations, 75-5-308

PESTS AND PESTICIDES (Continued)

Applicators, 80-8-102
  aerial, 80-8-102, 80-8-204
    aeronautics, board of — member of, 2-15-2506
  commercial, 80-8-203, 80-8-214
  examinations, 80-8-116, 80-8-206
  farm, 80-8-209
  licensing, See **Licenses and permits**
  public utility, 80-8-203
  waste pesticides, voluntary reporting system, 80-8-111
Blending plants, 80-8-116
Cleanup, 80-8-305
Commerce, Department of — requirements for aerial application applicants, 80-8-204
Commercial applicators, 80-8-102, 80-8-203, See also **Applicators**
Commercial feeds, pesticide chemicals in, 80-9-204
Commercial operators, 80-8-205, 80-8-206, 80-8-213
Compliance orders, 80-8-305
Conflict of laws, 50-30-106
Container collection, disposal and recycling program, See **Waste pesticides and pesticide containers**
Cooperative Extension Service, duties, 80-7-508
County control programs
  agricultural insect pest management plans, 80-7-503
  insect pests, Title 7, chapter 22, part 23
  mosquito control, Title 7, chapter 22, part 24
  rodents, Title 7, chapter 22, part 22
  vertebrate pests, Title 7, chapter 22, part 25
Crop dusting for, 80-8-204, See **Insect control programs**; See also **LIENS**, **Crop dusting, liens for**
Damage or loss from use or application
  prevention, rules for, 80-8-105
  reports regarding, 80-8-301
Dealers, 80-8-102
  examinations, 80-8-116, 80-8-208
  licensing, 49-3-204, 80-8-203, 80-8-207, 80-8-208, 80-8-213
Detainer, 50-30-307
Devices, 80-8-102
  analysis, 80-8-302
  fees, 80-8-116
  misbranded, 80-8-202
  registration, 80-8-105
Disposal, 80-8-116, 80-8-305, 80-8-201
  noxious weed management program, 7-22-2121
  waste pesticides, 80-8-102, 80-8-111, See also **Waste pesticides and pesticide containers**
Dusting of crops for, 80-8-204, See **Insect control programs**; See also **LIENS**, **Crop dusting, liens for**
Educational programs, 80-8-109, 80-8-212
Embargo, 50-30-307, 80-8-303
Enforcement of provisions, 80-8-304
Experimental use, 80-8-201, 80-8-213
Farm applicators, 80-8-209
Food, applicability, 50-31-103, 50-31-108, 50-31-109, 50-31-202, 50-31-222
Forests, in, 76-13-301 — 76-13-305, 77-5-201, 77-5-212, See also **FORESTS AND FORESTRY**, **Disease and insect pest control**
Governmental agencies, applicability of provisions, 80-8-213
Ground water protection, Title 80, chapter 15, See **AGRICULTURAL CHEMICAL GROUND WATER PROTECTION**
Hazardous chemical provisions, applicability when, 50-78-103
Hazardous substance, applicability of laws, 50-30-106, 50-30-201, See **HAZARDOUS SUBSTANCES**

PESTS AND PESTICIDES (Continued)

Hazardous wastes
    applicability of laws, 75-10-701, See **HAZARDOUS WASTES**
    agreements concerning, 80-8-110
    coordination of provisions, 75-10-404
Herbicides, surcharge to fund weed management, Title 80, chapter 7, part 8, See **WEEDS AND WEED CONTROL**
Imported, registration and restrictions, 80-8-201
Indemnity or liability agreements, compliance orders — affect, 80-8-305, 80-15-403
Information, publication, 80-8-107, 80-15-105, 80-15-108
Injunction, 80-8-306
Inspections, 80-8-116
Insect control programs, Title 7, chapter 22, part 23; Title 80, chapters 7 and 8
    administrative rules, 80-7-507
    alternative, 80-7-503
    appointee, compensation and authority, 7-22-2301, 7-22-2303, 7-22-2304
    crop dusting, 80-8-204
    detection, surveillance, 80-7-502
    destruction of pests, authorization, 7-22-2301
    financing, 7-22-2306, 80-7-504, 80-8-116
    infestation, 80-7-501, 80-7-502, 80-7-503, 80-7-508
    insect pests, definitions, 7-22-2302, 80-7-501, 80-8-102
    landowner's special assessments, 80-7-504, 80-7-505
    pesticides to control, list — publication, 80-7-503
    private land, entry upon — authority, 7-22-2304
    rangeland, 80-7-506
    supplies and equipment, acquisition, 7-22-2305
    written affidavit protesting inclusion, 80-7-504
Investigations, 50-30-106, 50-30-201, 80-8-116, 80-8-202, 80-8-304
Labels, 80-8-102
    agricultural chemicals, 80-15-104, 80-15-203, 80-15-401
    alteration, detaching, or destroying — unlawful, 80-8-202
    improper, 80-8-202, 80-8-303
    relabeling, 80-8-201
Licenses and permits
    applicators, 80-8-203, 80-8-204, 80-8-209, 80-8-213
    commercial applicators, 80-8-203, 80-8-213
    dealers, 80-8-203, 80-8-207, 80-8-208, 80-8-213
    discrimination in issuance prohibited, 49-3-204
    examinations, 80-8-206, 80-8-208, 80-8-209
    exemptions, 80-8-213
    experimental use permits, 80-8-201
    farm applicators, 80-8-209
    fees, 80-8-116, 80-8-203, 80-8-204, 80-8-207, 80-8-209, 80-8-213
    governmental agencies, 80-8-213
    modification, 80-8-211
    nonresidents, 80-8-210
    pharmacies and pharmacists, 80-8-207
    reciprocity, 80-8-110
    renewal, 80-8-105, 80-8-204, 80-8-207, 80-8-209
    revocation, 80-8-105, 80-8-211
    rules concerning, 80-8-105
    special use permits, 80-8-201, 80-8-209
    veterinarians, 80-8-203, 80-8-207
Loss or damage from use or application, reports regarding, 80-8-301
Meat and meat products, applicability, 81-9-217

PESTS AND PESTICIDES (Continued)

Mint, information and control, 80-11-401, 80-11-403, See also **MINT AND MINT OIL PRODUCTION**
Misbranded, See **Adulterated or misbranded**; **Devices**
Model School Integrated Pest and Pesticide Management Safety Program, 80-8-401
  definitions, 80-8-403
  development, 80-8-404
  policymaking authority, 80-8-405
  preparation and distribution, 80-8-402
  statement of policy, 80-8-402
Monitoring, 80-8-305
Mosquito control districts, Title 7, chapter 22, part 24
  annexation of land, 7-22-2441 — 7-22-2443
  appeals by landowners, 7-22-2416
  audits, Title 2, chapter 7, part 5
  authorization, 7-22-2402
  cities and towns, inclusion, 7-22-2405
  creation
    joint districts, 7-22-2419
    petition and order, 7-22-2403, 7-22-2404
      hearing, 7-22-2404, 7-22-2408, 7-22-2410
        adjournment, 7-22-2409
        notice, 7-22-2406, 7-22-2407
    protests, 7-22-2407, 7-22-2410
  dissolution
    effect, 7-22-2448
    joint districts, 7-22-2419
    order for, 7-22-2447
    petition, hearing, and notice, 7-22-2445, 7-22-2446
  equipment and material, 7-22-2415
  fees on structures, 7-22-2432
  fund, 7-22-2431, 7-22-2434
  gifts and grants, 7-22-2415
  referendums, 7-22-2410, 7-22-2443
  reports, 7-22-2418; Title 2, chapter 7, part 5
  scope of provisions, 7-22-2420
  tax levy, 7-22-2432, 7-22-2433, 7-22-2444
  transition, 7-1-202
  violations, 7-22-2417
  warrants, 7-22-2431
Noxious Weed Management Advisory Council, representation by herbicide dealer or applicator, 80-7-805
Noxious weed management program, 7-22-2121, See also **WEEDS AND WEED CONTROL**
Nurseries, infected stock, 80-7-109, 80-7-110, See also **PRODUCE**
Organic foods, applicability, 50-31-222
Permits, See **Licenses and permits**
"Pesticide chemical" defined, 50-31-103
Pesticide management account, 80-8-116
Pharmacies and pharmacists, 37-7-103, 80-8-202, 80-8-207
Predatory animals, destruction when, 87-1-502, See also **PREDATORS AND PREDATOR CONTROL**
Prohibited acts, See **Violations**
Public information, 80-8-107, 80-15-105, 80-15-108
Public utility applicators, See **Applicators**
Purpose of provisions, 80-8-103
Rangeland control programs, 80-7-506
Registration of pesticides, 80-8-201, 80-15-203, See also **AGRICULTURAL CHEMICAL GROUND WATER PROTECTION**
  devices, 80-8-105

PESTS AND PESTICIDES (Continued)
Registration of pesticides (Continued)

- expiration and renewal, 80-8-201
- fees, 80-8-116, 80-8-201, 80-15-302
- herbicides, 80-7-812
- lack of, unlawful, 80-8-202
- pharmacies, 80-8-207
- renewal, 80-8-201
- reregistration, 80-7-812
- rules for, 80-8-105
- suspension or cancellation, 80-8-105, 80-8-201
  - waste pesticide created by, 80-8-102
- veterinarians, 80-8-207

Removal, 80-8-201
Research, 80-7-1102, 80-8-102, 80-8-105, 80-8-213
Restricted-use, 80-8-102, 80-8-209
Rodent control districts, Title 7, chapter 22, part 22, See also **Vertebrate pest management**

- annexation, 7-22-2231
- assessments, applicability to lessees of land, 7-22-2209
- board, 7-1-202, 7-22-2215
- boundaries, 7-22-2211, 7-22-2214
- cooperative agreements, 7-22-2502
- creation, petition, 7-22-2211
  - authorization, 7-22-2210
  - decision on, 7-22-2214
  - hearing and notice, 7-22-2211, 7-22-2212, 7-22-2214
- dissolution, 7-22-2232
- enlargement, 7-22-2231
- fund, establishment and administration, 7-22-2221
- landowners, exclusion of land from district, 7-22-2214
- leased land, application, 7-22-2209
- multicounty, 7-22-2233
- state lands, application, 7-22-2208
- taxes, levy, 7-22-2222
- transition, 7-1-202

Rodenticides

- fund, 80-7-1105
- registration, expenditures for, 80-7-1102
- rules, 80-7-1108

Sales

- cancellation, 80-8-201
- herbicides, 80-7-812
- pharmacy provisions, applicability, 37-7-103
- restrictions, 80-8-201
- retail, 80-8-105, 80-8-212
- rodenticides, field — surcharge on retail sales, 80-7-1106
- rules for, 80-8-105
- unlawful when, 80-8-202
- vertebrate pest management supplies, 80-7-1103

Samples and analysis, 80-8-302, 80-8-304

- copy of analysis as evidence, 80-8-302
- rules concerning, 80-8-105

Schools, integrated pest and pesticide management safety program, Title 80, chapter 8, part 4
Short-term water authorizations, 75-5-308
Solid waste, agreements concerning, 80-8-110
Special use permits, 80-8-201, 80-8-209
Spraying for, 80-8-204, See **Insect control programs**; See also **LIENS, Crop dusting, liens for**

PESTS AND PESTICIDES (Continued)

State lands, application, 7-22-2208
Training programs
    farm applicators, 80-8-209
    fees, 80-8-105
Use, 80-15-203
    records, 80-8-209
    restrictions, 80-8-201
    rules for, 80-8-105
Vertebrate pest management, Title 7, chapter 22, part 25; Title 80, chapter 7, part 11, See also **Rodent control districts**
    advisory council, 80-7-1104
    agreements with department of agriculture, 7-22-2503
    expenditures authorized, 7-22-2513, 80-7-1102
    fish and game wardens, assistance for destruction when, 87-1-502
    funds, 7-22-2511, 80-7-1105, 80-7-1106
    gifts, grants, and funds, 80-7-1107
    program
        establishment, 7-22-2502
        financing, 7-22-2512
        operation, 80-7-1101
    rules, 80-7-1108
    supplies, purchase and sale, 7-22-2513, 80-7-1102, 80-7-1103
    surcharge, retail sale of field rodenticides 80-7-1106
    "vertebrate pests" defined, 7-22-2501
Veterinarians, 80-8-202, 80-8-203, 80-8-207
Violations
    adulterated or misbranded, 80-8-202
    applicators, lack of license, 80-8-204
    compliance orders, 80-8-305
    dealers, lack of license, 80-8-207
    embargoed articles, removal or disposal, 80-8-303
    formulas, revealing information concerning — when, 80-8-202, 80-8-306
    generally, 50-30-304, 80-8-211, 80-8-305, 80-8-306, 80-15-402, 80-15-414
    injunction to restrain, 80-8-306
    penalties, 80-8-105, 80-8-116, 80-8-306
    registration, lack of, 80-8-202
    sales, when, 80-8-202, 80-8-303
Warnings, 80-8-306
Waste pesticides and pesticide containers — collection, disposal, and recycling program, 80-8-102, 80-8-111
    administration, standards and procedures, 80-8-105
    fees, deposit, 80-8-112
    funding, 80-8-203, 80-8-205, 80-8-207, 80-8-209, 80-8-213
Water quality district ordinances, limitations, 75-5-311
Weed management program, 7-22-2121; Title 80, chapter 7, See also **WEEDS AND WEED CONTROL**
White powder pesticides
    embargo, 80-8-303
    rules concerning, 80-8-105
    sale unlawful when, 80-8-202

PETROLEUM PRODUCTS
    See also **OIL AND GAS**
Actions for price discrimination, 82-15-203 — 82-15-205, 82-15-207
Advertising, 82-15-101
Alternative fuels policy, state, 90-4-1011

PETROLEUM PRODUCTS (Continued)

Appliances, below-grade liquefied petroleum gas-burning — installation in dwellings permitted when, 50-60-203
Boats, carburetor flame arresters required, 23-2-521
Containers, 82-15-101
  owners, 82-15-101, 82-15-113, 82-15-115
  refilling, unlawful acts, 82-15-113, 82-15-114
Definitions, 30-14-803, 82-15-101, 82-15-201
Delivery
  full, 82-15-109
  partial, 82-15-108
Emergencies
  postattack emergency regulation, 10-3-505
  supplies, of, Title 90, chapter 4, part 3
Enforcement, 82-15-102, 82-15-105
Fees, 82-15-105, 82-15-108
Fire prevention and safety rules, 50-3-103
Foods, organic — applicability, 50-31-222
Gross volume, sales to be on, 30-12-409
Hazardous or deleterious substances, release — remedial action upon, Title 75, chapter 10, part 7
Inhalation or ingestion, possession for — unlawful, 45-9-121
Injunctions, 30-14-806, 82-15-112, 82-15-204
Inspections, 82-15-107
International Fuel Tax Agreement, 15-70-104, 15-70-121, 15-70-122, 15-70-302
Laboratory for testing, 82-15-104
Licenses for dealers, 49-3-204, 82-15-105, 82-15-106, 82-15-204, See also **TAXATION, GASOLINE AND VEHICLE FUELS**
Mislabeling, 82-15-101, 82-15-110
Motor fuel marketing, retail
  below-cost sale prohibited, 30-14-804
  citation of Montana retail motor fuel marketing act, 30-14-801
  contracts, existing — voidance, 30-14-805
  definitions, 30-14-803
  penalty and relief for violation, 30-14-806
  purpose, 30-14-802
Motor oil, special provisions
  recycling generally, Title 75, chapter 10, part 8
  recycling centers, notice of location, 75-10-1101
  water quality district ordinances, 75-5-311
Motorist information signs, Title 60, chapter 5, part 5
Petroleum Tank Release Compensation Board, 2-15-2108; Title 75, chapter 11, part 3
Pipelines, Title 69, chapter 13
Price
  discrimination, 82-15-203
    damages, 82-15-207
    definition, 82-15-201
    investigation and prosecution, 82-15-204, 82-15-205
    penalty, 82-15-206
    purpose of provisions, 82-15-202
  report to governor and legislature, 15-1-205
Refineries, state building and electrical codes — nonapplicability, 50-60-102, 50-60-602
Resource indemnity trust and ground water assessment tax, Title 15, chapter 38
Rules, 82-15-102, 82-15-103, 82-15-105, 82-15-106, 82-15-108, 82-15-109, 82-15-111, 82-15-112
Securities transactions, exemption, 30-10-103, 30-10-105
"Sniffing", possession for — unlawful, 45-9-121
Special fuel, Title 15, chapter 70, part 3

PETROLEUM PRODUCTS (Continued)

Standards and specifications, 82-15-103, 82-15-110
Storage tanks, Title 75, chapter 11, See **HAZARDOUS WASTES, Petroleum storage tank releases; Remedial action upon release of hazardous substance; Underground storage tanks**
Taxation, Title 15, chapters 38 and 70
Testing, 82-15-103, 82-15-104, 82-15-107, 82-15-110
Violations, 82-15-106, 82-15-107, 82-15-110
  containers, refilling, 82-15-113, 82-15-114
  gross volume, sales not on, 30-12-409
  inhalation or ingestion, possession for, 45-9-121
  injunction, 82-15-112
  licenses for dealers
    failure to have, 82-15-105
    refusal, suspension, or revocation upon violation, 82-15-106
  measuring devices, use without payment of fees, 82-15-105
  motor fuel marketing, below-cost sales, 30-14-806
  penalties, 30-14-806, 82-15-111, 82-15-206
  price discrimination, 82-15-203 — 82-15-207
Weight and measure provisions
  "bulk pipeline terminal" defined, 90-4-302
  full compartment sales, 82-15-109
  furnace and stove oil, 30-12-407
  measuring devices, 82-15-105, 82-15-108 — 82-15-110
  partial delivery, 82-15-108
  temperature correction, 30-12-409, 82-15-110

PHARMACY AND PHARMACISTS
  See also **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES**
Advertising, 37-7-321, 37-7-322
Alcoholic beverages
  administering or sale of compounds containing alcohol, 16-1-203
  beer or wine sales, retail licenses for, 16-4-115, 16-4-402, 16-4-501
  consumption on premises prohibited, 16-6-307
  drugs and medicines, restrictions, 16-1-202, 16-6-301, 16-6-305, 16-6-308
  retail establishments operated with pharmacy, sale of beverages, 16-3-305
Auxiliary or technician, See **Utilization plan**
Board of Pharmacy, 2-15-1843; Title 37, chapter 7, part 2
Calcium-EAP, harnosal, or phosetamin — manufacture, sale, or distribution, 50-43-108
Coding prescriptions prohibited, 37-7-401, 37-7-402
Community pharmacy, 37-2-101, 37-2-103, 37-2-106
Compounding drugs, medicines, chemicals, or poisons, 37-7-103, 37-7-301, 37-7-401
Continuing education, 37-7-101, 37-7-303
Counseling of patient, 37-7-406
  out-of-state mail service pharmacies, 37-7-702
Developmental disabilities, persons with — review of drug regimen in residential facilities, 53-20-145, See also **DEVELOPMENTAL DISABILITIES**
Dimethyl sulfoxide (DMSO), authorization and use, 50-42-101 — 50-42-107
Dispensing drugs, medicines, chemicals, or poisons, 37-2-103, 37-2-104, 37-2-106, 37-7-301, 37-7-401, 37-7-406, 37-7-705
"Drug" defined, 37-2-101, 37-7-101
Drug product selection
  brand name drugs, 37-7-502, 37-7-505, 37-7-506, 39-71-727
  citation of drug product selection act, 37-7-501
  generic drugs, 37-7-502, 37-7-505 — 37-7-507, 37-7-509, 39-71-727
  liability, limitations, 37-7-509
  limitation, 37-7-505

PHARMACY AND PHARMACISTS (Continued)
Drug product selection (Continued)

- notice concerning, display, 37-7-506
- out-of-state mail service pharmacies, 37-7-705
- penalty for violations, 37-7-510
- permitted, 37-7-505
- practice of medicine, product selection not, 37-7-508
- prohibited when, 37-7-504
- purchasers
  - notice to, 37-7-506
  - savings passed on to, 37-7-507
- rules regarding, 37-7-503, 37-7-510
- substitution of drugs
  - general prohibition, 37-7-504
  - out-of-state mail service pharmacies, 37-7-705
- workers' compensation, prescription drugs — payment limitations, 39-71-727

Drug utilization review standards, 37-7-406, 37-7-407
Employees, hours of work, 39-4-105
Enforcement of provisions, 37-7-323
Equipment, 37-7-201
Exemptions to provisions, 37-7-103
Fines, See **Violations**
Fraud, 37-7-321, 37-7-323
Generic drugs, See **Drug product selection**
Good faith actions under peer review program, nonliability, 37-7-1101
Hazardous chemical provisions, nonapplicability, 50-78-103
Health care information, See **HEALTH CARE INFORMATION**; **INSURANCE, Information and privacy protection**
Health maintenance organization providers, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**
Incorporation, Title 35, chapter 4, See **CORPORATIONS, Professional corporations**
Injunction, 37-7-323
Inspections, 37-7-104, 37-7-201

- exemptions, 37-7-103
- out-of-state mail service pharmacies, 37-7-704
- refusal to permit, 37-7-201
- utilization plan, 37-7-308, 37-7-309

Inspectors, 37-7-104
Insurance

- disability, insured's choice of practitioner, 33-22-111
- group benefits, mandatory provisions, 2-18-704
- information and privacy protection act, Title 33, chapter 19, See **INSURANCE, Information and privacy protection**
- professional liability, See **INSURANCE, CASUALTY, Professional liability**

Interns, 37-7-101

- licensing requirement, 37-7-302, 49-3-204
- practice, regulation, 37-7-201
- supervision, 37-7-104, 37-7-301

Laetrile, authorization and use, 50-41-101 — 50-41-107
Legislative declaration, 37-7-701
Liability

- drug product selection, 37-7-509
- pharmaceutical association peer review program, concerning, 37-7-1101

Licenses and licensing, Title 37, chapter 7, part 3

- certificates
  - expiration, 37-7-303
  - issuance, 37-7-302

PHARMACY AND PHARMACISTS (Continued)
Licenses and licensing (Continued)

- certified pharmacy license, 37-7-321
    - issuance, 37-7-201
- discrimination in issuance prohibited, 49-3-204
- examinations, 37-7-201, 37-7-302
- fees
    - certified pharmacy license, 37-7-321
    - disposition, 37-7-324
    - examination, 37-7-302
    - out-of-state mail service pharmacies, 37-7-703
    - registration by reciprocity, 37-7-302
    - renewal, 37-7-303, 37-7-321, 37-7-703
- nonresidents, 37-7-302
- out-of-state mail service pharmacies, 37-7-701, 37-7-703
- qualifications, 37-7-302
- reciprocity, 37-7-302
- registration, 37-7-201, 37-7-302
- renewal and fee, 37-7-303, 37-7-321, 37-7-703
- revocation, grounds for, 37-7-323

Mail service pharmacies, See **Out-of-state mail service pharmacies**
Malpractice, See **INSURANCE, CASUALTY, Professional liability; MALPRACTICE, MEDICAL**
Medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Medical practitioners and pharmacies, unlawful practices between, 37-2-103, 37-2-106
Medical record information, See **HEALTH CARE INFORMATION; INSURANCE, Information and privacy protection**
Nonresidents, 37-7-302
Notice concerning product selection, display, 37-7-506
Opium or opiates, sale or prescription, 7-31-4102, 37-7-401, 37-7-402
Optometrists, use of drugs not prohibited by pharmacy law, 37-10-103, See **OPTOMETRY AND OPTOMETRISTS**
Out-of-state mail service pharmacies, 37-7-702

- inspections, 37-7-704
- legislative declaration, 37-7-701
- patient communication required, 37-7-706
- penalty for violations, 37-7-711
- product selection, notification, 37-7-705
- registration requirements, 37-7-701, 37-7-703

Patient counseling, 37-7-406
Payment, medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Peer review program of Pharmaceutical Association, nonliability, 37-7-1101
Penalties, 37-7-323, 37-7-407
Pesticide regulations, 37-7-103, 80-8-202, 80-8-207, See also **PESTS AND PESTICIDES**
Pharmaceutical Association, nonliability concerning peer review program, 37-7-1101
Pharmacy license, See **Licenses and licensing**, certified pharmacy license
Pharmacy technician or auxiliary, See **Utilization plan**
Physical therapists, topical medications — purchasing, 37-11-106
Physician assistants-certified

- compliance with provisions, 37-20-404
- utilization plans, applicability, 37-20-303

Poison, 37-7-101, See also **POISON**

- city or town regulation, 7-31-4102
- compounding or dispensing, 37-7-103, 37-7-301
- regulation, 37-7-201

Practice of

- assumed name, practice under — unlawful, 37-7-301
- exemptions, 37-7-103

PHARMACY AND PHARMACISTS (Continued)
Practice of (Continued)

- regulation, subject to, 37-7-102, 37-7-201

Prescription drugs
- drug product selection, Title 37, chapter 7, part 5, See **Drug product selection**
- prices, posting of list, 37-7-204
- refilling, 37-7-401, 37-7-402
- weighing and measuring, exclusion from customer observation provisions, 30-12-504
- wholesale drug distributors' licensing and licenses, 37-7-201
  - definitions, 37-7-602
  - enforcement, 37-7-610
  - exceptions, 37-7-602
  - expiration, 37-7-606
  - federal laws, 37-7-601, 37-7-604, 37-7-609
  - fee, 37-7-604 — 37-7-606
  - inspections, 37-7-604, 37-7-609
  - out-of-state distributors, 37-7-605
  - prohibited purchase or receipt of drugs, 37-7-603
  - purpose and scope of provisions, 37-7-601
  - records, 37-7-604, 37-7-609
  - renewal, 37-7-604, 37-7-606
  - requirements, 37-7-604
  - restrictions, 37-7-603
  - rules, 37-7-604, 37-7-610
  - violations, 37-7-603, 37-7-605
- workers' compensation, payment limitations, 39-71-727

Professional corporations, Title 35, chapter 4, See **CORPORATIONS**
Professional liability, See **INSURANCE, CASUALTY**; **MALPRACTICE, MEDICAL**
Records of patients, 37-7-706
Rulemaking authority, 37-7-712
Sale of drugs, chemicals, medicines, or poisons
- general provisions, 37-7-103
- inspection of premises, 37-7-201
- labeling, 37-7-201
- morphine, codeine, cocaine, or heroin, 37-7-401, 37-7-402
- opium or opiates, 7-31-4102, 37-7-401, 37-7-402
- regulation, 37-7-201
- unlawful practices, 37-7-301, 37-7-401, 37-7-402

Samples of drugs, 37-7-602
Schools of pharmacy, approval, 37-7-302
Store license, See **Licenses and licensing**
Substitution of drugs in prescriptions, 37-7-504, 37-7-705, See **Drug product selection**
Unlawful practices, See **Violations**
Utilization plan, 37-7-101, 37-7-308, 37-7-309
- approval and contents, 37-7-307 — 37-7-309, 37-7-323
- enforcement, 37-7-323
- fees, 37-7-309
- hearings, 37-7-308
- injunction, 37-7-323
- out-of-state mail service pharmacies, 37-7-703
- responsibility of pharmacist, 37-7-307
- revocation or refusal to renew, 37-7-308
- rules, 37-7-308, 37-7-323
- violations, 37-7-323

Veterinary remedies and instruments, sale of, 37-18-104
Violations, 37-7-323
- advertising, use of specific words in — when, 37-7-321, 37-7-322

PHARMACY AND PHARMACISTS (Continued)
Violations (Continued)

  assumed name, practicing under, 37-7-301
  conviction, effect, 37-7-321
  drug product selection violations, penalty, 37-7-510
  drug utilization review standards, 37-7-407
  fines and disposition, 37-7-324, 37-7-402, 37-7-407, 37-7-510, 37-7-711
  inspections, refusal to permit, 37-7-201
  medical practitioners and pharmacies, unlawful practices between, 37-2-103
  out-of-state mail service pharmacies, 37-7-711
  penalties, 37-7-323, 37-7-407
  pharmacy license, lack of, 37-7-321
  prescriptions
    coding or refilling, 37-7-401, 37-7-402
    compounding or dispensing when, 37-7-301
    assistance in, 37-7-104
  renewal fee, nonpayment, 37-7-303
  sale or prescription, 37-7-401, 37-7-402
  selling, compounding, or dispensing drugs, medicines, chemicals, or poisons when, 37-7-301
  utilization plan, 37-7-323
  wholesale drug distributors, 37-7-603, 37-7-605
Wholesale drug distributors' licensing and licenses, Title 37, chapter 7, part 6, See **Prescription drugs**

PHOTOGRAPHS
Animal and research facilities, criminal defamation, 81-30-103
Antiquities permits, summary reports to include, 22-3-432
Art
  fine art, sale by art dealer, 22-2-501
  state buildings, for, 22-2-403
Banks' authority to photograph documents, 32-1-492, 32-1-493
Child abuse and neglect investigations and proceedings, evidence, 41-3-202, 41-3-204
Concealed weapon, permit to carry — identification requirements, 45-8-321, 45-8-322
Consumer protection investigations, documentary material, 30-14-102
Contract security company license applicants, 37-60-304
Corporate records, 35-1-1108
County clerk and recorder, recording of documents, 7-4-2613, 7-4-2632
Credit unions' authority to photograph documents, 32-3-204
Criminal
  identification, See generally **CRIMINAL JUSTICE INFORMATION, Fingerprints and photographs; LAW ENFORCEMENT, Criminal identification, state system of**
  proceedings, discovery, 46-15-322, 46-15-323
Defined, Title 26, chapter 10, M.R.Ev., Rule 1001
Dental hygienist license applicants, 37-4-402
Dentistry license applicants, 37-4-301
Developmental disabilities, persons with — residential facilities, 53-20-144
  evidence of abuse or neglect, 52-3-815
Discovery, production of documents — request, Title 25, chapter 20, M.R.Civ.P., Rule 34(a)
Drivers' licenses, 61-5-111
Elderly persons, evidence of abuse or neglect, 52-3-815
Evidence, as, See **EVIDENCE, Writings, recordings, and photographs**
Free-lance correspondents
  defined, 39-51-204
  workers' compensation coverage exclusion, 39-71-401
Heritage properties and paleontological remains, 22-3-424, 22-3-432
Historical Society, 22-3-102, 22-3-107, 22-3-111
Historic records, 22-3-102, 22-3-107, 22-3-111
Insurance premium finance company records, preservation, 33-14-204

PHOTOGRAPHS (Continued)

Inquests, jury — viewing of death scene, 46-4-205
Mentally ill persons, institutionalized, 53-21-144
Mining, of — collection by bureau of mines and geology, 20-25-212
Missing children, 44-2-506
Nonprofit corporation records, 35-2-908
Obscene material, public display or dissemination to minors, 45-8-201, 45-8-205 — 45-8-208
Official records, 2-6-301, See **PUBLIC RECORDS, Executive branch officers**
Open meeting provisions, applicability, 2-3-211
Printing process, 18-4-123, See **PUBLIC CONTRACTS, Printing**, generally
Private investigator license applicants, 37-60-304
Private security guard license applicants, 37-60-304
Process servers, identification cards, 25-1-1105
"Property" defined, 45-2-101
Proprietary security organization license applicants, 37-60-304
Public records, 2-6-202, See **PUBLIC RECORDS**
Secretary of state
  copying fees, 2-6-103
  reproduction of records, 2-6-111
Secured transactions, copies of financing statements, 30-9-403, 30-9-404
Sexual abuse of children, photographs of children engaging in sexual conduct, 45-1-205, 45-5-620, 45-5-625
Sexual or violent offender registration, requirements, 46-23-504
Theft, photographs of items allegedly taken or converted — admissibility, 26-1-608
Water rights claims, to support, 85-2-224
Youth court provisions, 41-5-304, 41-5-604

PHYSICAL THERAPY AND PHYSICAL THERAPISTS
Address changes, 37-11-201
Alcohol abuse, effect, 37-11-320, 37-11-321
Alien therapists, 37-11-309, 37-11-310
Assistants to therapists, 37-11-101, 37-11-105
Board of Physical Therapy Examiners, 2-15-1859; Title 37, chapter 11, part 2
Change of name or address, 37-11-201
Disciplinary actions, 37-11-201, 37-11-320, 37-11-321
Drug abuse, effect, 37-11-320, 37-11-321
Evaluation procedures, 37-11-104
Exemptions from provisions, 37-11-102
Fines, 37-11-322
Foreign therapists, 37-11-309, 37-11-310
Fraud, 37-1-131, 37-11-302, 37-11-320, 37-11-321, 39-71-316
Good faith reports of violations by other physical therapists, 37-11-320
Health care information, See **HEALTH CARE INFORMATION**; **INSURANCE, Information and privacy protection**
Home health care, insurance coverage for, 33-22-1001 — 33-22-1003, See also **INSURANCE, DISABILITY**
Immunity from liability when, 37-11-320
Incorporation, Title 35, chapter 4, See **CORPORATIONS, Professional corporations**
Institutional residents, ancillary charges — payment, 53-1-401, 53-1-501, 53-1-502
Insurance
  information and privacy protection act, Title 33, chapter 19, See **INSURANCE, Information and privacy protection**
  professional liability, See **INSURANCE, CASUALTY, Professional liability**
Liability, immunity when, 37-11-320

PHYSICAL THERAPY AND PHYSICAL THERAPISTS (Continued)

Licenses and licensing, Title 37, chapter 11, part 3
  applicants
    examination, 37-11-201
    qualifications, 37-11-201, 37-11-303
  applications, 37-11-304, 37-11-309
  certificates, 37-11-306
  discrimination in issuance prohibited, 49-3-204
  examinations, 37-11-201, 37-11-303 — 37-11-305, 37-11-307
  false oath, unlawful, 37-11-302
  fees, 37-11-304, 37-11-307 — 37-11-309
  foreign-trained applicants, 37-11-309, 37-11-310
  fraudulent representation, unlawful, 37-11-302, 37-11-320,.37-11-321
  issuance, 37-11-201, 37-11-306, 37-11-309
  lack of, unlawful, 37-11-301
  lapse, 37-11-308
  list of licensees, compilation and distribution, 37-11-201
  nonresidents, 37-11-307, 37-11-309
  reciprocity, 37-11-307
  refusal, suspension, or revocation, 37-11-201, 37-11-321
    representation as therapist following, unlawful, 37-11-301
  register, 37-11-201
  renewal, 37-11-308, 37-11-311
  temporary, 37-11-309, 37-11-310
Lien for services, Title 71, chapter 3, part 11
Malpractice, See **INSURANCE, CASUALTY, Professional liability**; **MALPRACTICE, MEDICAL**
Medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Medical record information, See **HEALTH CARE INFORMATION**; **INSURANCE, Information and privacy protection**
Medicine, practice of — applicability of licensing provisions, 37-3-103
Mental illness
  effect, 37-11-321
  reporting, 37-11-320
Misrepresentation unlawful, 37-11-301
Name changes, 37-11-201
Negligence, 37-11-320, 37-11-321
Payment for services
  institutional residents, ancillary charges — payment, 53-1-401, 53-1-501, 53-1-502
  lien for, Title 71, chapter 3, part 11
  medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Peer review, See also **HEALTH CARE INFORMATION, Hospital medical staff committees**; **Peer review**
  nonliability, 37-2-201
  reporting of incompetence or unprofessional conduct, 37-3-401 — 37-3-405
Physical incapacity, reporting, 37-11-320
Physician assistants-certified utilization plans, applicability, 37-20-303
Practice of
  license, without — unlawful, 37-11-301
  referrals not required, 37-11-104
  restrictions, 37-11-103
Professional corporations, Title 35, chapter 4, See **CORPORATIONS**
Professional liability, See **INSURANCE, CASUALTY**; **MALPRACTICE, MEDICAL**
Records, 37-11-106
Referrals not required, 37-11-104
Register of licensees, 37-11-201
Schools of physical therapy, approval, 37-11-303

PHYSICAL THERAPY AND PHYSICAL THERAPISTS (Continued)

Schools, special education — allowable costs, 20-7-431
Supervision, 37-11-105
Topical medications, 37-11-101
    application and administration, 37-11-106, 37-11-107
    protocols, adoption, 37-11-107
Travel expense, deposit of fees, 37-11-203
Treatment employed by, 37-11-104
Unprofessional conduct, 37-11-320, 37-11-321
Utilization reviews, Title 33, chapter 32, See **INSURANCE, DISABILITY**
Violations
    conviction, effect, 37-11-321
    license
        false oath or fraudulent representation, obtaining by, 37-11-302
        lack of, 37-11-301
    penalties, 37-11-322
    reporting, 37-11-320
    unauthorized representation as licensed therapist, 37-11-301
Western Regional Higher Education Compact, Title 20, chapter 25, part 8, See **HIGHER EDUCATION**
Workers' compensation
    claims, fraudulent practices concerning, 37-1-131, 39-71-316
    managed care and preferred providers, Title 39, chapter 71, part 11

PHYSICIAN ASSISTANTS-CERTIFIED
Abortions, performance by — prohibited, 37-20-103
Administration of provisions, 37-20-201, 37-20-302
Agent of supervising physician, 37-20-403
Approval, 37-20-101, 37-20-301, 37-20-401, 37-20-402
Billing for services, 37-20-405
Developmental disabilities, persons with — report of abuse, neglect, or exploitation required, 52-3-811, See **DEVELOPMENTAL DISABILITIES, Abuse, neglect, or exploitation**
Disability insurance, insured's choice of practitioner, 33-22-111
Disciplinary provisions, 37-20-202
Drugs
    dispensation and administration, 37-2-104, 37-20-404
    prescriptions, 37-7-401, 37-7-402, 37-20-401, 37-20-404
    unlawful practices and exceptions, 37-2-104
Education requirements, 37-20-402
Elderly persons — report of abuse, neglect, or exploitation, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Employment prohibited when, 37-20-301
Enforcement, 37-20-104
Federal Drug Enforcement Administration, registration maintained, 37-20-404
Fetal deaths, reporting, 46-4-114
Fraud, 37-1-131, 39-71-316
Injunction, 37-20-104
Insurance, disability
    choice of practitioner, 33-22-111
    services, coverage, 33-22-114
Liaison to board, 37-20-406
Licenses and licensing
    approval, 37-20-402
    criteria, 37-20-402
    issuance, 37-20-203
    renewal, 37-20-302
    utilization requirements, 37-20-301, 37-20-302

PHYSICIAN ASSISTANTS-CERTIFIED (Continued)

Locum tenens, utilization plans, 37-20-202, 37-20-301, 37-20-302, 37-20-303
Medicaid, payment for services, 53-6-101, See **PUBLIC ASSISTANCE**
Medical Examiners, Board of, 2-15-1841, 37-20-201, 37-20-202
Medicine, practice of — applicability of licensing provisions, 37-3-103
Narcotics, prescription or dispensation restrictions, 37-20-404
Number utilized by physician, limitation, 37-20-202
Optometrist functions and duties, exception to authority, 37-20-103
Penalties, 37-20-104, 37-20-302
Personal care facility, agreement statement for resident's admission, 50-5-226
Practice, prohibited when, 37-20-301
Prescriptions, drug, 37-7-401, 37-7-402, 37-20-401, 37-20-404
Protocol, 37-20-401
  establishment, 37-20-403
  rules for, 37-20-202
Qualifications, 37-20-101, 37-20-402
Records, 37-20-404
Rules, 37-20-101, 37-20-201, 37-20-202, 37-20-404
Scope of practice, 37-20-401
Services, 37-20-401
  billing for, 37-20-405
  locum tenens basis, 37-20-301
Supervising physician
  agent of, 37-20-403
  alternate, 37-20-301
  billing for services, 37-20-405
  drugs — authority for prescription, dispensation, or administration, 37-20-404
  qualifications, 37-20-101
  statements submitted to board, 37-20-101
  supervision by, required, 37-20-301, 37-20-401
  utilization plans
    assistants-certified, number specified, 37-20-202
    contents, 37-20-301
    copies to health care practitioners, 37-20-403
  violations, 37-20-104
Supervision and direction, limitations and requirements, 37-20-202, 37-20-301, 37-20-401
Training, rules for, 37-20-202
Utilization plans, 37-20-301, 37-20-302
  approval, 37-20-301
    copies to health care practitioners, 37-20-403
    exemptions, 37-20-303
    expiration and renewal, 37-20-302
  drugs — authority for prescription, dispensation, or administration, 37-20-404
  duties, delegation, 37-20-403
  exemptions, 37-20-303
  fees, 37-20-301, 37-20-302
  locum tenens, 37-20-202, 37-20-301, 37-20-302
  rules, 37-20-202
Violations, 37-2-104
Workers' compensation
  claims, fraudulent practices concerning, 37-1-131, 39-71-316
  managed care and preferred providers, Title 39, chapter 71, part 11

PHYSICIANS AND SURGEONS
Abortions, performing, Title 50, chapter 20, See **ABORTION**
Abuse and neglect
  children, reporting responsibilities, 41-3-201, 41-3-203 — 41-3-207
  elderly and persons with developmental disabilities
    evidence, gathering, 52-3-815
    report of, 52-3-811, 52-3-813
Actions
  disciplinary, 37-3-203, 37-1-308, 37-1-316, 37-3-324, 50-41-105, 50-42-105, 50-43-106
  examining physician, as, See **CIVIL PROCEDURE**, **Discovery**, physical and mental examinations; **EVIDENCE**, **Privileges**
  hospitals limiting or prohibiting practice, concerning, 37-3-403
  injunction for practice without license, to obtain, 37-3-326
  registration fee, collection, 37-3-313
Acupuncture, practice of — requirements, 37-13-104
Address changes, 37-3-310
Affidavits
  license applications, to establish qualifications, 37-3-309
  practicing without license, complaint charged in, 37-3-326
  vehicle window tinting or sunscreening standards, condition of waiver, 61-9-428
Alcohol or related substances, See also **CHEMICAL DEPENDENCY, Physicians**
  abuse of, effect, 37-1-316, 37-3-203
  administering, 16-1-203, 16-6-305
  treatment services, coverage under health insurance policies, 33-22-705
Aliens, 37-3-304 — 37-3-307, 37-3-311, See also **Nonresidents**
Alternative Health Care Board, representation on, 2-15-1840
Anatomical gifts, Title 72, chapter 17
Artificial insemination, responsibilities regarding, 40-6-106
Assistants-certified, Title 37, chapter 20
Assumed name, practice under, 37-3-325
Autopsies, performance by, See also **FORENSIC SCIENCE**
  designation, 39-72-606
  liability, 46-4-104
  order for, 50-21-103
  required, 50-21-104
Birth registration, 50-15-221
Blood alcohol tests, administration and liability, 61-8-405
Blood and blood products, liability for furnishing or transfusions, 50-33-102, 50-33-103
Board of Medical Examiners, See **Medical Examiners, Board of**
Bones, furnishing declared service, 50-33-102
Boxing matches or exhibitions, attendance required, 23-3-405
Canadian physicians
  licensing, 37-3-306, 37-3-307, 49-3-204
  school immunization provisions, exception statements, 20-5-405
Cardiopulmonary resuscitation, do not resuscitate, 50-10-101 — 50-10-107
Certificates, See **Licenses and licensing**
Change of name or address, 37-3-310
Child abuse and neglect, reporting and responsibilities, 41-3-201, 41-3-203 — 41-3-207
Children, See **Minors**
Children's services, interdisciplinary child information teams, 41-3-205, 41-5-603, 52-2-211
Chiropractors
  malpractice, Title 27, chapter 12, See **MALPRACTICE, CHIROPRACTIC**
  practice, limitations on, 37-12-102, 37-12-104

PHYSICIANS AND SURGEONS (Continued)

Choice of practitioner
  alcoholic, commitment examination, 53-24-302, 53-24-304
  disability insurance policyholders, 33-22-111
  health maintenance organizations, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**
  medicaid recipients, 53-6-104
  mentally ill persons, commitment examination, 53-21-115, 53-21-118, 53-21-124
  workers' compensation
    preferred providers, Title 39, chapter 71, part 11
    recipients, 33-22-111
City-county consolidated government department of health, director to be, 7-3-1346
City physician, 7-3-4254
Clinical Laboratory Science Practitioners, Board of — membership requirements, 2-15-1863
Communicable diseases
  health care facility, notification concerning unprotected exposure, 50-16-703, 50-16-704
  hospital, local health officer in charge when, 50-2-118
  practice while afflicted, unprofessional conduct, 37-1-316
  reporting, 37-2-301, 50-18-106
  tuberculosis, See **Tuberculosis**
  sexually transmitted diseases, 50-18-106, See **Sexually transmitted diseases**
  tracking, 50-16-712
Compensation, See **Payment for services**
Conciliation court — appointed as counselors for, when, 40-3-124, 40-3-125
Confidential information, See **CONFIDENTIAL AND PRIVILEGED COMMUNICATIONS**
Conservatorship hearings, examination of person to be protected, 72-5-408
Consultant services contracts, state — nonapplicability of provisions, 18-8-103
Contempt charged when, 37-3-326
Contraceptives, protocol concerning dispensation by nurses, 37-2-104, 37-7-103, 50-31-307
Cooperative agreements, mergers, or consolidations, 50-4-601, 50-4-602
Counseling
  conciliation court petitioners, 40-3-124, 40-3-125
  minors, 41-1-402
  partner or family member assault offenders, 45-5-206
  professional, applicability of provisions, 37-23-201
County interdisciplinary child information teams, 41-3-205, 41-5-603, 52-2-211
County physicians, premarital examinations by — when, 40-1-207
County sheriff's deputies, physical examinations, 7-32-2104
CPR, do not resuscitate, 50-10-101 — 50-10-107
Death
  certificates, duties, 7-4-2911, 50-15-403, 50-15-405
  certification, 46-4-121
  deceased not attended by physician prior to, inquiry, 46-4-122
  determination of, 50-22-101
  do not resuscitate identification, 50-10-101 — 50-10-107
  life-sustaining treatment, withholding or withdrawal, Title 50, chapter 9, parts 1 and 2, See **LIVING WILLS**
  removal of body from place of, authorization, 50-15-405
Death penalty, execution, 46-19-103, See also **DEATH PENALTY**
  licensing provisions, exemption, 37-3-103
  pregnancy of defendant, determination, 46-19-203
Definitions, 37-2-101, 37-3-102, 41-1-401, 50-2-101
Dental hygiene, practice of — nonapplicability, 37-4-407
Dentistry
  oral surgeons, hospital admissions, 37-4-515
  practicing, nonapplicability of provisions, 37-4-103

PHYSICIANS AND SURGEONS (Continued)

Developmental Disabilities Planning and Advisory Council, membership, 2-15-2204
Developmental disabilities, persons with, See also **DEVELOPMENTAL DISABILITIES**
  abuse, neglect, or exploitation, 52-3-811, 52-3-813, 52-3-815
  electric shock treatment, authorization and supervision of use, 53-20-146
  medication of resident, responsibility, 53-20-145
  qualified mental retardation professional, 53-20-102
  restraints, authorization for use, 53-20-146, 53-20-161
Dietetics-nutrition, practice of — allowed when, 37-25-304
Disabled persons' parking permits, certification, 49-4-303, 49-4-305
Disability insurance, insured's selection of practitioner, 33-22-111
Disciplinary actions, 37-1-310, 37-1-311, 50-41-105, 50-42-105, 50-43-106
  abortion, unlawful performance, 50-20-307
  assistance, 37-3-203
  physician assistants-certified, concerning, 37-20-202, 37-20-409
  reconsideration and review, 37-3-324
Do not resuscitate provisions, 50-10-101 — 50-10-107
Drug companies and practitioners, unlawful practices between, 37-2-102
Drugs, See also **CHEMICAL DEPENDENCY**; **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES, Practitioners**
  addiction
    physician, by, 37-3-203
    treatment services, coverage under health insurance policies, 33-22-705
  addicts or habitual users, prescriptions to — reporting, 37-2-111
  calcium-EAP, harnosal, or phosetamin — prescribing or administering, 50-43-101 — 50-43-108
  compounding and use in practice, 37-7-103
  developmentally disabled persons in residential facilities, responsibility, 53-20-145
  dimethyl sulfoxide (DMSO), authorization and use, 50-42-101 — 50-42-107
  dispensation
    definitions, 37-2-101
    drug companies and practitioners, unlawful practices between, 37-2-102
    pharmacies and practitioners, unlawful practices between, 37-2-103
    pharmacy provisions, exemption, 37-7-103
    unlawful when, 37-2-104, 37-7-401, 37-7-402
    violations, 37-1-316, 37-2-105
  laetrile, authorization and use, 50-41-101 — 50-41-107
  license suspended for use of, 37-3-323
  prescriptions, 37-2-111, 37-7-401, 37-7-402, 50-18-110
  violations or conviction, effect, 37-1-316, 37-3-323
Educational debt, rural physicians — payments, 20-26-1501 — 20-26-1503
Elderly persons — abuse, neglect, or exploitation
  evidence, gathering, 52-3-815
  report of, 52-3-811, 52-3-813, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Electrology, applicability of provisions, 37-32-103
Emergency medical services, Title 50, chapter 6
  advisory council, representation and duties, 2-15-2215, 50-6-403
  drug dispensation, 37-2-104
  hazardous chemicals, chemical identity provided, 50-78-205
  liability, 27-1-714, 27-1-734, 37-27-311, 50-6-317
  midwives' patients, to — liability, 27-1-734, 37-27-311
  minors, 41-1-402, 41-1-405, 50-20-208
  patient information to, 50-20-304
Employment physicals, 39-2-301, 39-72-404
Equipment, tax classification, 15-6-138
Evidence
  board of medical examiners, authority, 37-3-203

PHYSICIANS AND SURGEONS (Continued)
Evidence (Continued)

  driver's license proceedings, physician's report, 37-2-311
  expert testimony, See **WITNESSES**
  licenses
    applications, 37-3-309, 37-3-325
    register as prima facie evidence, 37-3-205
  medical school, evidence of graduation from, 37-3-309
  privilege, See **Privileged communications**; See also **EVIDENCE, Privileges**
  unprofessional conduct, of, 37-1-308, 37-1-311, 37-1-316
False or assumed name, practice under, 37-3-325
Family practice training program, 50-5-603
  citation of family practice training act of 1985, 50-5-601
  definitions, 50-5-602
  funding, 50-5-611
Fees, 37-3-203, 37-3-308, 37-3-311, 37-3-313, See also **Payment for services**
Fines, 37-1-315, 37-2-111, 37-2-301, 37-3-325
Firefighters, physical examinations, 7-33-4107
Firefighters' unified retirement disability examinations, 19-13-804
Foreign physicians, 37-3-304 — 37-3-307, 37-3-311
Fraud, 37-1-131, 37-1-316, 39-71-316
Game wardens' disability retirement examinations, 19-8-712
Genetics program, voluntary statewide, 33-2-712, 33-2-713, 50-19-211
Good faith
  actions in, 37-2-303, 37-2-312, 41-1-405, 50-16-704
  health care facilities, reporting obligations of limitations on practice, 37-3-404
  prescriptions for opium, opiates, morphine, codeine, cocaine, or heroin, 37-7-401
Good Samaritan provisions, 27-1-714, 37-3-103, 41-1-405
Guardianship proceedings, examination and testimony, 72-5-315
Gunshot wounds, reporting, 37-2-302, 37-2-303
Hazardous chemicals
  emergencies, chemical identity provided, 50-78-205
  nonapplicability of provisions, 50-78-103
Health care facilities, prohibitions or limitations on practice — reporting, 37-3-403
Health Care Information Act, Uniform, Title 50, chapter 16, part 5, See **HEALTH CARE INFORMATION**
Health care professional, defined, 41-1-401
Health maintenance organizations, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**
Health officers to be, 50-2-116, 50-2-118
Health service corporations, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**
Hearing aid dispensers
  nonapplicability of provisions, 37-16-103
  recommendation for examination required, 37-16-303
Highway patrol officer's disability retirement examinations, 19-6-612
Home health care, insurance coverage for, 33-22-1001 — 33-22-1003, See also **INSURANCE, DISABILITY**
Immunity and responsibility
  child abuse and neglect, reporting, 41-3-202
  do not resuscitate provisions, 50-10-102
  gunshot and stab wounds, 37-2-302, 37-2-303
  justice, department of — physician's reports to, 37-2-312
  living will provisions, 50-9-204, See also **LIVING WILLS**
  minors, treatment of, 41-1-403, 41-1-407
  peer review, 37-2-201
  reporting incompetence and unprofessional conduct, 37-3-404, 37-3-405
  suit, from, 37-1-308

PHYSICIANS AND SURGEONS (Continued)
Immunity and responsibility (Continued)

- violent behavior of patients, duty to warn of and liability, 27-1-1101 — 27-1-1103

Incompetence, See also **MALPRACTICE, CHIROPRACTIC**; **MALPRACTICE, MEDICAL**
- disciplinary action, cause for, 37-3-323
- professional liability, See **INSURANCE, CASUALTY**; **MALPRACTICE, CHIROPRACTIC**; **MALPRACTICE, MEDICAL**
- reporting, Title 37, chapter 3, part 4

Incorporation, Title 35, chapter 4, See **CORPORATIONS**, **Professional corporations**
Indian clinics, urban — dispensation of drugs from, 37-2-104
Indigent, local health officer not required to act as physician for, 50-2-118, See also **PUBLIC ASSISTANCE**, **Medical care**
Infants
- mortality and morbidity information to department of public health and human services, 50-16-102
- "withholding of medically indicated treatment" defined, 41-3-102

Infectious diseases, See **Communicable diseases**
Injunction when, 37-1-317, 37-1-318, 37-2-105, 37-3-326
Institutional residents, ancillary charges — payment, 53-1-401, 53-1-501, 53-1-502
Institutions, employed by, 37-3-307
Insurance
- claims, false or fraudulent, 33-18-401
- disability, insured's selection of practitioner, 33-22-111
- health maintenance organizations, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS**
- information and privacy protection act, Title 33, chapter 19, See **INSURANCE**, **Information and privacy protection**
- professional liability, Title 33, chapter 23, part 3, See **INSURANCE, CASUALTY**, **Professional liability**

Interns, applicability of licensing provisions, 37-3-103
Internship
- "approved internship" defined, 37-3-102
- licensing, qualification for, 37-3-305, 37-3-307, 37-3-309

Investigations, 37-1-308, 37-1-317
Judges' disability retirement examinations, 19-5-612
Law enforcement reserve officers, physical examinations, 7-32-213
Liability, See Negligence; See also **INSURANCE, CASUALTY**, **Professional liability**; **MALPRACTICE, CHIROPRACTIC**; **MALPRACTICE, MEDICAL**
Licenses and licensing, Title 37, chapter 3, part 3
- applications, 37-3-309
  - fees, 37-3-308
  - fraud, misrepresentation, or deception, 37-3-325
  - name or address changes, 37-3-310
  - records of applicants, 37-3-205
  - violations concerning, 37-3-325
- certificates, 37-3-301, 37-3-306, 37-3-307, 37-3-309
  - practice permitted, specification, 37-3-302
  - restricted, 37-3-301, 37-3-315
  - revocation, 37-3-313
- discrimination in issuance prohibited, 49-3-204
- examinations, 37-3-311
  - fees, 37-3-308, 37-3-311
  - fraud, misrepresentation, or deception, 37-3-325
  - oral, 37-3-306, 37-3-307, 37-3-311
  - certificates, for, 37-3-306, 37-3-307
- exemptions from requirements, 37-3-103
- issuance, 37-3-312
  - discrimination prohibited, 49-3-204

PHYSICIANS AND SURGEONS (Continued)
Licenses and licensing (Continued)
- issuance (Continued)
  - form, 37-3-301
  - physician's certificate, 37-3-306
  - temporary certificate, 37-3-304, 37-3-307
- local tax prohibited, 37-3-308, 37-3-313
- osteopaths, 37-3-103, 37-3-306, 37-5-102
- qualifications, 37-3-315
- reciprocity, 37-3-307
- refusal, 37-3-307, 37-3-321
- register, 37-3-205
- required, 37-3-301
- revocation or suspension, 37-3-323
  - incompetence or unprofessional conduct, for failure to report, 37-3-405
  - registration fee, for nonpayment, 37-3-313
- temporary practice permits, 37-1-305

Lien for services, Title 71, chapter 3, part 11
Life-sustaining treatment, withholding or withdrawal, Title 50, chapter 9, parts 1 and 2; chapter 10, part 1, See **LIVING WILLS**
Living wills, Title 50, chapter 9, parts 1 and 2, See **LIVING WILLS**
Local health officers to be, 50-2-116, 50-2-118
Local tax or fees prohibited, 37-3-308, 37-3-313
Malpractice, See **INSURANCE, CASUALTY, Professional liability; MALPRACTICE, CHIROPRACTIC; MALPRACTICE, MEDICAL**
Mammography examinations, 33-22-132
Marriage counselor, appointment as, 40-3-124, 40-3-125
Medicaid, Title 53, chapter 6, part 1, See also **PUBLIC ASSISTANCE**
- managed care entities, education services, 53-6-705

Medical Examiners, Board of, 2-15-1841; Title 37, chapter 3, part 2
- anatomical gifts, technicians certified to remove or process parts, 72-17-102
- anesthesiologists, 37-4-511
- defined, 37-3-102
- disciplinary actions, 37-3-203, 37-3-323, 37-3-324, 50-41-105, 50-42-105, 50-43-106
- do not resuscitate protocol, approval, 50-10-101, 50-10-105
- emergency medical technicians, authority, Title 50, chapter 6, part 2, See **EMERGENCY MEDICAL SERVICES**
- living will protocol, approval, 50-9-102
- medical legal panel
  - application of claimant, copy to, 27-6-304
  - members of panel, selection, 27-6-402, 27-6-404
- medical schools, approval, 37-3-102
- occupational disease medical panel, nominations to, 39-72-601
- organ donations, technicians certified to remove or process parts, 72-17-102
- osteopaths, examinations in surgery, 37-5-305
- reporting of incompetence or unprofessional conduct, 37-3-401
  - failure to report, 37-3-405
  - hospitals, by, 37-3-403
  - immunity of person reporting, 37-3-404
  - insurers, by, 37-3-402

Medical record information, See **Records**
Medical schools, 37-3-102
- cadavers, procurement, 50-21-101, 50-21-102
- family practice training program, 50-5-601 — 50-5-603, 50-5-611
- foreign, 37-3-306, 37-3-307
- funding
  - family practice training program, effect, 50-5-611
  - health facility authority assistance, 90-7-104, See **HEALTH FACILITY AUTHORITY**

PHYSICIANS AND SURGEONS (Continued)
Medical schools (Continued)

  graduation from
    evidence required, 37-3-309, 37-3-325
    licensing qualification, as, 37-3-305, 37-3-307
  rural physician incentive program, 20-26-1501 — 20-26-1503
Medicare, Title 19, chapter 1, See **SOCIAL SECURITY**
Mental incompetence or illness of physician
  alcohol or drug abuse, 37-3-203
  disciplinary action, cause for, 37-3-323
  reporting, Title 37, chapter 3, part 4
Mentally ill persons, treatment, Title 53, chapter 21, See **MENTAL ILLNESS OR INCAPACITY, Physicians**
Midwives, Title 37, chapter 27
  consultation with physician by client, 37-27-311, 37-27-315
  emergency care of patients by physician, liability, 27-1-734, 37-27-311
  informed consent provisions, 37-27-311
  medicine, practice of — applicability of licensing provisions, 37-3-103, 37-27-104
Minors, See also **MINORS**, **Medical care**
  abused, neglected, and dependent — reporting and responsibilities, 41-3-201, 41-3-203 — 41-3-207
  consent for health services, 41-1-402, 41-1-405
  counseling, 41-1-402
  county interdisciplinary child information teams, 41-3-205, 41-5-603, 52-2-211
  custody proceedings, 40-4-215, 41-5-314
  disabled, verification for income tax exemption, 15-30-115
  emergency services, 41-1-402, 41-1-405, 50-20-208
  "health professional" defined, 41-1-401
  information released when, 41-1-403
  treatment of, immunity and responsibility, 41-1-407, 41-3-202, 41-3-204
  "withholding of medically indicated treatment" defined, 41-3-102
Motor vehicles
  disabled persons' parking permits, certification, 49-4-303, 49-4-305
  driver's ability to operate vehicle, report regarding, 37-2-311, 37-2-312
  seatbelts, statement concerning vehicle occupant's inability to use, 61-13-103
  window tinting or sunscreening standards — waiver, affidavit, 61-9-428
Multiple sclerosis, medication for, 50-43-101 — 50-43-108
Name
  changes, 37-3-310
  false or assumed, practice under, 37-3-325
Naturopathic physicians, Title 37, chapter 26
Negligence, 37-2-312, See also **MALPRACTICE, CHIROPRACTIC**; **MALPRACTICE, MEDICAL**
  emergency services, 50-6-317
  liability, 27-1-714, 27-1-734, 37-27-311, 50-6-317
    immunity when, 37-2-312, 50-6-317, 50-33-103, 50-33-104
    minors, treatment of, 41-1-407
  professional liability, See **INSURANCE, CASUALTY**
  reporting, 37-3-402
Nutrition, practice of — when, 37-25-304
Noncompliance with provisions, See **Violations**
Nonresidents, practice allowed when, 37-3-103, See also **Aliens**
Obstetrical care, See also **PREGNANCY**
  abortions, Title 50, chapter 20, See **ABORTION**
  employment leave, certification of necessity, 49-2-310
  infant mortality and morbidity information to department of public health and human services, 50-16-102
  metabolic test of newborn, report of results to, 50-19-204
  midwives' patients, emergency services to — liability, 27-1-734, 37-27-311
  naturopathic physicians, specialty practice, 37-26-103, 37-26-301, 37-26-304

PHYSICIANS AND SURGEONS (Continued)
Obstetrical care (Continued)

  serological test of mother, 50-19-103, 50-9-107
Occupational disease, duty to report, 50-70-107, See also **OCCUPATIONAL DISEASE, Medical** entries
Offenses, See Violations
Offices, exclusion as health care facility, 50-5-101
  certificate of need, exception, 50-5-301
Ophthalmologists, 72-17-102
  blind persons, visual acuity determined by, 18-5-402, 18-5-501
  eye enucleation courses given by, 72-17-311
  naturopathic physicians, minor surgery — nonapplicability, 37-26-103
Optometry, practice of — applicability of provisions, 37-10-102
Oral surgeons, hospital admissions by, 37-4-515
Organs
  donation, Title 72, chapter 17
  furnishing declared service, 50-33-102
Osteopaths, licensed as, 37-3-103, 37-3-306, 37-5-102
Parole of incarcerated persons, medical — examination and diagnosis, 46-23-210
Payment for services
  crime victims compensation benefits, 53-9-128
  employment physicals, 39-2-301
  health maintenance organizations, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**
  institutional residents, ancillary charges — payment, 53-1-401, 53-1-501, 53-1-502
  insurance, Title 33, chapter 22, See **INSURANCE, DISABILITY, Payments**
  late payment, no service charge, 31-1-501
  lien for, Title 71, chapter 3, part 11
  medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
  medicare, Title 19, chapter 1, See **SOCIAL SECURITY**
  occupational disease benefits, 39-72-704
  preemployment physicals, 39-2-301
  railroads, by, 69-14-1005
  workers' compensation, Title 39, chapter 71, See **WORKERS' COMPENSATION, Benefits**
Peace officers, physical examinations, 7-32-303
Peer review, See also **HEALTH CARE INFORMATION, Hospital medical staff committees**
  nonliability, 37-2-201
  reporting of incompetence or unprofessional conduct, 37-3-401 — 37-3-405
Personal care facility, agreement statement for resident's admission, 50-5-226
Pharmacies and practitioners, unlawful practices between, 37-2-103
Pharmacy
  community, ownership prohibited, 37-2-103, 37-2-106
  provisions, exemption, 37-7-103
Phenylketonuria (PKU)
  insurance coverage for treatment, 33-22-131, 33-31-102
  midwives, client screening procedures, 37-27-312
Physical impairment, 37-3-203, 37-3-323
Physical therapists
  list of licensees distributed to, 37-11-201
  restrictions, 37-11-103
Physical Therapy Examiners, Board of — representation on, 2-15-1858
Physician assistants-certified, Title 37, chapter 20
Physician-patient relationships, unsatisfactory, 33-31-312
Physician's certificate, See Licenses and licensing
Podiatry, Title 37, chapter 6
Police officers' disability retirement examinations, 19-9-904
Power of attorney, certification for, 72-31-201

PHYSICIANS AND SURGEONS (Continued)

Practice of medicine, 37-3-102
  chiropractic, not, 37-12-102, 37-12-104
  false or assumed name, under, 37-3-325
  injunction for violations, 37-3-326
  license required, 37-3-301, 49-3-204
  osteopathy not practice of medicine, 37-5-102
  physical of therapists, restrictions, 37-11-103
Preemployment examination, 39-2-301, 39-72-404
Pregnancy, See **Obstetrical care**
Premarital examinations
  confidentiality, 40-1-208
  medical certificate
    forms for, 40-1-204
    penalty for violation, 40-1-208
  reports, rules regarding, 40-1-206
  serological test required for, 40-1-203, 40-1-204
Prescriptions and prescription drugs, See also **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES**
  calcium-EAP, harnosal, or phosetamin, 50-43-104, 50-43-106, 50-43-108
  dimethyl sulfoxide (DMSO), 50-42-102, 50-42-103, 50-42-107
  drug addicts and habitual users of drugs, to — reporting, 37-2-111
  laetrile, 50-41-105 — 50-41-107
  opium, opiates, morphine, codeine, cocaine, or heroin — restrictions, 37-7-401, 37-7-402
  sexually transmitted diseases, for, 50-18-110
Privileged communications, 26-1-805, See also **EVIDENCE, Privileges**
  criminal proceedings, mental disease or defect of defendant, 46-14-217
  malpractice panel proceedings, 27-6-704
  professional corporation, privilege extends to, 35-4-405
  waiver, 27-6-302, 27-6-306; Title 25, chapter 20, M.R.Civ.P., Rule 35(b)
Privileges, alteration, 37-3-302
Probation, 37-3-324
  license issuance subject to terms of, 37-3-305, 37-3-307
Professional corporations, Title 35, chapter 4, See **CORPORATIONS**
Professional counseling, applicability of provisions, 37-23-201
Professional liability, See **INSURANCE, CASUALTY; MALPRACTICE, CHIROPRACTIC; MALPRACTICE, MEDICAL**
Psychiatry, See **PSYCHIATRY AND PSYCHIATRISTS**
Psychological counseling by, allowed when, 37-17-104
Public assistance recipients, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE, Medical care**
Public employees' disability retirement, examinations for, 19-3-1015
Purpose of provisions, 37-3-101
Radiologic Technologists, Board of — representation on, 2-15-1848
Railroad corporations, employment by, 69-14-1005
Records
  confidentiality, See **CONFIDENTIAL AND PRIVILEGED COMMUNICATIONS**
  do not resuscitate orders, 50-10-101
  health care information act, uniform, Title 50, chapter 16, part 5, See **HEALTH CARE INFORMATION**
  information and privacy protection act, Title 33, chapter 19, See **INSURANCE, Information and privacy protection**
  living wills, recording declarations and terminal condition, 50-9-103, 50-9-104, 50-9-201, 50-9-206, See also **LIVING WILLS**
Recruitment, rural physician incentive program, 20-26-1501 — 20-26-1503
Register, 37-3-205
Registration, 37-3-301, 37-3-313

PHYSICIANS AND SURGEONS (Continued)

Report requirements
  diseases, See **DISEASES**, **Report requirements**
  developmental disabilities, persons with — abuse, neglect, or exploitation, 52-3-811, 52-3-813
  drug addicts or habitual users of drugs, prescriptions issued to, 37-2-111
  elderly persons — abuse, neglect, or exploitation, 52-3-811, 52-3-813
  gunshot or stab wounds, 37-2-302, 37-2-303
  incompetence or unprofessional conduct, Title 37, chapter 3, part 4
  infant mortality and morbidity, 50-16-102
  justice, department of — to, 37-2-311
Residency, 37-3-102, 37-3-103
Respiratory care practitioners, orders and protocols, 37-28-102, See also **RESPIRATORY CARE PRACTITIONERS**
Respiratory Care Practitioners, Board of — representation on, 2-15-1860
Rural area, practice in — income tax credit, 15-30-188 — 15-30-191
Rural physician incentive program, 20-26-1501 — 20-26-1503
Schools
  immunization requirements, exemption certification, 20-5-405
  special education, allowable costs, 20-7-431
School trustees, retained by — when, 20-3-324
Selection of practitioner, See **Choice of practitioner**
Senior citizens — abuse, neglect, or exploitation
  evidence, gathering, 52-3-815
  report of, 52-3-811, 52-3-813, See **AGING AND AGED PERSONS**, **Abuse, neglect, or exploitation**
Serological tests
  premarital, See **Premarital examinations**
  prenatal, See **PREGNANCY**
  sexually transmitted diseases, See **DISEASES**, **Sexually transmitted diseases**
Sexually transmitted diseases
  drugs for treatment, prescription required, 50-18-110
  information, release to, 50-18-109
  reporting by, 50-18-106
  statement of freedom from disease, issuance, 50-18-111
  tracking, 50-16-712
Sheriffs' disability retirement examinations, 19-7-612
Shortage, recruitment — rural physician incentive program, 20-26-1501 — 20-26-1503
Silicosis benefits, medical examinations and examining board, 39-73-101, 39-73-102, 39-73-106
Social worker provisions, applicability, 37-22-305
Stab wounds, reporting, 37-2-302, 37-2-303
State medical examiner and associate medical examiners, requirements, 44-3-201, 44-3-203
Sterilization, Title 50, chapter 5, part 5, See **STERILIZATION**
Teachers' Retirement System, examination of disability retirees, 19-20-901, 19-20-903
Temporary certificate, See **Licenses and licensing**
Tissue banks, 50-33-104
Tissues, furnishing declared service, 50-33-102
Transportation, free or reduced rates when, 69-11-208
Trauma care committee, representation and duties, 2-15-2215, 50-6-404
Tuberculosis
  court order for examination or commitment, application by, 50-17-105, 50-17-115
  emergency detainment, 50-17-115
  fees to, 50-17-114
  witness to proceeding for commitment or examination, 50-17-105
Tumor registration, Title 50, chapter 15, part 7, See **VITAL STATISTICS**
Unemployment insurance benefits, effect of advice to leave work, 39-51-2302
Unprofessional conduct, 37-1-316
  disciplinary action, cause for, 37-3-323, 37-20-202, 37-20-409

PHYSICIANS AND SURGEONS (Continued)
Unprofessional conduct (Continued)

  do not resuscitate provisions, nonapplicability, 50-10-102
  licenses
    applications, investigations concerning, 37-3-309
    issuance refused when, 37-3-305, 37-3-307, 37-3-321
  living will provisions, nonapplicability, 50-9-204, See also **LIVING WILLS**
  physician assistants-certified provisions, applicability, 37-20-202, 37-20-403, 37-20-409
  reporting, Title 37, chapter 3, part 4
Utilization reviews, Title 33, chapter 32, See **INSURANCE, DISABILITY**
Violent behavior of patients, duty to warn of and liability, 27-1-1101 — 27-1-1103
Violations
  adjudicative procedures, 37-1-310
  appeal, 37-1-313
  charging, manner of, 37-3-326
  child abuse and neglect, failure to report, 41-3-207
  communicable diseases, failure to report, 37-2-301
  disciplinary actions, 37-3-323, 37-3-324
  do not resuscitate provisions, 50-10-106
  drug companies and practitioners, unlawful practices between, 37-2-102
  drug dispensation when, 37-2-104
  fines, 37-1-315, 37-2-111, 37-2-301, 37-3-323, 37-3-325
  injunction, 37-1-317, 37-1-318, 37-3-326
  insurance claims, false or fraudulent, 33-18-401
  living will provisions, 50-9-206
  penalties, 37-1-317, 37-1-318, 37-3-325
  pharmacies and practitioners, unlawful practices between, 37-2-103
  prescriptions to drug addicts or habitual user of drugs, failure to report, 37-2-111
  request for hearing, notice, 37-1-309
  sanctions and stipulations, 37-1-312
  unprofessional conduct constituted by, 37-1-316
Vocational rehabilitation, physical restoration, 53-7-101, 53-7-301, See **BLIND OR VISUALLY DISABLED PERSONS**; **PUBLIC ASSISTANCE**
Volunteer firefighter disability pension examinations, 19-17-408
Welfare recipients, treatment, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE, Medical care**
Well-child care services, insurance coverage, 33-22-303, 33-22-512, 33-30-1014
Witnesses, See **Evidence**
Woman's right-to-know, Title 50, chapter 20, part 3, See **ABORTION**
Workers' compensation, Title 39, chapter 71, See **WORKERS' COMPENSATION, Physicians**; See also **OCCUPATIONAL DISEASE, Medical** entries
Wrestling matches or exhibitions, attendance required, 23-3-405
X-ray radiation, application, Title 37, chapter 14
Youth correctional facilities, physical examination required prior to commitment, 52-5-108

PINE HILLS SCHOOL, 20-25-421, 41-5-103, 41-5-526, 52-5-108, 52-5-109, 52-5-112, 53-1-104
  See also **YOUTH COURT, Correctional facilities**

PIPELINES
Carriers, See also **CARRIERS**
  actions, 69-13-105, 69-13-203
  common carrier, 69-11-101, 69-13-101
  construction of pipelines, 69-13-103
  discrimination in rates or service unlawful, 69-13-105, 69-13-303
  eminent domain, 69-13-104
  enforcement of provisions, 69-13-102, 69-13-201, 69-13-203, 69-13-303
  facilities, 69-13-201, 69-13-302, 69-13-303
  fees, See **CONSUMER COUNSEL, Regulated companies**; **PUBLIC SERVICE COMMISSION, Regulated companies**

PIPELINES (Continued)
Carriers (Continued)

orders of public service commission, 69-13-105, 69-13-201 — 69-13-203
rates, 69-13-201, 69-13-301 — 69-13-303
records and reports, 69-13-301
regulation and supervision, 69-1-102
rules, 69-13-201, 69-13-301 — 69-13-303
scope of provisions, 69-13-102
violations, 69-13-105
Cities and towns, sewer or water, 7-7-4203
Construction blasting and use of explosives, Title 37, chapter 72
County utility services, 7-13-2101 — 7-13-2103
Dams and reservoirs, appurtenant works, 85-15-106
Engineering, practice of — nonapplicability, 37-67-101
Environmental contaminants, release, 75-10-602
Facility Siting Act, Title 75, chapter 20
Fire hazard reduction along right-of-way, 76-13-401, 76-13-403, 76-13-407, 76-13-410
Hazardous or deleterious substances, "facility" defined, 75-10-701
Hazardous waste underground storage tank provisions, nonapplicability, 75-10-403
Insurance coverage, See **INSURANCE, MARINE**, generally
Irrigation district property, 85-7-2011
Lien for, Title 71, chapter 3, part 10
Mausoleum-columbarium property, utilities through — prohibited, 35-21-409
Natural gas
pipeline safety provisions and regulations, penalty for violation, 69-3-207
transportation or distribution, 82-10-301
underground storage, state land leases for, 77-3-501
Petroleum
energy resource information, 90-4-302, 90-4-305
storage tank releases, cleanup provisions — applicability, 75-11-302
Report to
department of revenue, shipment of oil or natural gas, 15-36-312
department of transportation, transportation of oil or gas, 15-70-209
Revegetation of rights-of-way and disturbed areas, 7-14-2131, 7-22-2152
State lands
easements for right-of-way on, See **STATE LANDS, Easements**
oil and gas leases, manner of making royalty payments, 77-3-434
Subdivisions, utility easements, 76-3-305
Taxation, See generally **TAXATION, GASOLINE AND VEHICLE FUELS**; **TAXATION, MINERALS**
Transmitting utility, 30-9-105
Water, for, 15-6-206, 85-1-102, 85-9-103, 85-15-106
exemption from special assessments, 7-12-1151, 7-12-2196, 7-12-4124, 7-12-4345, 7-12-4436, 7-12-4511, 7-12-4621, 85-7-2011
Water conservancy districts, 85-9-103

PLAIN LANGUAGE IN CONTRACTS ACT, Title 30, chapter 14, part 11
See **CONTRACTS**

PLANNED COMMUNITY DEVELOPMENT ACT OF 1973, Title 7, chapter 2, part 47
See **CITIES AND TOWNS, Annexation with provision of services**

PLANNING AND ECONOMIC DEVELOPMENT ACT OF 1967, Title 90, chapter 1, part 1
See **ECONOMIC DEVELOPMENT**, generally

PLANNING BOARDS
See also **ZONING**
Actions, official when, 76-1-304
Administration, 76-1-305

PLANNING BOARDS (Continued)

Advisory capacity, 76-1-102, 76-1-106, 76-1-107
Appointment to, 76-1-201, 76-1-211, 76-1-221 — 76-1-223
Appropriations, 76-1-307, 76-1-401, 76-1-402
Asphalt batching operations, zoning regulations, 76-1-113
Authorization for, 76-1-101
Budget, 76-1-401, 76-1-402
Citizen members, See **Membership**
City boards
  establishment, 76-1-105
  membership, 76-1-221 — 76-1-224, 76-2-311
City-county boards
  establishment, 76-1-105, 76-2-311
  governing bodies, recommendations to, 76-1-109
  jurisdictional area, 76-1-504 — 76-1-508
  membership, 76-1-201 — 76-1-204
  tax levy for, See **Tax levies**
  zoning commission, as, 76-1-108
Commerce, Department of — technical assistance from, 90-1-103
Comprehensive plan, See **Master plan**
Concrete processing operations, zoning regulations, 76-1-113
Consolidated boards, 76-1-112
County boards
  establishment, 76-1-104
  jurisdictional area, 76-1-501 — 76-1-503
  membership, 76-1-203, 76-1-204, 76-1-211, 76-1-212
  tax levy for, See **Tax levies**
Definitions, 76-1-103
Donations, 76-1-408
Employees, 76-1-306, 76-1-307
Environmental assessment exemption, 76-3-210
Establishment, 76-1-104, 76-1-105
Existing boards, representation on, 76-1-111
Expenses, 76-1-307
Facility siting
  applications, copies to, 75-20-211, 75-20-225
  party to proceedings, 75-20-221
Fiscal administration, 76-1-401, See also **Tax levies**
Floodplain and floodway delineation programs, notification regarding, 76-5-201
Funding generally, 76-1-402, See also **Tax levies**
  commerce, department of — distribution by, 90-1-108
Gifts, 76-1-408
Governing bodies, 76-1-103
  advisory capacity to, 76-1-106, 76-1-107
  appropriation of funds, 76-1-402
  budget procedures, 76-1-401, 76-1-402
  citizen members, removal, 76-1-202, 76-1-212
  cooperation by, 76-1-110
  governmental funds and services, approval, 76-1-409
  jurisdictional area
    boundaries, approval, 76-1-503, 76-1-507
    establishment, 76-1-504
  master plan
    adoption, revision, or rejection, 76-1-604
    recommendation for, 76-1-603
    use, 76-1-605

PLANNING BOARDS (Continued)
Governing bodies (Continued)

- membership terms fixed by, 76-1-203
- recommendations to, 76-1-109, 76-1-305
- tax levy by, 76-1-111
- vacancies filled by, 76-1-204

Governmental
- cooperation, 76-1-110
- funds and services, 76-1-409

Health care, regions and regional planning boards, Title 50, chapter 4
Interlocal agreements for, 76-1-112
Interlocal cooperation commission, use of plans prepared by, 7-11-225
Joint boards, 76-1-112
Jurisdictional area
- boundaries
  - extension, 76-1-505
  - revisions, 76-1-502, 76-1-503, 76-1-506
- city-county boards, 76-1-504
  - boundaries, 76-1-505, 76-1-506
  - conflicts, resolution, 76-1-507
  - maps, filing, 76-1-506, 76-1-507
  - planning projects outside, 76-1-508
- county boards, 76-1-501 — 76-1-503
- increased when, 76-1-111
- maps, filing, 76-1-502, 76-1-503, 76-1-506, 76-1-507
- projects outside, construction of provisions, 76-1-508
- subdivision regulations, Title 76, chapter 4, See **SUBDIVISIONS**, **Local regulations**
- zoning regulations, See **ZONING**, **County**; **Municipal**

Lakeshore protection, permit regulations — recommendations, 75-7-207, 75-7-211
Master plan, 76-1-103
- adoption, revision, or rejection, 76-1-603, 76-1-604
- contents, 76-1-601
- hearing, 76-1-602
- preliminary plats, conformity, 76-3-604
- preparation, 76-1-106
- subdivisions
  - effect on, 76-1-605, 76-1-606
  - environmental assessment exemption, 76-3-210
- use, 76-1-605

Meetings, 76-1-301, 76-1-304
Megalandfill siting
- application, copy to, 75-10-918
- party to proceedings, 75-10-927

Membership
- appointment, 76-1-201, 76-1-211, 76-1-221 — 76-1-223
- certification when, 76-1-221
- citizen members
  - appointment, 76-1-201, 76-1-212, 76-1-221, 76-1-224
  - qualifications, 76-1-202, 76-1-224
  - vacancies, filling, 76-1-204
- city boards, 76-1-221
  - citizen members, 76-1-224
  - city council representative, 76-1-222
  - county representative, 76-1-223, 76-2-311
  - increased when, 76-2-311
- city-county boards, 76-1-201 — 76-1-204
- compensation, 76-1-307

PLANNING BOARDS (Continued)
Membership (Continued)

- county boards, 76-1-203, 76-1-204, 76-1-211, 76-1-212
- expenses, 76-1-307
- increased when, 76-1-111, 76-2-311
- official members, 76-1-201
- qualification, 76-1-202, 76-1-224
- removal of citizen members, 76-1-202, 76-1-212, 76-1-224
- terms of members, 76-1-203, 76-1-222
- vacancies, 76-1-204, 76-1-222

Mining operations, sand and gravel — zoning regulations, 76-1-113
Natural resources, effect of provisions, 76-1-113
Officers, 76-1-302, 76-1-408
Offices, 76-1-303
Ordinances and resolutions, 76-1-305
Parks and playgrounds, 76-1-408
Plats, See **Subdivisions and plats**
Policies proposed by, 76-1-106
Property, 76-1-408
Protests to establishment, 76-1-104
Purpose, 76-1-102
Qualification for membership, 76-1-202, 76-1-224
Quorum, 76-1-304
Records, 76-1-305
- certificates of membership, 76-1-221

Reports, 76-1-305
Role, 76-1-106, 76-1-107
Rulemaking powers, 76-1-305
Secretary, 76-1-301, 76-1-306, 76-1-408
Service contracts, 76-1-306
Shooting ranges, effect of planning, 76-9-103 — 76-9-105
Soil survey and mapping program, 76-11-201, 76-11-202
Subdividers, exemption concerning, 76-3-210
Subdivisions and plats
- environmental assessment exemption, 76-3-210
- local government review, master plan as criteria, 76-3-608
- master plan, See **Master plan**
- policies for, 76-1-106
- preliminary plats, conformity, 76-3-604
- role relating to, 76-1-107
- subdividers, exemption concerning, 76-3-210

Tax levies
- authorization, 76-1-405, 76-1-406
- counties, by, 76-1-403 — 76-1-405
- existing boards, for jurisdictional area added to, 76-1-111
- maximum, 76-1-405, 76-1-407
- municipalities, by, 76-1-406, 76-1-407
- planning districts, property within, 76-1-403, 76-1-404

Vacancies on, 76-1-204, 76-1-222
Zoning
- commission, as, 76-1-108
- districts, recommendations to, 76-2-204
- master plan, effect, 76-1-605

PLEADINGS
See **CIVIL PROCEDURE; CRIMINAL PROCEDURE**

PLEDGES
  See also **PROPERTY, PERSONAL, Bailment**
Agricultural Loan Authority, 80-12-302, 80-12-307, 80-12-308
Agricultural marketing associations, 35-17-106, 35-17-407
Banks and trust companies
  assets, 32-1-411, 32-1-447, 32-1-606
  closed banks, loans by liquidating agent, 32-1-507
  trust company, purposes, 32-1-107
Bond issues, public — payment, 17-5-203
Building and loan associations
  assets, limitation of pledge, 32-2-405
  stock transfer, 32-2-211
Campaign expenditures, 13-1-101
Cities and towns
  bonds
    payment, 7-7-4204, 7-7-4421, 7-31-116
    security, 7-7-4623, 7-14-4502
  cash deposits as, 7-6-4121
Close corporation shares, 35-9-202
Coal Board, loan contracts — restrictions, 90-6-209
Coal severance tax bonds and funds, 17-5-705, 17-5-708, 17-5-717, 17-5-720, 17-5-721, 17-6-308
Conservation districts, 76-15-505, 76-15-508
Consumer loan businesses, loan repayments — restoration upon, 32-5-304
Contract, as, 71-2-102
Cooperative associations, by, 35-15-103
Corporations, 35-1-115
  assets, 35-1-822
  vote, consent, proxy appointment, or waiver — pledgee, 35-1-525, 35-1-527
Counties
  bonds, payment, 7-7-2205, 7-31-116
  fire service area income, 7-33-2402
Credit unions
  loans, security, 32-3-704
  MCSD accounts, use, 32-3-805
Crossover refunding bond proceeds, 17-5-2102
Defeat of pledge, 71-2-109
Definitions, 1-1-205, 71-1-107, 71-2-101
Delivery of property required, 71-2-103
Development corporations, 32-4-201, 32-4-208
Economic development bonds, payment, 17-5-1508, 17-5-1522, 17-5-1523, 17-5-1528
Estates and probate, See **ESTATES AND PROBATE**
Factors
  authority, 30-11-606
  pledgee, as, 30-11-602
Finders, sales by — applicability, 70-5-202
Foreclosure costs, 25-10-101, 25-10-102
Gasoline taxes, 17-5-507
Grazing district preferences, when, 76-16-405
Hard-rock mining impact, local government bonds — payment, 90-6-310
Health Facility Authority, 90-7-111, 90-7-212, 90-7-304, 90-7-305, 90-7-311, 90-7-312, 90-7-318
Highway revenue bonds, payment, 17-5-902, 17-5-911 — 17-5-913, 17-5-922, 17-5-929
Hospital district taxes and revenue, 7-34-2131

PLEDGES (Continued)

Housing authorities, municipal
    bonds
        payment, 7-15-4501, 7-15-4524, 7-15-4525
        security, 7-15-4505
    loans, security, 7-15-4502
    property, 7-15-4460
Housing development, lower income
    financing programs, 90-6-108
    revenue bonds and notes, 90-6-112, 90-6-113, 90-6-123, 90-6-126
Industrial development projects bonds, security, 90-5-105
Insurance policies, 33-2-825, 33-15-414, 33-18-202, 33-20-131
    pledgor, copy to — when, 33-15-412
Insurers
    holding company systems, registration statement — contents, 33-2-1111
    investments, 33-2-812, 33-2-826
    supervision, rehabilitation, and liquidation — secured claim, 33-2-1303
Insurers, domestic stock and mutual
    loans, 33-3-431
    officials' conflict of interest, 33-3-308
Insurers, farm mutual, 33-4-103
Irrigation district revenue bonds, payment, 85-7-1413
Lien on property, extent of pledge, 71-2-107
Limited liability companies, 35-8-107, 35-8-704
Limited partnership assets, 35-12-703
Long-range building program bonds, payment, 17-5-405, 17-5-407, 17-5-408, 17-5-415, 17-5-421
Military property, unlawful, 10-1-613
Mint and mint oil, 80-11-402, 80-11-412 — 80-11-414
Misrepresentation of value, 71-2-110
Municipal finance consolidation bonds and notes, payment, 17-5-1621, 17-5-1622, 17-5-1642, 17-5-1647
Nonprofit corporations, 35-2-118, 35-2-433, 35-2-616
Notes, tax and revenue anticipation — payment, 17-1-204
Parking commission revenues, funds, or property, 7-14-4635, 7-14-4643, 7-14-4666
Pawnbrokers, See **PAWNBROKERS AND JUNK DEALERS**
Pledgee for reward, 71-2-104
Pledge holder, 71-2-101
    gratuitous, 71-2-105, 71-2-106
    obligations, 71-2-106
    reward, for, 71-2-104, 71-2-106
Power of attorney, statutory — authority, 72-31-225, 72-31-228, 72-31-230, 72-31-231
Professional corporation shares, 35-4-301
Public fund deposits, security, 17-6-103, 17-6-105
Public obligations, 17-5-1106, 17-5-1121, 17-5-1123
Purchase, as, 30-1-201, 30-2A-103
Railroad corporations, by, 69-14-507, 69-14-556
Railroad rehabilitation or rolling stock revenue bonds, 60-11-1103, 60-11-1107, 60-11-1203, 60-11-1207
Regents of Higher Education, Board of, 20-25-255, 20-25-402
Religious corporations sole, 35-3-205
Renewable resource loan debt service fund, revenues for, 85-1-619, 85-1-620
Resort community tax revenues, 7-6-4466
Reverse annuity mortgage loans, eligibility, 90-6-503
Secured transactions, applicability, 30-9-102
Securities, See **SECURITIES AND SECURITIES REGULATION, Pledge of security; Registration of transfer, pledge, or release of uncertificated security**
Solid waste management loans, repayment, 75-10-121
Special improvement district supplemental revolving fund, revenues, 7-12-4243

PLEDGES (Continued)

State building leases, security for payment of rent, 18-3-106
State land lessees, pledge of leasehold interest, See **STATE LANDS, Surface leases**
Trust property, power of trustee, 72-34-318
Unemployment insurance benefits, exemption from, 39-51-3105
Urban renewal
  bond payments, 7-15-4289, 7-15-4301, 7-15-4324
  obligees, rights, 7-15-4260
Utilities, rural cooperatives — by, 35-18-106, 35-18-107
Warehouseman, lien of — effect, 30-7-209
Wastewater treatment works revolving loan program bonds, payment, 75-5-1121
Water conservation revenue bonds, security for, 85-1-307, 85-1-321
Water project land leasehold interest, prohibited, 85-1-810
Wheat or barley, security for loans, 80-11-201, 80-11-206, 80-11-207
Withdrawal of pledge, 71-2-108

PLUMBING AND PLUMBERS
Apprentices, 37-69-302, 37-69-304, 37-69-323
Board of Plumbers, 2-15-1875; Title 37, chapter 69, part 2
Building codes, subject to, Title 50, chapter 60, part 5, See **BUILDINGS AND BUILDING REGULATIONS**
City or town technical codes, 7-5-108, 7-5-4202, 7-15-4121
Disciplinary actions, 37-69-320
Drug abuse, 37-69-320
Exceptions from provisions, 37-69-102, 37-69-301
Field of plumbing, 37-69-101
  apprentices, 37-69-302
  license required, 37-69-103, 37-69-301, 49-3-204
    temporary exception when, 37-69-301
  substandard work performance and inadequate supervision, effect, 37-69-320
Fraud, 37-69-320
Incompetence, 37-69-320
Journeyman plumbers, 37-69-101
  authority, restrictions, 37-69-304
  employment, 37-69-304, 37-69-323
  licenses, See **Licenses and licensing**
  supervision by, 37-69-302
Landlord-tenant relationships, maintenance, 70-24-303, 70-24-321, See also **LANDLORD AND TENANT, Maintenance**
Licenses and licensing
  applications, 37-69-303
  deceit in procuring, 37-69-320
  discrimination in issuance prohibited, 49-3-204
  examinations, 37-69-303 — 37-69-307
  exceptions when, 37-69-301
  experience requirements, 37-69-304
  expiration and renewal, 37-69-307
  fees, 37-69-307
  issuance, 37-69-306
  proof of, 37-69-319
  qualifications
    journeyman plumbers, 37-69-304
    master plumbers, 37-69-305
  required, 37-69-103, 37-69-301
  revocation or suspension, 37-69-320

PLUMBING AND PLUMBERS (Continued)

Master plumbers, 37-69-101
  authority, restrictions, 37-69-305
  employees, 37-69-323
  journeyman plumbers, employment, 37-69-304, 37-69-323
  licensing, See **Licenses and licensing**
Medical gas piping
  endorsement, 37-69-401
  installation, requirements, 37-69-402
Negligence, 37-69-320
Public building, advisory authority, 50-1-202
Regulation generally, See **PROFESSIONS AND OCCUPATIONS**
Standards and restrictions, 37-69-320
Uniform Plumbing Code standards, 37-69-320
Unlicensed plumbers, hiring, 37-69-102, 37-69-103, 37-69-301, 50-60-502
Unprofessional conduct, 37-69-320
Violations, 37-69-320, 37-69-324, 37-69-402, 50-60-515

PODIATRY AND PODIATRISTS
  See also **MEDICINE AND MEDICAL CARE**
Acupuncture, practice of — requirements, 37-13-104
Advertising, 37-6-104, 37-6-301
Alcohol abuse, effect, 37-6-310
Anesthetics, administering, 37-6-102
Ankle surgery, certification required, 37-6-107
Appliances, 37-6-104
Application of provisions, 37-6-103
Child abuse and neglect, reporting of, 41-3-201, 41-3-203 — 41-3-207
Choice of practitioner, 33-22-111
Complaints against, 37-2-105, 37-6-311
Construction of provisions, 37-6-104
Corrective shoes, 37-6-104
Deceptive practices, 37-1-131, 37-6-310, 39-71-316
Developmental disabilities, persons with — report of abuse, neglect, or exploitation required, 52-3-811,
  See **DEVELOPMENTAL DISABILITIES, Abuse, neglect, or exploitation**
Disability insurance, insured's selection of practitioner, 33-22-111
Disciplinary actions, 37-6-311
Drug companies and practitioners, unlawful practices between, 37-2-102
Drugs
  abuse, effect, 37-6-310, 37-6-311
  dispensation
    definitions, 37-2-101
    drug companies and practitioners, unlawful practices between, 37-2-102
    emergencies, 37-2-104
    pharmacies and practitioners, unlawful practices between, 37-2-103
    samples, 37-2-104
    unlawful when, 37-2-104, 37-6-310
    violations
      actions concerning, 37-2-105
      conviction, effect, 37-6-310
  license suspension for abuse of, 37-6-311
  prescriptions, 37-6-105, 37-6-310
  violations
    actions concerning, 37-2-105
    conviction, effect, 37-6-310
    effect, 37-6-311

PODIATRY AND PODIATRISTS (Continued)

Elderly persons — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Emergencies, drug dispensation, 37-2-104
Fines, 37-6-312
Foot remedies, 37-6-104
Fraud, 37-1-131, 37-6-310, 37-6-311, 39-71-316
Hazardous chemical provisions, nonapplicability, 50-78-103
Health care information, Title 33, chapter 19; Title 50, chapter 16, part 5, See **HEALTH CARE INFORMATION**; **INSURANCE, Information and privacy protection**
Health maintenance organization providers, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**
Health service corporations, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**
Hospitals
  records and reports, examination and release when, 37-6-311
  staff membership or privileges, 50-5-105
Incompetency, 37-6-310, 37-6-311
Incorporation, Title 35, chapter 4, See **CORPORATIONS, Professional corporations**
Injunction when, 37-2-105
Insurance
  disability
    insured's selection of practitioner, 33-22-111
    payment for services, Title 33, chapter 22, See **INSURANCE, DISABILITY, Payments**
  health service corporations, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**
  information and privacy protection act, Title 33, chapter 19, See **INSURANCE, Information and privacy protection**
  professional liability, Title 33, chapter 23, part 3, See **INSURANCE, CASUALTY, Professional liability**
Investigations, 37-6-311
Licenses and licensing, Title 37, chapter 6, part 3
  ankle surgery, certification, 37-6-107
  designations on, 37-6-304
  discrimination in issuance prohibited, 49-3-204
  display, 37-6-304
  examinations, 37-6-302, 37-6-303
  fees, 37-6-302 — 37-6-305
  fraud, misrepresentation, or deception in obtaining, 37-6-310, 37-6-311
  penalty, 37-6-304
  practicing without, unlawful, 37-6-301
  probation, 37-6-311
  qualifications, 37-6-302
  refusal, 37-6-302, 37-6-303, 37-6-311
  reinstatement, 37-6-311
  required, 37-6-301
  revocation or suspension, 37-1-131, 37-6-304, 37-6-311, 39-71-316
  temporary, 37-6-302, 37-6-304
Malpractice, 37-6-310, See also **INSURANCE, CASUALTY, Professional liability**; **MALPRACTICE, MEDICAL**
Medical Examiners, Board of, 2-15-1841; Title 37, chapter 3, part 2
Medical records information, Title 33, chapter 19; Title 50, chapter 16, part 5, See **HEALTH CARE INFORMATION**; **INSURANCE, Information and privacy protection**
Medicine, practice of
  aiding or abetting persons not licensed to practice, effect, 37-6-310
  licensing provisions, applicability, 37-3-103
Mental impairment, 37-6-310, 37-6-311
Misrepresentation, 37-1-131, 37-6-310, 37-6-311, 39-71-316

PODIATRY AND PODIATRISTS (Continued)

Negligence, 37-6-310
Nonresidents, 37-6-310
Payment for services, 37-6-310; Title 33, chapter 22, See also **INSURANCE, DISABILITY, Payments**
Peer review, See also **HEALTH CARE INFORMATION, Hospital medical staff committees; Peer review**
  nonliability, 37-2-201
  reporting of incompetence or unprofessional conduct, 37-3-401 — 37-3-405
Penalty, 37-6-304
Pharmacies and practitioners, unlawful practices between, 37-2-103
Pharmacy, community — ownership prohibited, 37-2-103, 37-2-106
Physical impairment, 37-6-310, 37-6-311
Physical therapists, restrictions, 37-11-103
Physician assistants-certified utilization plans, applicability, 37-20-303
Physicians, nonapplicability of provisions, 37-6-103
Practice of podiatry
  license, without — unlawful, 37-6-301, See **Licenses and licensing**
  physical therapists, restrictions, 37-11-103
  scope, 37-6-102
  suspension of right, 37-6-311
  unlicensed persons, practice with, 37-6-310
Prescriptions, drug, 37-6-105, 37-6-310
Probation, 37-6-311
Professional corporations, 37-6-310; Title 35, chapter 4, See **CORPORATIONS**
Professional liability, See **INSURANCE, CASUALTY**; **MALPRACTICE, MEDICAL**
Regulation generally, See **PROFESSIONS AND OCCUPATIONS**
Schools of podiatry, approval, 37-6-302
Scope of practice, 37-6-102
Surgeons, nonapplicability of provisions, 37-6-103
Unprofessional conduct, 37-6-310, 37-6-311
Utilization reviews, Title 33, chapter 32, See **INSURANCE, DISABILITY**
Violations
  child abuse and neglect, failure to report, 41-3-207
  complaints and charges, 37-6-311
  conviction, effect, 37-6-310
  disciplinary actions, 37-6-311
  drug companies and practitioners, unlawful practices between, 37-2-102
  drug dispensation when, 37-2-104
  generally, penalty, 37-6-312
  license, practicing without, 37-6-301
  pharmacies and practitioners, unlawful practices between, 37-2-103
  unprofessional conduct, as, 37-6-310
  workers' compensation claims, fraud or deception in, 37-1-131, 39-71-316
Workers' compensation claims, Title 39, chapter 71
X-ray radiation, application, Title 37, chapter 14, See **RADIOLOGY AND RADIOLOGIC TECHNOLOGISTS**

POISON
Additive to food, drugs, or cosmetics — as, 50-31-108
City or town regulations regarding sales, 7-31-4102
Commercial feeds containing, 80-9-204
Compounding, 37-7-103, 37-7-301
Cosmetic
  additive to, 50-31-108, 50-31-109
  adulteration, as, 50-31-401
  container, poisonous, 50-31-401

POISON (Continued)

Defined, 37-7-101
Dispensing, 37-7-103, 37-7-301
Drugs
    additive, as, 50-31-108, 50-31-109
    container, poisonous, 50-31-305
Fish, taking — unlawful when, 87-3-204, 87-3-206
Food
    additive, as, 50-31-108, 50-31-109
    adulteration, as, 50-31-202
    condemnation and destruction when, 50-31-510
"Hazardous substance, misbranded" defined, 50-30-202, See also **HAZARDOUS SUBSTANCES**
Insect control, 7-22-2301, 7-22-2304, 7-22-2305, See also **PESTS AND PESTICIDES**
Meat or meat containers, as additive, 81-9-217
"Pesticide chemical" defined, 50-31-103, See **PESTS AND PESTICIDES**
Pharmacy, Board of — regulation by, 37-7-201
Predator control, 81-7-102, 81-7-103, 81-7-120, See also **PREDATORS AND PREDATOR CONTROL**
Sales
    city or town regulations, 7-31-4102
    medical professions, dispensing or compounding, 37-7-103
    pharmacies, 37-7-103
    regulation, 37-7-201
    unlawful when, 37-7-301

POLICE
    See also **LAW ENFORCEMENT**; **PEACE OFFICERS**; **PUBLIC OFFICERS OR EMPLOYEES**
Actions
    police commission decisions, appeal, 7-32-4164
    salary, to recover, 7-32-4121, 7-32-4138
Active list, 7-32-4106
    retired officers, 7-32-4107
Airports and landing fields
    airport authorities, 67-11-204
    municipal airports, 67-10-201, 67-10-205, 67-10-301
    transportation, department of — authority, 67-2-301, 67-2-501
    zoning and hazard regulations, enforcement, 67-6-102, 67-6-201
Alcoholic beverages
    prosecution of offenses, analyst's report or certificate, 16-6-207
    retail establishments, license denial when, 16-4-405
Appeals brought by, when, 7-3-4259, 7-32-4152, 7-32-4155 — 7-32-4159, 7-32-4164
    decision by police commission, 7-32-4160, 7-32-4161
Appointment, 7-32-4103, 7-32-4108, 7-32-4111, 7-32-4113
    chief of police, 7-4-4101, 7-4-4102
Arrests
    authorization to make, 7-32-4105, 7-32-4301, 31-1-211, 61-1-304
    exemption of officer from, when, 7-32-4115
Blackfeet highway, jurisdiction, 2-1-206
Blighted areas, protection for, 7-15-4202
Bridges, regulation, 7-14-2204
Business improvement districts, protection for, 7-12-1131
Chiefs of police
    amateur radio operators' license plates, list to, 61-3-424
    appointment, 7-4-4101, 7-4-4102
    arrest, power of, 7-32-4105
    children's services, county interdisciplinary child information teams, 41-3-205, 41-5-603, 52-2-211
    city-county consolidated government, director of police department, 7-3-1258, 7-3-1343

POLICE (Continued)
Chiefs of police (Continued)

city court, service of process, Title 25, chapter 24, M.U.R.J.C.C., Rule 10
concealed weapon, permit to carry — duties, 45-8-322, 45-8-325
contract security company license applications, notification, 37-60-304
criminal identification, state system, 44-2-201, 44-2-202, 44-2-205, 44-2-206
criminal intelligence information advisory council, representation on, 44-5-501
detention center administrators, as, 7-32-2120, 7-32-2241, 44-4-302
duties generally, 7-3-4105
gifts to officers, approval for retention by officer, 19-19-304
group life insurance premiums, salary deduction, 7-32-4122
justice's court, service of process, Title 25, chapter 24, M.U.R.J.C.C., Rule 10
motor vehicles, stolen and recovered — duties, 61-3-106
municipal commission government, 7-3-4254, 7-3-4259
municipal commission-manager government, 7-3-4465
municipal court, executive officer of, 3-6-303
private investigator, private security guard, or proprietary security organization license applications — notification, 37-60-304
process — execution, return, and service, 3-6-303, 7-32-4105
salary, 7-3-4465, 7-4-4202, See also **CITY OFFICERS, Salaries**
security guard, casual employment of officer as — authorization, 37-60-406
sentencing, commission on — membership, 46-18-130
sexual or violent offender registration, 46-23-504
work period, establishment, 7-32-4118, 7-32-4119, 39-3-406
City-county consolidated government
bonds, official, 7-3-1258
commission president, command when, 7-3-1219
department, 7-3-1248, 7-3-1343
prior rights of officers, 7-3-1344
subpoenas, designation of officer to serve, 7-3-1252
City or town annexation with provision of services, 7-2-4732
Civil disorder, prohibited activities and exceptions, 45-8-107 — 45-8-109
Collective bargaining agreements, 7-32-4117, 7-32-4164
Commission, See **Police Commission**
Communication lines, underground conversion, Title 69, chapter 4, part 3
County
fairground and building lessees, protection, 7-21-3409
livestock protective committees, cooperation and assistance, 81-6-103
Criminal identification, state system, 44-2-201, 44-2-202, 44-2-205, 44-2-206
Departments, 7-32-106, 7-32-4101
applicability of provisions, 7-32-4102
city-county consolidated governments, 7-3-1248, 7-3-1343
criminal intelligence information section, participating agency, 44-5-506
municipal commission-manager government, 7-3-4465
9-1-1 emergency telephone system advisory council, recommendations for membership, 10-4-102
ordinances governing, 7-32-4104
parking commissions, cooperation, 7-14-4632
private security patrol officers and investigators, board of — representation, 2-15-1891
public safety, department of — in lieu of, 7-32-101
supervision, 7-32-4103
Disability, See **Injury or sickness**
Disasters, responsibility, 10-3-102
Discipline and disciplinary orders, 7-32-4103, 7-32-4155 — 7-32-4161, 7-32-4164
Dismissal, 7-3-4259, 7-32-4103, 7-32-4111, 7-32-4113, 7-32-4137
Dog, police — injuring, 45-8-209
Dogs running at large, seizure and impoundment, 7-23-102
Eligible list, 7-32-4106

POLICE (Continued)
Eligible list (Continued)

  salary, action to recover, 7-32-4121
Emergencies, 7-3-4465, 10-3-102, See also generally **EMERGENCIES AND EMERGENCY POWERS**
  retired officers, utilization, 7-32-4107
Employment, 7-32-4112, 44-4-301
Examination of applicants, 7-32-4108, 7-32-4110, 7-32-4111, 7-32-4113, 7-32-4154
Execution, duties, 7-32-4105, 61-12-404
Fingerprinting and photographing of accused when, 44-5-202
Fireworks, seizure when, 50-37-109
Fort Peck Dam, jurisdiction, 2-1-209
Free tickets, passes, or services, 7-3-4256, 7-3-4367, 69-11-208
Funeral processions, 61-8-380, 61-8-383
Gifts to officers, retention by officer when, 19-9-705, 19-19-304
Glacier Park, jurisdiction, 2-1-205
Hearsay exception, investigative reports, Title 26, chapter 10, M.R.Ev., Rule 803
Highway patrol officers as, 44-1-1003
Injury or sickness
  disability
    determination of retirement eligibility, 19-19-402
    retirees, reinstatement, 19-9-905
    retirement allowance, 7-32-4135; Title 19, chapters 9 and 19
  light duty or other agency, assignment to, 7-32-4136
  probationary period, effect on, 7-32-4137
  salary and allowance, 7-32-4131, 7-32-4138
    partial salary, 7-32-4132, 7-32-4135, 7-32-4136
Insurance, group, 7-32-4117, 7-32-4122, 7-32-4123
Judgments, execution, 7-3-1343, 46-17-302
Junk dealers, inspections, 7-21-4207, 31-1-402
Jurors, summoning — when, 3-15-701 — 3-15-703, 3-15-801
Jury duty, exemption when, 7-32-4115
Litter control, enforcement, 75-10-233
Machine guns, manufacturer's register and stock — inspection, 45-8-308
Metropolitan Police Law, Title 7, chapter 32, part 41
Military
  courts, execution of processes, 10-1-404
  duty, exemption of officer when, 7-32-4115
  right-of-way not to interfere with police, 10-1-602
Misconduct, official, 7-32-4105
Missing persons reported to, dental records, 44-2-401
Motor vehicles
  abandoned, duties, Title 61, chapter 12, part 4
  accidents, notification and reports, 61-7-108, 61-7-109, 61-7-111, 61-7-114
  amateur radio operators' license plates, list to, 61-3-424
  dealer and wholesaler license provisions, enforcement, 61-3-602
  funeral processions, 61-8-380, 61-8-383
  gross vehicle weight license, failure to purchase — impoundment of vehicle, 61-10-209
  illegally stopped, removal, 61-8-705
  junk vehicles, release for disposal, 61-12-402
  off-highway vehicle provisions, enforcement, 23-2-806
  police vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
  registration and license plate provisions, duties, 61-3-322, 61-3-602
  rentals, inspection of records, 61-5-306
  stolen and recovered, duties, 61-3-106
  traffic control, 61-1-304, 61-1-407, 61-8-201, 61-8-333, 61-8-344, 61-8-346, 61-8-349, 61-8-354, 61-12-101
  unattended, removal, 61-8-705

POLICE (Continued)

Municipal commission government, specific provisions, 7-3-4252, 7-3-4254, 7-3-4256, 7-3-4259, 7-32-4102
Municipal commission-manager government, specific provisions, 7-3-4465
  city manager
    appointment of officers, 7-32-4108, 7-32-4113
    disciplinary orders by, 7-32-4155, 7-32-4160, 7-32-4164
      appeals, 7-32-4156
    "mayor" defined to include, 7-32-4153
    police commission, appointment of members, 7-32-4151
    powers generally, 7-32-4103
  enforcement of regulations, 7-3-4313
  free tickets, passes, or services, 7-3-4367
  public safety, department of — powers and duties of director, 7-3-4464, 7-3-4465
  tax levies for services, 7-3-4464
Municipal court, officers of, 3-6-303, 25-30-105, 46-17-403
Neglect of duty, 7-3-4259, 7-32-4105
Obedience to, 61-8-105, 61-8-201, 61-8-344, 61-8-346, 61-8-349, 61-8-354, 61-9-105
Ordinances governing, 7-3-1343, 7-32-4103 — 7-32-4105
Patrol wagons, 7-14-4103
Pawnbrokers and junk dealers, inspections, 7-21-4207, 31-1-402
Pensions, 7-32-4120; Title 19, chapters 9 and 19
Police Commission, 7-32-4151
  appeals to by officers, 7-32-4153, 7-32-4155 — 7-32-4157, 7-32-4159, 7-32-4164
    decision, 7-32-4160, 7-32-4161, 7-32-4164
    evidence, 7-32-4155, 7-32-4157
    hearings open to public, 7-32-4158
  appointment of officers, 7-32-4108
  disability retirement, determination of officer's eligibility, 19-19-402
  examination of applicants, 7-32-4108, 7-32-4111, 7-32-4154
  members — appointment, term, qualifications, and compensation, 7-32-4151, 7-32-4152
  reinstatement, application and consideration, 7-32-4110
  retired officers, rules for utilization, 7-32-4107
  subpoenas, authority, 7-32-4159
Police Protective Association, group life insurance provisions, 7-32-4122, 7-32-4123
Police vehicles, 61-1-118, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Political activities, 7-32-4114
Probationary period, 7-32-4110, 7-32-4111, 7-32-4113, 7-32-4137
Process, execution and service, 3-6-303, 7-3-1343, 7-32-105, 7-32-4105, 10-1-404
Public Safety, Department of — in lieu of, 7-32-101, See **COUNTIES**
Qualifications, 7-32-4111, 7-32-4112, 7-32-4154
Reduction in force, 7-32-4106
Reinstatement, 7-32-4106, 7-32-4110, 19-19-404
  disability retirees, 19-9-905
  review, action to, 7-32-4164
Residency requirements, 7-32-301, 7-32-302
Restrictions on activities, 7-32-4114
Retired officers, utilization, 7-32-4107
Retirement fund
  boards of trustees, 7-3-1344, 19-19-201
  state payments, expenditure restricted when, 7-32-4120
Retirement systems, 7-3-4465, 7-32-4120; Title 19, chapters 9 and 19
Rules governing, 7-3-4465, 7-32-4103, 7-32-4105, 7-32-4107, 7-32-4154, 19-9-705, 19-19-304
Salary
  action to recover, 7-32-4121, 7-32-4138
  chiefs of police, 7-3-4465, 7-4-4202

POLICE (Continued)
Salary (Continued)

- days off duty without loss of compensation, 7-32-4118
- disability retirement allowance, effect on partial salary, 7-32-4135
- group life insurance premiums, deduction, 7-32-4122, 7-32-4123
- injured or sick officers, 7-32-4131
- minimum wage, 7-32-4116
- overtime compensation, 7-32-4118, 7-32-4119, 39-3-406
- partial salary, when, 7-32-4132, 7-32-4135, 7-32-4136
- police commission, members, 7-32-4152
- withholding of money
  - retirement contribution, when, 19-19-302
  - violation of rules, for, 19-9-705, 19-19-304

Sales finance companies, arrest warrants, 31-1-211
Security alarm systems, installation and use restrictions, 37-60-101, 37-60-408
Security guard, casual employment as — authorization, 37-60-406
Sick leave, 7-32-4118
Sickness, See **Injury or sickness**
Snowmobile provisions, enforcement, 23-2-641
Subdivision services, environmental assessment, 76-3-603
Subpoenas
- police commission, authority, 7-32-4159
- service, 7-3-1252, 46-23-205

Substance abuse enforcement, equipment and personnel, 7-32-4120
Suspension
- authority or grounds for, 7-3-4259, 7-32-4103, 7-32-4111, 7-32-4113
- salary, action to recover, 7-32-4121

Tax levies to fund retirement or insurance, 7-3-4464, 7-32-4117, 19-9-209, 19-19-301
Telegraph, maintenance, 7-32-4311
Telephone party line or public telephone, failure to yield to permit emergency call, 45-8-114
Temporary employment of persons doing police work, 7-3-4465, 7-32-4109, 7-32-3153
Training, 7-32-4120
Transportation, free or reduced rates, 7-3-4256, 69-11-208
Vacation leave, 7-32-4118
Workers' compensation coverage, 7-32-4132
Work period, 7-32-4118, 7-32-4119, 39-3-406

POLICE OFFICERS' RETIREMENT SYSTEM, LOCAL FUNDS
See also **POLICE OFFICERS' RETIREMENT SYSTEM, STATE PLAN**
Actuary, employment and functions, 19-19-205
Benefits
- bankruptcy, exemption, 31-2-106
- death, 19-19-503
- disability retirement, See **Disability retirement**
- discrimination based on sex or marital status prohibited, 49-2-309
- group insurance premiums withheld from, 19-19-505
- legal process, exempt from, 19-19-504
- reinstated officers, to, 19-19-404
- service retirement, See **Service retirement**
- supplemental, 19-19-506
- tax exemption, 19-19-504, See also **TAXATION, INDIVIDUAL INCOME, Exemptions**
- unassignable, 19-19-504

Board of trustees
- abolishment, 19-19-201
- city-county consolidated government, 7-3-1344
- commission-manager government, applicability of provisions, 7-3-4464, 7-3-4465
- composition, 19-19-201

POLICE OFFICERS' RETIREMENT SYSTEM, LOCAL FUNDS (Continued)
Board of trustees (Continued)

- functions transferred when, 19-19-201
- reports by, 19-19-204, 19-19-506
- term, 19-19-201

Cities, taxing authority, 7-3-4464, 19-19-301
Contributions
- cities, rate, 19-19-301
- officers
  - military service, to qualify, 19-19-406
  - payroll deduction, 19-19-302
  - refunds, 19-19-303
- state, 19-19-305
  - reversion to state general fund when, 19-19-202

Death
- benefits, 19-19-503
- supplemental benefit payments, 19-19-506

Definitions, 19-19-101
Dependent child, benefit payments, 19-19-503, 19-19-506
Disability retirement
- benefits, computation, 19-19-502
- eligibility, 19-19-402
- partial salary, discontinuance when, 7-32-4135

Discrimination based on sex or marital status prohibited, 49-2-309
Funds, See **Police retirement funds**
Marital status, discrimination based on — prohibited, 49-2-309
Municipal commission-manager government, applicability of provisions, 7-3-4464, 7-3-4465
Municipal Police Officers' Retirement Act, applicability, 19-9-102
Police retirement funds
- actuarial valuations, 19-19-205
- board of trustees for, See **Board of trustees**
- city-county consolidated government, 7-3-1344
- contributions to, See **Contributions**
- deposits, 19-19-203, 19-19-305, 19-19-506
- dissolution when, 19-19-202
- gifts to 19-19-304
- interest on, 19-19-203
- investment, 19-19-202, 19-19-203
- sources of money, 19-19-304
- state payments to, 19-19-305, 19-19-506
- use, limitations, 19-19-202

Public Employees' Retirement Board, board of trustees' functions transferred to, 19-19-201
Retirement funds, See **Police retirement funds**
Service credits, military service, 19-19-405, 19-19-406
Service retirement
- active list, option to remain on, 19-19-403
- benefits, computation, 19-19-501
- eligibility, 19-19-401
- retired list
  - eligibility for, 19-19-401
  - reinstatement, 19-19-404
  - transfer to, 19-19-403

Sex, discrimination based on — prohibited, 49-2-309
Social security system, separateness, 19-1-104
Surviving spouse, benefit payments, 19-19-503, 19-19-506

POLICE OFFICERS' RETIREMENT SYSTEM, STATE PLAN
  See also **POLICE OFFICERS' RETIREMENT SYSTEM, LOCAL FUNDS**
Administration, Title 19, chapter 2, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM**
Assets and liabilities
  prior plans, from, 19-9-205
  unfunded liabilities, 19-9-208
Benefits, See also **Death benefits**
  alternate payees, 19-2-907
  bankruptcy, exemption, 31-2-106
  compensation limit, 19-2-1005
  decrease not allowed, 19-9-206
  disability retirement, See **Disability retirement benefits**
  discrimination based on sex or marital status prohibited, 49-2-309
  distributions, required, 19-2-1007
  forfeitures, use prohibited, 19-2-1006
  payments, refusal — when, 19-2-906
  prior plans, effect, 19-9-206
  reinstatement upon termination of, 19-9-905
  revocation or suspension, 19-2-906
  service retirement, See **Service retirement benefits**
  supplementary, 19-9-1007
  tax exemption when, 19-2-1004
  workers' compensation, applicability, 19-2-905, 19-9-706
Citation of Municipal Police Officers' Retirement Act, 19-9-101
Cities, See **Employers**
"Compensation" defined, 19-9-104
Contributions, See **Employee contributions**; **Employer contributions**; **State contributions**
Creditable service, See **Service credits**
Death, See also **Death benefits**
  benefit payments refused when, 19-2-906
  disability retirement benefits, effect on, 19-9-903
  service retirement benefits, effect on, 19-9-804
  supplemental benefit payments, 19-9-1007
Death benefits, See also **Benefits**
  absence of spouse or child, payment in, 19-9-1102
  distributions, required, 19-2-1007
  estate, payment to — when, 19-9-1102
  payments refused when, 19-2-906
  surviving spouse or dependent child, payment, 19-9-1101
Definitions, 19-2-303, 19-9-104, 19-9-209
Dependent child, benefits — payment, 19-9-804, 19-9-903, 19-9-1007, 19-9-1101, 19-9-1102
Disability compensation, contributions based on, 19-9-706
Disability retirement benefits
  computation, 19-9-903
  eligibility, 19-9-902
  medical examination requirements, 19-9-904
  partial salary, discontinuance when, 7-32-4135
  termination, 19-9-904, 19-9-905
Discrimination based on sex or marital status prohibited, 49-2-309
Employee contributions
  disability compensation, based on, 19-9-706
  employer — pick up, payment, and rate, 19-9-710
  military service, to qualify, 19-9-403
  prior plans, transfer, 19-9-207

POLICE OFFICERS' RETIREMENT SYSTEM, STATE PLAN (Continued)
Employee contributions (Continued)

- public service employment, for qualification of service in, 19-9-405
- refunds, 19-9-1101

Employer contributions
- additional, 19-9-705
- disability compensation, based on, 19-9-706
- other retirement systems, transfers from, 19-9-405
- prior plans, transfer, 19-9-207
- rate, 19-9-208, 19-9-703

Employers, 19-9-104
- commission-manager government, 7-3-4464, 7-3-4465
- election to participate, 19-9-207
- employee contributions, pick up and payment, 19-9-710
- gifts, 19-9-705
- taxing authority, 7-3-4464, 19-9-209
- unfunded liabilities, amortization, 19-9-208

Establishment, 19-9-103
Exemption, 19-2-1004
Fine, 19-2-1009
Fraud, 19-2-1009
Funds
- pension trust fund
  - assets and liabilities, transfer to, 19-9-205
  - contributions paid to, 19-9-403, 19-9-705
  - transfers, 19-2-704, 19-9-405
- prior plans, transfer, 19-9-205, 19-9-207

Legal process, exemption, 19-2-1004
Legislative intent, 19-9-102
Liabilities, 19-9-205, 19-9-208
Local police retirement funds, applicability, 19-9-102
Marital status, discrimination based on — prohibited, 49-2-309
Membership
- active, inactive vested, or inactive nonvested, 19-9-301
- conduct, wrongful — effect, 19-2-906
- election for, 19-9-207
- other plans, ineligibility, 19-9-302
- prior plans, effect, 19-9-206

Municipal commission-manager government, applicability of provisions, 7-3-4464, 7-3-4465
Prior laws, applicability, 19-9-102
Prior plans, 19-9-104
- assets and liabilities, transfer, 19-9-205
- members, effect on, 19-9-206, 19-9-207

Public Employees' Retirement Board, duties, Title 19, chapter 2, part 4
Public Employees' Retirement System
- administration, Title 19, chapter 2
- service credits transferred to, 19-3-509
- transfer to, generally, 19-9-410

Purpose, 19-9-102
Records, falsification, 19-2-1009
Service credits
- additional, election to purchase, 19-9-411
- cumulative, to be, 19-9-401
- firefighters' unified retirement system, transfers to, 19-13-404
- game wardens' retirement system, transfers to, 19-8-902
- highway patrol officers' retirement system, transfers to, 19-6-802
- military service, 19-9-403

POLICE OFFICERS' RETIREMENT SYSTEM, STATE PLAN (Continued)
Service credits (Continued)

  public employees' retirement system, transfers to, 19-3-509, 19-9-410
  public service employment, qualification, 19-9-405
  sheriffs' retirement system, transfers to, 19-7-802
Service retirement benefits
  alternate payees, 19-2-907
  commencement, 19-9-801
  computation, 19-9-804
  death of member, continuation, 19-9-804
  distributions, required, 19-2-1007
  eligibility, 19-9-801, 19-9-804
Sex, discrimination based on — prohibited, 49-2-309
Sheriffs' Retirement System
  membership when, 19-7-801, 19-9-404
  service credits transferred to, 19-7-802
Social security system, separateness, 19-1-101, 19-1-104
State contributions, rate, 19-9-702
Survivor or surviving spouse, benefits — payment, 19-9-804, 19-9-903, 19-9-1007, 19-9-1101, 19-9-1102
Unfunded liabilities, 19-9-208, See also **Assets and liabilities**
Workers' compensation benefits, applicability, 19-2-905, 19-9-706

POLITICAL PRACTICES, COMMISSIONER OF, 5-7-102
Elections, duties, Title 13, chapter 37 part 1, See **ELECTIONS**
Lobbying and lobbyists, duties, Title 5, chapter 7, See **LOBBYING AND LOBBYISTS**

POLITICAL RIGHTS AND DUTIES, Title 49, chapter 1, part 2
  See **ELECTIONS**; **RIGHTS**

POLLUTION
Air, See **AIR QUALITY**
Caves, of — unlawful, 23-2-905
CERCLA, implementation, Title 75, chapter 10, part 6, See **HAZARDOUS WASTES**
Clean Air Act of Montana, Title 75, chapter 2, parts 1 — 4, See **AIR QUALITY**
County water and/or sewer district projects for abatement, 7-13-2218
Detergent phosphorus compounds, model rule on sale and distribution, Title 75, chapter 7, part 4
Emergencies, See **EMERGENCIES AND EMERGENCY POWERS**
Energy emergencies, suspension of controls, 90-4-310
Facility Siting Act, Title 75, chapter 20, See **FACILITY SITING**, **Air and water quality**
Federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 —
  implementation, Title 75, chapter 10, part 6, See **HAZARDOUS WASTES**, **CERCLA**
Mining operations, prevention, 82-4-202
Noise, See **NOISE**, generally
Public nuisance, 45-8-111
Public water supplies, Title 75, chapter 6, See **WATER SUPPLY, PUBLIC**
Shooting ranges, standards — nonapplicability, 76-9-102
Transboundary pollution
  actions, 75-16-103
  applicable law, 75-16-105
  citation of uniform transboundary pollution reciprocal access act, 75-16-101
  definitions, 75-16-102
  forum, 75-16-103
  rights
    additional, 75-16-107
    equality, 75-16-106
    relief, to, 75-16-104
  sovereign immunity, applicability, 75-16-108
  uniformity of application and construction, 75-16-109

POLLUTION (Continued)

Uniform Transboundary Pollution Reciprocal Access Act, Title 75, chapter 16, part 1
Water, Title 75, chapter 5, See **WATER QUALITY**
Water quality districts, Title 7, chapter 13, part 45, See **WATER QUALITY**

POPULAR SOVEREIGNTY, Const., II, 1; II, 2

PORK
  See generally **LIVESTOCK**; **MEAT AND MEAT PRODUCTS**

PORNOGRAPHY
  See **CRIMES, Obscene material**; **Obscenity**

PORT AUTHORITIES
Advertising, 7-14-1104
Agents, 7-14-1103
Agreements with counties or municipalities, 7-14-1105
Architectural services contracts, Title 18, chapter 8, part 2
Assets, effect of decrease in regional authority, 7-14-1102
Audits, Title 2, chapter 7, part 5
Board, See **Commissioners**
Bonds and obligations
  general provisions for issuance and sale, 7-14-1133
  insufficient revenue to pay principal and interest, method of funding, 7-14-1134
  tax revenue for payment, 7-14-1131, 7-14-1133
Borrowing, 7-14-1133
Commercial purposes, 7-14-1125
Commissioners
  appointment and qualification, 7-14-1101, 7-14-1102, 7-14-1106
  compensation, 7-14-1102
  election, 7-14-1101, 7-14-1106
  expenses, 7-14-1103
  powers vested in, 7-14-1103
  rules, orders, or standards prescribed by, 7-14-1112
  term, 7-14-1101 — 7-14-1103
  vacancies, 7-14-1101
Contracts
  execution, authority, 7-14-1111, 7-14-1125
  increase in regional authority, effect, 7-14-1102
  professional services, state, Title 18, chapter 8, part 2
  term, 7-14-1125
Cooperation of county or municipality, 7-14-1105
Creation
  local authority, 7-14-1101
  regional authority, 7-14-1102
Debt service fund, 7-14-1135
Decrease in regional authority, 7-14-1102
Devises, 7-14-1111
Donations to, 7-14-1105
Easements, 7-14-1105, 7-14-1111
Economic development-related activities, 7-14-1104, 7-14-1111, 7-14-1133, 7-14-1137
Election
  commissioners, of, 7-14-1106
  resolution for tax levy to fund deficiency, on, 7-14-1134
Employees, 7-14-1103
Engineering services contracts, Title 18, chapter 8, part 2
Executive director, 7-14-1103

PORT AUTHORITIES (Continued)

Existing, acquisition, 7-14-1111
Federal funds, 7-14-1133, 7-14-1136
Financial reports, Title 2, chapter 7, part 5
Financial support to organizations, 7-14-1111, 7-14-1133, 7-14-1137
Functions
    cooperation of county or municipality, 7-14-1105
    general powers regarding, 7-14-1111
    public and governmental, 7-14-1104
Funding, 7-14-1105, 7-14-1126, 7-14-1136, See also **Taxes**
Gifts, 7-14-1111
Governing body
    commissioners
        appointment, 7-14-1101, 7-14-1106
        vacancies, filling, 7-14-1101
    debt service fund, sum determined by, 7-14-1135
    powers granted to authority, exercised by, 7-14-1101
    tax levy, See **Taxes**
Grants, 7-14-1126, 7-14-1133, 7-14-1136
Hearings, 7-14-1102
Increase in regional authority, 7-14-1102
Industrial park tax exemption, 15-24-1901, 15-24-1902
Intermodal transportation facilities, 60-11-120 — 60-11-123
Land, See **Property**, generally
Land surveying services contracts, Title 18, chapter 8, part 2
Leases, 7-14-1105, 7-14-1111, 7-14-1125, 7-14-1126
Liabilities, effect of decrease in regional authority, 7-14-1102
Loans, 7-14-1126, 7-14-1133, 7-14-1136
Local, creation, 7-14-1101, See this main category generally
Maintenance, 7-14-1104, 7-14-1135
Notices of hearings, 7-14-1102
Obligations, increase in regional authority — effect, 7-14-1102
Officers, 7-14-1102, 7-14-1103
Operation and use privileges, granting, 7-14-1125
Orders — adoption, amendment, or repeal, 7-14-1112
Organization, 7-14-1102
Perpetual succession, 7-14-1111
Powers
    commissioners, vested in, 7-14-1103
    generally, 7-14-1111
    governing body, exercised by, 7-14-1101
    supplemental, 7-14-1121
Private funds, 7-14-1136
Privileges
    acquisition and use, 7-14-1104, 7-14-1105
    operation and use, granting, 7-14-1125
Property
    acquisition and use, 7-14-1104, 7-14-1105, 7-14-1111
    disposal, 7-14-1126
    increase in regional authority, effect, 7-14-1102
    tax exemption, 7-14-1137
Purpose, 7-14-1104
Regional, creation, 7-14-1102, See this main category generally
Repairs, 7-14-1135
Resolutions
    adoption, amendment, or repeal, 7-14-1112

PORT AUTHORITIES (Continued)
Resolutions (Continued)

- bonds, issuance and security, 7-14-1133
- creation, for, 7-14-1101, 7-14-1102
- governing body, for exercise of powers granted to authority, 7-14-1101
- hearing and notice requirement, 7-14-1102
- tax
  - general levy to fund deficiency, 7-14-1134
  - revenue — amount, levy, and deposit for payment of bonds and interest, 7-14-1131

Revenues, deposit and expenditure, 7-14-1131, 7-14-1133, 7-14-1134
Rights, increase in regional authority — effect, 7-14-1102
Rules — adoption, amendment, or repeal, 7-14-1102, 7-14-1112
Sale of property, 7-14-1126
Seal, 7-14-1111
Secretary, 7-14-1103
Services furnished by, 7-14-1125
Standards, 7-14-1112
State funds, 7-14-1136
Streets, 7-14-1105
Sue and be sued, power to, 7-14-1111
Taxes

- available to, transfer or payment, 7-14-1105, 7-14-1131
- bond issues, payment from revenue, 7-14-1131, 7-14-1133, 7-14-1134
- exemption, 7-14-1137, 15-24-1203, 15-24-1901, 15-24-1902
- levy
  - amount, request, 7-14-1111, 7-14-1131, 7-14-1133
  - county, 7-14-1132, 7-14-1134, 67-10-402
  - general, 7-14-1134
  - municipal, 7-14-1131, 7-14-1134, 67-10-402

Technical experts, 7-14-1103
Transportation and storage facilities, 7-14-1104, 7-14-1111, 7-14-1112, 7-14-1125
Trust indentures, 7-14-1133
Use and operation privileges, granting, 7-14-1125
Water, sewer, or drainage facilities, 7-14-1105
Zoning regulations, 7-14-1102, 7-14-1111

POSTSECONDARY EDUCATIONAL INSTITUTIONS
See also **HIGHER EDUCATION**; **UNIVERSITY SYSTEM**; **VOCATIONAL-TECHNICAL CENTERS**
Accreditation, 20-30-202
Actions

- criminal sanctions, imposition, 20-30-403
- damages for prohibited acts, 20-30-401

Administration, 20-30-103, 20-30-201
Advertising, 20-30-101, 20-30-202
Advisory Council, 2-15-1804, 20-30-101, 20-30-104, 20-30-201
Affidavits, 20-30-201, 20-30-202, 20-30-302
Agents, 20-30-101, See also **Licenses and permits**
Contracts, enforceability, 20-30-402
Definitions, 20-30-101, 20-30-402
Discriminatory practices, See **DISCRIMINATION, Educational institutions**
Educational credentials, 20-30-101, 20-30-202, 20-30-203
Educational services, 2-6-109, 20-30-101, 20-30-202, 20-30-203
Enforcement of provisions, Title 20, chapter 30, part 4
Exemptions from provisions, 2-6-109, 20-30-102, 20-30-201, 20-30-203, 20-30-404
Financial assistance for resident students, Title 20, chapter 26, parts 1 and 2
Injunction, 20-30-405

POSTSECONDARY EDUCATIONAL INSTITUTIONS (Continued)

Interstate agreements, 20-30-201
Investigations, 20-30-201
Judgments, 20-30-305
Jurisdiction of courts, 20-30-404
Licenses and permits, 20-30-201, 20-30-301, 20-30-302
    applicants, qualifications, 20-30-202
    applications, 20-30-101, 20-30-201, 20-30-301, 20-30-302
    definitions, 20-30-101
    denial, 20-30-303
    discrimination in issuance prohibited, 49-3-204
    fees, 20-30-306
    lack of, prohibited practices, 20-30-203
    revocation, 20-30-304
    surety bond requirements, 20-30-301, 20-30-302, 20-30-305
    suspension, 20-30-305
Name, 20-30-202
Notes, enforceability, 20-30-402
Purpose of provisions, 20-30-101
Reciprocity, 20-30-201
Records, 20-30-105, 20-30-201, 20-30-202, 20-30-403
Rules, 20-30-201, 20-30-405
Service of process, 20-30-404
Standards, minimum, 20-30-201 — 20-30-203
Transcripts, 20-30-101, 20-30-202
Violations
    civil relief, 20-30-401
    criminal, penalty, 20-30-403
    injunction, 20-30-405
    license or permit, lack of, 20-30-203, 20-30-403
    records, refusal to deposit, 20-30-403

POULTRY AND EGGS
Agricultural marketing associations, 35-17-103, See **AGRICULTURAL MARKETING ASSOCIATIONS**
Baby birds, sales unlawful when, 81-8-401, 81-8-402
Candling of eggs, 81-20-203
    candlers, examination requirement, 81-20-201
    certificate of candling or packing, 81-20-204
    place for, 81-20-203
    producer, in presence of, 81-20-204
    required when, 81-20-201, 81-20-203
City regulation, 7-21-4202
Cockfights unlawful, 45-8-210
Commercial feeds, Title 80, chapter 9, See **COMMERCIAL FEEDS**
Condemnation of perishables, 50-31-510
Containers to show grade, 81-20-206
Cooperative marketing, See **AGRICULTURAL MARKETING ASSOCIATIONS**
Definitions, 81-9-217, 81-20-203, 81-20-205
Disease control, 81-20-101, 81-20-102
Disposal plants, Title 81, chapter 9, part 3, See **LIVESTOCK, Rendering or disposal plants**
Dogs, destroying or injuring, 81-7-401 — 81-7-403, See also **PREDATORS AND PREDATOR CONTROL**
Donated food, liability when unfit for human consumption, 27-1-716
Eagles, destruction allowed when, 87-5-209

POULTRY AND EGGS (Continued)

Egg dealers
  candling of eggs, 81-20-204, See also **Candling of eggs**
  grade of eggs, notice to purchaser, 81-20-206
  licenses
    discrimination in issuance prohibited, 49-3-204
    requirements and fees, 81-20-201, 81-20-202
    revocation, 81-20-209
  noncompliance with provisions, 81-20-209
  posting and reports, 81-20-201
  unfit for human food, eggs defined as, 81-20-204, 81-20-205
Egg graders
  candling of eggs, See **Candling of eggs**
  examination requirements, 81-20-201
  licenses
    discrimination in issuance prohibited, 49-3-204
    requirements and fees, 81-20-201, 81-20-202
    revocation, 81-20-209
  noncompliance with provisions, 81-20-209
Enforcement of provisions, 81-20-207
Farm animal and research facilities protection, Title 81, chapter 30, part 1
Farmers' markets, Title 7, chapter 21, part 33
Feed for, Title 80, chapter 9, See **COMMERCIAL FEEDS**
Fighting exhibition provisions, nonapplicability when, 45-8-210
Fines for violations, 81-20-208
Food, eggs defined as unfit for — when, 81-20-204, 81-20-205
Grade of eggs, 81-20-206
Hawks, destruction allowed when, 87-5-209
Importation of poultry
  permits and health certificates, Title 81, chapter 2, part 7, See **LIVESTOCK, Importation**
  prohibited when, 81-2-112
  rules, 81-20-101
Incubated eggs, 81-20-205
Industry, promotion and protection, 81-20-101
Injunction, 81-20-102
Inspections of poultry, 81-20-101, See also **MEAT AND MEAT PRODUCTS**
Label, Montana quality, Title 81, chapter 8, part 7, See **FOOD AND FOOD PRODUCTS, Montana quality label**
Marketing associations, 35-17-103, See **AGRICULTURAL MARKETING ASSOCIATIONS**
Meat and Poultry Inspection Act, 81-9-216 — 81-9-220, 81-9-226 — 81-9-236, See **MEAT AND MEAT PRODUCTS**
Minimum wage for employees, 39-3-402, 39-3-404
  exclusions, 39-3-406
Montana quality label, Title 81, chapter 8, part 7, See **FOOD AND FOOD PRODUCTS**
Organic foods, 50-31-222, 50-31-223
Overtime compensation for employees, 39-3-402, 39-3-405
  exclusions, 39-3-406
Owls, destruction allowed when, 87-5-209
Predator control, Title 81, chapter 7, See **PREDATORS AND PREDATOR CONTROL**
Products, rules regarding, 81-20-207
Quarantines, 81-20-101
Rendering plants, Title 81, chapter 9, part 3, See **LIVESTOCK, Rendering or disposal plants**
Research and farm animal facilities protection, Title 81, chapter 30, part 1
Sanitary conditions, supervision, 81-20-101
Slaughter, Title 81, chapter 9, parts 1 and 2, See **MEAT AND MEAT PRODUCTS**
Stolen poultry, seizure and forfeiture of vehicle used to transport, 81-5-104, 81-5-110, 81-5-111

POULTRY AND EGGS (Continued)

Taxation, 15-1-101, 15-6-207, 15-24-921, 15-24-922, 15-24-925, See also **TAXATION, PROPERTY**
Testing of poultry, 81-20-101
Unemployment insurance coverage for laborers, 39-51-205, See **UNEMPLOYMENT INSURANCE, Agricultural labor**
Violations
  baby birds, sales when, 81-8-401, 81-8-402
  eggs, generally, 81-20-208
    dealers and graders, doing business following license revocation, 81-20-209
    grade, lack of notice to purchaser, 81-20-206
  fines, 81-20-208
  importation from diseased areas, 81-2-112
  poultry industry generally, 81-20-103
    civil liability, 81-20-104
    injunctive remedies, 81-20-102
Weight provisions, 30-12-401
Wild bird eggs, willful destruction or taking unlawful when, 87-5-201, 87-5-404, 87-5-406
Zoning restrictions, protection, 76-2-901 — 76-2-903

POWER OF ATTORNEY
  See also **AGENCY**
Affidavit, 72-5-502
Agricultural commodity nonresident licensees, 80-4-406
Banking and other financial institution transactions, 72-31-201, 72-31-228
  stock transfers, 32-2-211
  subsidiary trust companies, fiduciary capacity, 32-1-802
Benefits from social security, medicare, medicaid, or other governmental programs, 72-31-201, 72-31-234
Business operating transactions, 72-31-201, 72-31-229
Child support payments, department of public health and human services to have power on behalf of obligee, 40-5-202
Claims and litigation, 72-31-201, 72-31-223 — 72-31-225, 72-31-229, 72-31-231, 72-31-232, 72-31-234
Commodity and option transactions, 72-31-201, 72-31-227
Consumer loan business licensee prohibited from taking, 32-5-305
Corporations, 35-1-525, 35-1-527
Death
  agent, 72-31-201
  principal, 72-5-501, 72-5-502
Disability, incapacity, or incompetency
  agent, 72-31-201
  principal, 72-5-501, 72-5-502, 72-31-201, 72-31-222
Durable power of attorney, 72-2-616, 72-5-501, 72-5-502, 72-31-222
Estate, trust, and other beneficiary transactions, 72-31-201, 72-31-231, 72-31-232
  revocation of trust permitted when, 72-33-402
Evidence
  disability, affidavit of lack of knowledge of — conclusive, 72-5-502
  statutory, authority, 72-31-223, 72-31-224
Gratuitous employee, performance required, 39-2-401
Health maintenance organizations, execution for service of process, 33-31-201
Index, 7-4-2619
Insurance and annuity transactions, 72-31-201, 72-31-224, 72-31-225, 72-31-229, 72-31-230
  policies, execution, 33-15-306
  premium finance agreements, 33-14-304
Insurers
  motor vehicle liability, execution for service of process, 61-6-134
  reciprocal, See **INSURERS, RECIPROCAL, Attorney-in-fact**

POWER OF ATTORNEY (Continued)

Limited liability company documents, execution, 35-8-204, 35-8-405
Limited partnerships, 35-12-508, 35-12-604
Living wills, designee, 50-9-103
Long-term care facility residents, authorized representative, 50-5-1103
Medical, dental, and other health care, 72-31-201, 72-31-233
Military service, benefits from, 72-31-201, 72-31-234
Mortgages, for, 71-1-102, 71-1-213, 72-31-223 — 72-31-225
Nonprofit corporations, 35-2-539, 35-2-542
Notarial acts, 1-5-416; Title 1, chapter 5, part 6, See **NOTARIES PUBLIC**
Personal and family maintenance, 72-31-201, 72-31-230, 72-31-233
Pesticides, nonresident licensees, 80-8-210
Property transactions
  married persons, transfer of property, 40-2-202
  real property, See **PROPERTY, REAL**
  tangible personal property, 72-31-201, 72-31-225
Real estate broker and salesman provisions, exemption when, 37-51-103
Recording, 7-4-2613, 7-4-2619
Religious corporations sole, of, 35-3-205
Retirement plan transactions, 72-31-201, 72-31-235
Revocation, 72-5-502, 72-31-201
Service of process on attorney-in-fact, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
Statutory power of attorney
  banking and other financial institution transactions, 72-31-201, 72-31-228
  benefits from social security, medicare, medicaid, or other governmental programs, 72-31-201, 72-31-234
  business operating transactions, 72-31-201, 72-31-229
  claims and litigation, 72-31-201, 72-31-223 — 72-31-225, 72-31-229, 72-31-231, 72-31-232, 72-31-234
  commodity and option transactions, 72-31-201, 72-31-227
  construction of powers generally, 72-31-223
  estate, trust, and other beneficiary transactions, 72-31-201, 72-31-231, 72-31-232
  existing or foreign interests, 72-31-237
  form, 72-31-201
  insurance and annuity transactions, 72-31-201, 72-31-224, 72-31-225, 72-31-229, 72-31-230
  military service, benefits from, 72-31-201, 72-31-234
  personal and family maintenance, 72-31-201, 72-31-230, 72-31-233
  property transactions
    real property, 72-31-201, 72-31-224, 72-31-231
    tangible personal property, 72-31-201, 72-31-225
  records kept by agent, 72-31-223
  retirement plan transactions, 72-31-201, 72-31-235
  stock and bond transactions, 72-31-201, 72-31-224, 72-31-226, 72-31-229, 72-31-231
  tax matters, 72-31-201, 72-31-224, 72-31-225, 72-31-229, 72-31-230, 72-31-232, 72-31-233, 72-31-236
  uniform application and construction, 72-31-238
Stock and bond transactions, 72-31-201, 72-31-224, 72-31-226, 72-31-229, 72-31-231
Tax matters, 72-31-201, 72-31-224, 72-31-225, 72-31-229, 72-31-230, 72-31-232, 72-31-233, 72-31-236
Terminally ill persons, withholding or withdrawal of life-sustaining treatment — authorization, 50-9-103
Uniform Durable Power of Attorney Act, 72-5-501, 72-5-502

PREDATORS AND PREDATOR CONTROL
Aerial hunting, Title 81, chapter 7, part 5
  enforcement of provisions, 81-7-512
  livestock, harassment prohibited, 81-7-506
  permits
    duration and fee, 81-7-504

PREDATORS AND PREDATOR CONTROL (Continued)
Aerial hunting (Continued)
  permits (Continued)
    not required when, 81-7-505
    requirements and contents, 81-7-501
    residency requirement, 81-7-503
    revocation or suspension, 81-7-511
  prohibited when, 81-7-501, 81-7-506
  resident landowners, by, 81-7-505
  rules for, 81-7-501, 81-7-502
  violations and penalties, 81-7-511, 81-7-512
Aircraft used for hunting, when, 87-3-126
Animal calls or reproduced sounds allowed when, 87-3-108
Bears, stock-killing — means of pursuit, 87-3-127
Boats used for hunting, when, 87-3-126
Bobcats, stock-killing — means of pursuit, 87-3-127
Bounties
  affidavits
    certificates, contents, 81-7-114
    contents, 81-7-111, 81-7-204
    falsification, penalty, 81-7-113, 81-7-121
    form, 81-7-205
    required, 81-7-111, 81-7-113, 81-7-204
  amount, 81-7-202
  certificates
    contents and issuance, 81-7-114, 81-7-115
    examination and investigation, 81-7-117
    falsification, 81-7-113, 81-7-121
    filing, 81-7-115, 81-7-116
  claims
    county, 81-7-204, 81-7-205
    examination and investigation, 81-7-117
    filing, 81-7-116
    fraudulent, 81-7-122
    generally, 81-7-113, 87-1-204, 87-1-206
    tax levy for payment, 81-7-118, 81-7-201
  county programs, See **County bounty program**
  evidence of killing by claimant, 81-7-111, 81-7-113, 81-7-117
  inspectors, See **Bounty inspectors**
  payments, 81-7-103, 81-7-104, 81-7-118, 87-1-206
  tax levies for payments, See **Tax levies for**
Bounty inspectors
  affidavits filed with, 81-7-111, 81-7-204
  certificates, 81-7-114, 81-7-115
  compensation, 81-7-112
  county, 81-7-202, 81-7-204
  mountain lions, procedures for, 81-7-111
  oaths, administering, 81-7-111, 81-7-204
  records and reports, 81-7-114
  skins, hides, and specimens — exhibit and examination, 81-7-111 — 81-7-113
  who may be, 81-7-112
Cattle protection program
  county commissioners, duties, 81-7-605
  establishment, county commissioners authority, 81-7-602
  "owners" or "persons" defined, 81-7-601
  per capita license fee to fund, 81-7-603, 81-7-605
  petition of owners, license fee changes, 81-7-605
  skins taken, proceeds — disposition, 81-7-604

PREDATORS AND PREDATOR CONTROL (Continued)

- **Control programs**
  - cattle protection, See **Cattle protection program**
  - county, See **County bounty program**
  - formulation, 81-7-102
  - funding, 81-7-103; Const., XII, 1
  - fur-bearing animals, wasting — exemption from provisions, 87-3-506
  - sheep, See **Sheep protection**
  - tattooing of captured animals, applicability, 87-1-234
- **County bounty program**
  - affidavits and claims, 81-7-204, 81-7-205
  - amount of bounty, 81-7-202
  - existing laws, how affected, 81-7-206
  - fund, 81-7-203, 81-7-204
  - inspectors, 81-7-202, 81-7-204
  - skins, presentation, 81-7-204
  - tax levy, petition and purpose, 81-7-201, 81-7-202
- **Coyotes**, 81-7-101, 87-2-101
  - amount of bounty, 81-7-115, 81-7-202
  - scalps, 81-7-111
  - skins or hides, See **Skins, hides, and specimens**
  - tattooing, 87-1-231 — 87-1-234
- **Dogs**
  - chasing or running stock, penalty, 81-7-403
  - destroying or injuring stock, 81-7-401, 81-7-402
- **Eagles, hawks, or owls** — destruction allowed when, 87-5-209
- **Eradication**
  - conduct, 81-7-102
  - funding for, 81-7-103, 81-7-104, 87-1-221
  - ordered when, 87-1-502
- **Federal government**, cooperation with, 81-7-102, 81-7-512
- **Fines and disposition**, 81-7-122, 81-7-403, 81-7-511
- **Fish and game wardens**, destruction by, 87-1-502
- **Funds**
  - administration, 81-7-103, 81-7-104
  - aerial hunting permit fees, 81-7-504
  - cattle protection, per capita license fee, 81-7-603, 81-7-605
  - county bounty fund, 81-7-203, 81-7-204
  - county license fees, percentage for, 7-21-2105, 81-7-119
  - fines, percentage for, 81-7-122
  - fish, wildlife, and parks — department of, 81-7-102, 87-1-221
  - predatory animal control, deposits, 81-7-603, 81-7-604
  - sheep protection, for, 81-7-303, 81-7-304
  - skins, hides, and specimens — sale proceeds, 81-7-105, 81-7-120
  - surplus, disposition, 81-7-120
  - tax levies, See **Tax levies for**
- **Furs**, See **Skins, hides, and specimens**; See also **FISH AND WILDLIFE**, **Fur dealers**
- **Game preserves**, permits for destruction on, 87-5-401
- **Game wardens**, destruction by, 87-1-502
- **Hunting**
  - aerial, Title 81, chapter 7, part 5
  - aircraft or boats used for, 87-3-126
  - control by, 81-7-102, 81-7-104
  - employment of hunters, 81-7-103, 81-7-120
  - vehicles used for, restrictions, 87-3-125

PREDATORS AND PREDATOR CONTROL (Continued)

Mountain lions
    amount of bounty, 81-7-202
    lower jaw skins, 81-7-111, 81-7-115
    tattooing, 87-1-231 — 87-1-234
Pelts, See **Skins, hides, and specimens**
Poisons
    control by, 81-7-102
    procurement, 81-7-103, 81-7-120
Poultry owners, destruction by, 87-5-209
Preserves, game — permits for destruction on, 87-5-401
Scalps, examination, 81-7-111, 81-7-113, 81-7-115
Sheep protection, 81-7-301
    funds for, 81-7-303, 81-7-304
    license fee requirements, 81-7-303, 81-7-305
    programs for, 81-7-302, 81-7-305
Skins, hides, and specimens
    cattle protection program, funding, 81-7-604
    dealers for, Title 87, chapter 4, part 3, See **FISH AND WILDLIFE, Fur dealers**
    examination, 81-7-111 — 81-7-113, 81-7-115, 81-7-204
    museums or institutions, presentation to, 81-7-105, 81-7-120
    sale and proceeds, disposition, 81-7-105, 81-7-120, 81-7-304
    shippers, labeling of packages, 87-1-102, 87-3-114
Snare traps, lawful use under certain conditions, 87-3-107
Stock-killing wild animals, means of pursuit, 87-3-127
Tax levies for, Const., XII, 1
    county, 81-7-201, 81-7-202
        programs, effect on existing laws, 81-7-206
    state, 15-24-921, 81-7-118
Trapping, See also **FISH AND WILDLIFE**, **Trapping**
    control by, 81-7-102, 81-7-104
    employment of trappers, 81-7-103, 81-7-120
    license, lack of — unlawful, 87-2-103
    nonresidents, by, 87-2-603, 87-2-604
    procurement of traps, 81-7-103
    tag requirements for traps, 87-3-504, 87-3-505
Vehicles used for hunting, restrictions, 87-3-125, 87-3-126
Violations
    aerial hunting provisions generally, 81-7-511
        investigation, 81-7-512
    dogs chasing or running livestock, 81-7-403
    falsification of certificates or affidavits, 81-7-113, 81-7-121
    fraudulent claims, 81-7-122
Wolves
    amount of bounty, 81-7-115, 81-7-202
    gray wolf, 81-7-101
    scalps, 81-7-111
    skins or hides, See **Skins, hides, and specimens**
    tattooing, 87-1-231 — 87-1-234

PREFERRED PROVIDER AGREEMENTS ACT, 33-22-1701 — 33-22-1707
    See **INSURANCE, DISABILITY**

PREGNANCY
    See also **BIRTH**
Abortion, Title 50, chapter 20, See **ABORTION**
Adoption of children, See **ADOPTION OF CHILDREN**, generally

PREGNANCY (Continued)

Aid to families with dependent children (AFDC), eligibility during, 53-4-231, 53-4-707, See also **PUBLIC ASSISTANCE, Aid to families with dependent children (AFDC)**
Ambulatory prenatal care, medicaid assistance, 53-6-101
Blood tests, See **Serological testing**
Death penalty, procedure for women under, 46-19-203, 46-19-204
Employment, maternity leave, 49-2-310, 49-2-311
Families achieving independence in Montana (FAIM) project, components, 53-4-603
Genetics program, voluntary statewide, 33-2-712, 33-2-713, 50-19-211
Health programs, 50-1-202; Title 50, chapter 19, part 3, See also **MIAMI project**
Infant mortality and morbidity information, 50-16-102
Insurance, disability
  comprehensive health association plans, covered expenses, 33-22-1521
  converted group policy, coverage, 33-22-509
  limited benefit, coverage, 33-22-1203
Livestock, testing, 37-18-102, 37-18-104
Living wills, effect, 50-9-106, 50-9-202
Low birthweight prevention services, 50-19-311, 50-19-312
Maternal-child health programs, 50-1-202; Title 50, chapter 19, part 3, See also **MIAMI project**
Maternity homes
  inspections, joint inspections among governmental agencies, 50-8-102, 50-8-105
  licensing of facilities, one-step licensing required, 50-8-102
Maternity leave, 49-2-310, 49-2-311
Medicaid assistance, 50-19-323, 53-6-101, 53-6-131
Metabolic testing of newborn, See **BIRTH**
MIAMI project
  administration, 50-19-312, 50-19-322
  advisory council, 2-15-2213, 50-19-303, 50-19-312
  citation of Montana initiative for the abatement of mortality in infants (MIAMI) act, 50-19-301
  contracts for services, 50-19-303, 50-19-321
  definitions, 50-19-303
  establishment, 50-19-311
  federal aid, 50-19-322
  funding, 50-19-322
  medicaid assistance, 50-19-323
  purposes, 50-19-302
  service providers, 2-15-2213, 50-19-303, 50-19-321
  services provided, 50-19-311
    coordination, 50-19-323
Midwives, Title 37, chapter 27
Minors
  abortion, See **ABORTION, Minors; Viable infant**
  consent for medical care, 41-1-402
  health maintenance organization benefits, 33-31-301
  marriage — pregnancy insufficient reason for, when, 40-1-213
  medicaid assistance, 53-6-131
  medical information, release, 41-1-403, 50-19-107
  serological test results to parents or guardian, 50-19-107
Mortality and morbidity review, 50-19-311, 50-19-312
Paternity proceedings — prenatal care and delivery, expenses, 40-6-116
Prenatal care, family policy concerning, 40-7-102
Publication of material, 50-20-304
Rh factor, blood tests for, See **Serological testing**
Rubella, blood tests for, See **Serological testing**
Serological testing
  administrative authority, 50-19-102

PREGNANCY (Continued)
Serological testing (Continued)

affidavit, 50-19-109
approval of test, 50-19-101
birth certificate to show whether test made, 50-19-110
certificate, 50-19-108
confidentiality of results, 50-19-107, 50-19-108
criminal charges, 50-19-103, 50-19-108
definitions, 50-19-101
designation of test, 50-19-103
fees, 50-19-104
fetal death certificate to show whether test made, 50-19-110
fines for violations, 50-19-108
laboratories, approval and operation, 50-19-102, 50-19-104
midwives, client screening procedures, 37-27-312
minors, report of results to parent or guardian, 50-19-107
religious waiver, 50-19-109
reports of results
  confidentiality, 50-19-107, 50-19-108
  department of health and environmental sciences, to, 50-19-105
  form, 50-19-105
  guardian of patient, to, 50-19-107
  parent of patient, to, 50-19-107
  rules for, 50-19-102
  spouse of patient, to, 50-19-107
required, 50-19-103
rulemaking authority, 50-19-102
sexually transmitted disease, positive results, 50-19-102, 50-19-105, See **DISEASES, Sexually transmitted diseases**
spouse of patient, report to, 50-19-107
violations of provisions, 50-19-103, 50-19-108
waiver based on religious beliefs, 50-19-109
Terminally ill persons, withholding or withdrawal of life-sustaining treatment prohibited when, 50-9-106

PREMARITAL AGREEMENT ACT, UNIFORM, Title 40, chapter 2, part 6
See **MARRIAGE, Premarital agreements**

PRESERVATION REVIEW BOARD, 2-15-1512, 22-3-421, 22-3-422, 22-3-431, 22-3-433, 60-2-223
See also **ANTIQUITIES**

PRESS
See **NEWS MEDIA; NEWSPAPERS**

PRIMITIVE PARKS ACT, 23-1-115 — 23-1-118

PRINCIPAL AND AGENT
See **AGENCY**

PRINCIPAL AND INCOME ACT, REVISED UNIFORM, Title 72, chapter 34, part 4
See **TRUSTS, Principal and income, determination**

PRINTING CONTROL ACT, STATE, Title 18, chapter 7, part 3
See **PUBLIC CONTRACTS, Printing**, state printing

PRISONS AND PRISONERS
See **CORRECTIONAL FACILITIES**; See also **DETENTION CENTERS**

PRIVACY
See also **CONFIDENTIAL AND PRIVILEGED COMMUNICATIONS; EVIDENCE, Privileges**
Abortion, court proceedings, 50-20-308

PRIVACY (Continued)

Adoption proceedings and records, 40-8-109, 40-8-126
Alcoholism, commitment proceedings, 53-24-302
Banks and trust companies, hearings on unsafe practices and removal of directors or officers, 32-1-910
Burial site records, 22-3-802, 22-3-807
Child custody hearings and records, 40-4-216
Communications, See **COMMUNICATIONS**
Conciliation court, hearings and files, 40-3-116
Consumer reports, See **CONSUMER PROTECTION**, **Investigation and reporting**
Court proceedings to be private when, 3-1-313, 46-11-701
Credit ratings and reports, See **CONSUMER PROTECTION**, **Investigation and reporting**
Crime victims compensation proceedings and records, 53-9-107
Criminal justice information — collection, storage, and dissemination, 44-5-102, 44-5-303, 44-5-503, 44-5-504, 44-5-515
Criminal proceedings, See **CRIMINAL PROCEDURE**
Developmentally disabled persons in residential facility, right to, 53-20-142
Elections, secret ballot, 13-1-102; Const., IV, 1, See **ELECTIONS, Secret ballot**
Electronic funds transfer, machine use, 32-6-304
Electronic information, 2-6-110
Executive branch officers' official records, 2-6-304
Foster Care Review Committee — meetings, reports, and cases, 41-3-1115
Health Care Information Act, Uniform, Title 50, chapter 16, part 5, See **HEALTH CARE INFORMATION**
Insurance Information and Privacy Protection Act, Title 33, chapter 19
Judicial Nomination Commission proceedings, 3-1-1007
Library records and exceptions, 22-1-1103
Long-term care facility residents
  advisory councils, resident — meetings, 50-5-1104
  right to privacy, 50-5-1104
Mailing lists, distribution or sale prohibited when, 2-6-109
Mentally ill persons
  institutionalized, right to, 53-21-142
  trial for commitment, 53-21-126
Minors
  adoption proceedings and records, 40-8-109, 40-8-126
  child custody hearings and records, 40-4-216
  medical information, See **HEALTH CARE INFORMATION**
Open meetings, Const., II, 9; Title 2, chapter 3, part 2, See **OPEN OR PUBLIC MEETINGS**
Paternity proceedings
  artificial insemination, husband's consent, 40-6-106
  hearings, 40-6-111, 40-6-120
  identity of father when, 40-6-114
  records, 40-6-120
  support payments, 40-6-122
Public records, Const., II, 9; Title 2, chapter 6, See also **PUBLIC RECORDS**
Right of privacy, Const., II, 9, II, 10
Sexual offender registration, hearing on petition for relief from duty to register, 46-23-506
Telecommunications services, dual-party relay system to maintain, 53-19-308
University system students, 20-25-511 — 20-25-513
Workers' compensation
  mediation proceedings, 39-71-2410
  records, 39-71-224
Youth placement committee meetings, 41-5-529

PRIVATE INVESTIGATORS AND SECURITY PATROL OFFICERS
Advertising, 37-60-403, 37-60-406

PRIVATE INVESTIGATORS AND SECURITY PATROL OFFICERS (Continued)

"Alarm response runner" defined, 37-60-101
Alcohol abuse, 37-60-303
"Armed carrier service" defined, 37-60-101
Armored car service, 37-60-101
  motor carrier provisions, exemption from, 69-12-102
Badges, 37-60-402, 37-60-407
Branch office, 37-60-101, 37-60-202
  resident managers, See **Resident managers**
Businesses, sale restrictions, 37-60-314
Client services or reports, 37-60-402
Confidentiality of information, 37-60-402
Contract security company, 37-60-101
  board, representation on, 2-15-1891
  license required, 37-60-301, See **Licenses and identification cards**
  restrictions, 37-60-104
Drug abuse, 37-60-303
Electricians, installation of security alarm systems, 37-60-409
Emblems, 37-60-407
Employees, 37-60-401, 37-60-404
Entry of buildings, 37-60-402
Equipment, 37-60-407
Evidence
  license applicants, qualifications, 37-60-303, 37-60-304
  records of board, as, 37-60-201
  violations, of, 37-60-411
Exemptions from provisions, 37-60-105, 37-60-406
Existing licensees, status, 37-60-301
False reports, 37-60-402
False statements, 37-60-402
Fines, 37-60-202
Fingerprints, required when, 37-60-304
Firearms, See **Weapons**
Identification cards for unarmed guards and investigators, See **Licenses and identification cards**
Illegal entry, 37-60-402
Infractions, minor, 37-60-202
Insignia, 37-60-407
Insurance
  "adjuster" defined, 37-60-101, See also **INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS, AND ADMINISTRATORS**
  requirements for licensees, 37-60-202
Investigations, 37-60-411
Licenses and identification cards, Title 37, chapter 60, part 3
  applicants and applications, 37-60-302, 37-60-304
  branch offices, 37-60-202
  carrying on person, 37-60-310
  changes in records, 37-60-314
  denial, suspension, or revocation
    form and procedure, 37-60-202
    grounds for, 37-60-302, 37-60-314, 37-60-411
    unprofessional conduct, for, 37-60-202
  discrimination in issuance prohibited, 49-3-204
  display, 37-60-310
  education and training requirements, 37-60-303
  examinations, 37-60-303
  existing licensees, status, 37-60-301

PRIVATE INVESTIGATORS AND SECURITY PATROL OFFICERS (Continued)
Licenses and identification cards (Continued)

- experience qualifications, 37-60-303, 37-60-304
- expiration and renewal, 37-60-202, 37-60-301, 37-60-312
- extension, 37-60-302
- fees, 37-60-304, 37-60-312
- form, 37-60-309
- misuse, 37-60-402
- nonresidents, 37-60-302
- nontransferability, 37-60-314
- probationary, 37-60-202
- qualifications, 37-60-202, 37-60-303
- qualifying agents, 37-60-302
- required, 37-60-301
- resident managers, 37-60-302

Misrepresentation, 37-60-402
Missing persons, to locate, 72-3-306
Nonresidents, 37-60-302
Outfitting and guiding practices, investigators — qualifications, 37-47-351
Patches, 37-60-407
Peace officers, casual employment, 37-60-406
Photographs, required when, 37-60-304
Police reserve officers, casual employment, 37-60-406
Private investigator, 37-60-101
- license required, 37-60-301, See **Licenses and identification cards**
- training programs, 37-60-202, 37-60-303

Private security guard, 37-60-101
- casual employment as, 37-60-406
- license required, 37-60-301, See **Licenses and identification cards**
- training programs, 37-60-202, 37-60-303

Private Security Patrol Officers and Investigators, Board of, 2-15-1891; Title 37, chapter 60, part 2
- process servers and levying officers, examination, 25-1-1104

Proprietary security organizations, 37-60-101
- board, representation on, 2-15-1891
- license required, 37-60-301, See **Licenses and identification cards**
- restrictions, 37-60-104

Purpose of provisions, 37-60-103
Qualifying agents, 37-60-101
- appointment, 37-60-302
- license required, 37-60-302, See **Licenses and identification cards**
- qualifications, 37-60-202
- substitute, 37-60-302

Railroads, special agents — exemption from provisions, 37-60-105
Records
- employee, 37-60-404
- evidence, as, 37-60-201
- licensee, changes, 37-60-314
- maintenance, 37-60-202
- public availability, 37-60-201

Registration of armed guards and investigators, See **Licenses and identification cards**
Regulation generally, See **PROFESSIONS AND OCCUPATIONS**
Reports, false, 37-60-402
Resident managers, 37-60-101
- appointment, 37-60-302
- license required, 37-60-302, See **Licenses and identification cards**
- qualifications, 37-60-202
- substitute, 37-60-302

PRIVATE INVESTIGATORS AND SECURITY PATROL OFFICERS (Continued)

Review of finding of violation, 37-60-411
  violations, 37-60-411
Security alarm systems, 37-60-101
  automatic, restrictions, 37-60-408
  installation, 37-60-409
"Street patrol service" defined, 37-60-101
Temporary employment, 37-60-202
Title, misuse, 37-60-402
Training programs, 37-60-202, 37-60-303
Uniforms, 37-60-402, 37-60-407
Unprofessional conduct, 2-15-1891, 37-60-202
Violations, 37-60-301, 37-60-411
Weapons
  approval, 37-60-202, 37-60-405
  training programs and instructors, certification, 37-60-202, 37-60-303

PRIVATE SCHOOLS
Accreditation, 20-7-102
Coaches, nonfaculty, 20-1-210
Community service corps and volunteer projects, Title 90, chapter 14, part 1
Compulsory enrollment exemption, 20-5-102, 20-5-109, 20-5-111
Destructive device, possession — offense of, 45-8-334, 45-8-337
Federal money, distribution, 20-9-603
Indian studies, compliance with requirements for, 20-4-214
Interscholastic competition, 20-1-210
Milk retailers, as, 81-23-101
New students, school records and proof of identity — requirements, 44-2-511
Nonaccredited, placement of child in public school — district assessment, 20-3-324, 20-5-110
Retirement credits for employees, See **TEACHERS' RETIREMENT SYSTEM**, **Service credits**
Safety patrols, 20-1-408
School buses owned by, special fuel license tax — refund when, 15-70-356
School bus transportation, public, 20-10-123
School food commodities, distribution contracts, 20-10-203
State aid prohibited, Const., V, 11; X, 6
Trust funds management, 72-30-102

PRIVILEGES AND IMMUNITIES
Irrevocable grant prohibited, Const., II, 31

PROBATE
  See **ESTATES AND PROBATE**

PROBATION AND PAROLE OFFICERS
  See also **PUBLIC OFFICERS OR EMPLOYEES**, generally
Appointment, 46-23-1002
Arrests by, 41-5-703, 46-18-203, 46-23-1012, 46-23-1023
Child abuse and neglect records, disclosure to, 41-3-205
Community Corrections Boards, members, 53-30-312
Community corrections facilities and programs, recommendations for utilization, 53-30-321
Conciliation court, duty to assist when, 40-3-115, 40-3-122
Counseling, professional — applicability of provisions, 37-23-201
Drug offenses, probation conditions, 45-9-202
Equipment, funds for purchase, 46-23-1032
Firearms
  carrying, 45-8-317, 46-23-1002
  supervision of certain convicted persons, 45-8-314

PROBATION AND PAROLE OFFICERS (Continued)

Juvenile probation officer training, 41-5-706
Parole
    hearings, service of subpoenas, 46-23-205
    specific provisions, 46-23-1021, 46-23-1023, 46-23-1025
Powers and duties of Department of Corrections, 46-23-1002, 46-23-1004
Presentence investigation and report by, 46-18-111, 46-18-112, 53-30-321
Probation
    misdemeanor probation officers, 46-23-1005
    specific provisions, 46-23-1011 — 46-23-1013
Qualifications, 46-23-1003
Records, 46-23-1011, 46-23-1021
Restitution of victim
    investigation of loss, 46-18-242
    supervision, 46-18-245, 46-18-261
Salary and expenses, 7-6-2511, 41-5-704, 41-5-705
Sentencing, Commission on — membership, 46-18-130
Supervised release, authority, 46-23-401, 46-23-421, 46-23-422
Training requirements and standards, 41-5-702, 41-5-706, 44-4-301, 46-23-1003, 46-23-1032
Youth court provisions, Title 41, chapter 5, part 7
Youth Placement Committee, representation on, 41-5-525

PROBATION, PAROLE, AND CLEMENCY
Board of Pardons and Parole, See **Pardons and Parole, Board of**
Citation of Parole and Executive Clemency Act, 46-23-101
Clemency, 46-23-301, See **Executive clemency**
Community-based programs for placement, supervision, and rehabilitation, 45-5-621, 53-1-202, 53-1-203
Community service participants, workers' compensation coverage, 39-71-117, 39-71-118, 45-9-204
Counsel for prisoner
    executive clemency, application filed by, 46-23-301
    parole hearings, 46-23-202
    records of prisoner, inspection, 46-23-108
    supervised release hearings, right to, 46-23-422
Criminal justice information, Title 44, chapter 5
Definitions, 39-71-118, 46-1-202, 46-23-103, 46-23-301, 46-23-401, 46-23-1001
Escape unlawful, 45-7-306
    supervised release program, from, 46-23-426
Executive clemency, Const., VI, 12
    application, 2-15-401, 46-23-301, 46-23-315
    authority of governor, 46-23-103, 46-23-301, 46-23-315; Const., VI, 12
    civil rights, restoration, 46-18-801
    concealed weapon, permit to carry — effect, 45-8-321
    crime victims, notification, 46-24-212
    decision by board of pardons and parole, 46-23-307
    definitions, 46-23-103, 46-23-301
    hearing, 46-23-306
    order for hearing, 46-23-302 — 46-23-306
    parole not an award of clemency, 46-23-201
    recommendations by board of pardons and parole, 2-15-401, 46-23-301, 46-23-307
    report to legislature, 46-23-316
    respite, application for, 46-23-315
    responsibility of board of pardons and parole, 46-23-104
Extradition, Title 46, chapter 30
Gambling licenses, issuance restrictions, 23-5-176
Good time allowance, 46-18-219, 53-30-105

PROBATION, PAROLE, AND CLEMENCY (Continued)

Home arrestees, government benefits — applicability, 46-18-1005
Interstate supervision of probationers and parolees
    administration, 46-23-1004
    citation of uniform act for out-of-state parolee supervision, 46-23-1101
    hearing officers, 46-23-1104
    hearings, 46-23-1103 — 46-23-1106
    interstate compact, authority for, 46-23-1102
    juveniles, Title 41, chapter 6
    retaking or reincarceration of violator, 46-23-1103
Juveniles, See also **Youth court**
    absconding while on probation or parole, return of, Title 41, chapter 6, See also **Youth court**
    exclusion from adult provisions, 46-23-102
Mayors, power to grant pardons when, 7-4-4305
Misdemeanor probation, 46-23-1005
    partner or family member assault offenders, 45-5-206, 46-23-1005
Officers, See **PROBATION AND PAROLE OFFICERS**
"Official detention" defined, 45-2-101
Pardon, 46-23-301; Const., VI, 12, See **Executive clemency**
Pardons and Parole, Board of, 2-15-2302, 46-23-103, 46-23-104
    administrative procedure and rules, applicability, 2-4-102
    chemical dependency programs, 53-24-204
    courts, information from, 46-23-106
    crime victims, notification to — when, 46-24-212
    executive clemency, 46-23-104; Title 46, chapter 23, part 3
    extradition, application for requisition, 46-30-401
    legal adviser, 46-23-105
    orders not reviewable, 46-23-107
    parole, 46-1-202, 46-23-104; Title 46, chapter 23
    records and reports, confidentiality, 46-23-108
    scope of authority, 46-23-104
    sentencing, commission on — membership, 46-18-130
    supervised release, 46-23-405, 46-23-412
    supervisory fee, 46-23-1031
    western interstate corrections compact, hearings for, 46-19-305
    youth correctional facility, approval or revocation of commutation of sentence to, 52-5-111
Parole, 46-1-202, 46-23-103, 46-23-1001
    access to prisoners by board of pardons and parole, 46-23-203
    arraignment, rights of defendant — advisement, 46-12-210
    chemical dependency programs, 53-24-204
    clothing and money when released on, 53-30-111
    community corrections facilities and programs, ineligibility, 53-30-321
    community service participants, 39-71-117, 39-71-118
    conditions, 46-23-215, 46-23-1021
        board of pardons and parole may impose, 46-1-202, 46-23-103, 46-23-1001
        crime victims compensation, repayment, 53-9-133
        medical parole, 46-23-210
        rules, 46-23-218, 46-23-1002
        sentencing order, incorporation by reference, 46-18-801
        sexual or violent offenders, 46-18-255
    continuation, 46-23-1025
    crime committed by parolee, 46-23-217
    crime victims compensation, repayment, 53-9-133
    custody while on parole, 46-23-215, 46-23-1021
    discharge of prisoner, 46-23-216, 46-23-1021
    duration, 46-23-216

PROBATION, PAROLE, AND CLEMENCY (Continued)
Parole (Continued)

- eligibility, 46-18-404, 46-23-104, 46-23-201, 46-23-210, 46-23-217, 46-23-218
- fugitive, parolee considered when, 46-23-1026
- "gate money" when released on, 53-30-111
- good time allowance, 46-18-219, 46-23-216, 53-30-105
- hearings on parole, 46-23-202, 46-23-218, 46-24-212
  - subpoenas, 46-23-205 — 46-23-207
- hearings on violations of parole, 39-71-118, 46-23-1023 — 46-23-1025
- identification cards, issuance, 61-12-504
- ineligibility, 46-18-202, 46-23-201
- information from prison officials, 46-23-203
- interstate supervision, Title 46, chapter 23, part 11
- interview of prisoner, 46-23-104, 46-23-202
- investigation of prisoner, 46-23-202, 46-23-203
- life sentence without possibility of, 46-18-219
- medical parole, 46-23-210
- minors, 46-23-102
- nonmedical parole, 46-23-201
- order for release on, 46-23-201, 46-23-210, 46-23-215
- preparole report, confidentiality, 46-23-108
- records, 46-23-1021
- reincarceration, 46-23-210, 46-23-1023
- reports to board of pardons and parole, 46-23-203, 46-23-1025
- revocation, 46-23-104, 46-23-210, 46-23-1021, 46-23-1024, 46-23-1025, 46-23-1105
- rules, 46-23-218, 46-23-1002, 46-23-1025
- services to parolee, 46-23-1022
- supervised release, eligibility, 46-23-411
- supervision, 46-1-202, 46-23-103, 46-23-1001
  - conditional discharge, 46-23-1021
  - interstate, Title 46, chapter 23, part 11
- supervisory fee, 46-23-1031
- violation, 46-23-1023, 46-23-1025
  - community service participants, 39-71-117, 39-71-118
  - extradition, Title 46, chapter 30
  - good time credit accumulated, deduction, 53-30-105
  - hearings, 46-23-1023 — 46-23-1025
  - interstate supervision, when, 46-23-1103
- work release program, 46-18-701 — 46-18-705

Probation, 46-1-202, 46-23-1001

- appeal, effect, 46-20-204; Title 25, chapter 21, M.R.App.P., Rule 7
- community service participants, 39-71-117, 39-71-118, 45-9-204
- concealed weapon, permit to carry — ineligibility, 45-8-321
- conditions, 46-18-201, 46-18-1003
  - court may impose, 46-23-1001, 46-23-1011
  - crime victims compensation, repayment, 53-9-133
  - dangerous drug felony offense, sentencing alternative, 45-9-202
  - rules, 46-23-1002
  - sentencing order, incorporation by reference, 46-18-801
  - sexual or violent offenders, 46-18-255
- crime committed while on, sentence, 46-18-401
- crime victims compensation, repayment, 53-9-133
- drug violations, sentencing alternatives, 45-9-202
- extension not favorable when, 46-18-203
- extradition, clause waiving, 46-18-202
- fugitive, probationer considered when, 46-23-1014
- good time allowance prohibited, 53-30-105

PROBATION, PAROLE, AND CLEMENCY (Continued)
Probation (Continued)

- interstate supervision, Title 46, chapter 23, part 11
- minors, 46-23-102
- records, 46-23-1011
- revocation, 3-5-113, 46-23-1013, 46-23-1105
- rights, restoration, 46-23-1011
- rules, 46-23-1002
- supervision, 46-1-202, 46-23-1001, 46-23-1011
  - conditional discharge, 46-18-1003, 46-23-1011
  - interstate, Title 46, chapter 23, part 11
- supervisory fee, 45-9-202, 46-23-1031
- violation, 46-23-1012
  - community service participants, 39-71-117, 39-71-118
  - detention centers, costs of holding violators — responsibility, 7-32-2222, 7-32-2242
  - extradition, Title 46, chapter 30
  - hearing, 46-23-1013
  - interstate supervision, when, 46-23-1103
- youth court, See **Youth court**

Respites, 46-23-301, 46-23-315; Const., VI, 12, See **Executive clemency**
Rules of Evidence inapplicable, Title 26, chapter 10, M.R.Ev., Rule 101
Supervised release

- application, 46-23-411, 46-23-412
- authority of department of corrections, 46-1-202, 46-23-405, 46-23-421, 46-23-1001
- community based prerelease centers, 53-1-203
- crime committed while on, sentence, 46-23-217
- definitions, 46-23-401
- eligibility, 46-18-202, 46-23-405, 46-23-411
- escape, 45-7-306, 46-23-426
- establishment of program, 46-23-405
- good time allowance, 53-30-105
- hearings, 46-23-412, 46-23-422
- responsibility for activities of prisoner, 46-23-421
- revocation, 46-23-405, 46-23-422
- rulemaking authority, 46-23-411, 46-23-412
- sentencing order, incorporation by reference, 46-18-801
- supervising agent, 46-23-401, 46-23-421, 46-23-422
- violation by prisoner, 46-23-422

Supervision of probationers and parolees, See also **Parole**; **Probation**; **Supervised release**

- powers and duties of department of corrections, 46-23-1002, 46-23-1004
- licensure for occupations upon completion, 37-1-205, See also **OFFENDERS, FORMER**, **Licensing restrictions**

Workers' compensation benefits, community service participants, 39-71-117, 39-71-118, 45-9-204
Youth court

- discharge, 41-5-524
- disposition, 41-5-301, 41-5-401, 41-5-403, 41-5-523
- exclusion from adult provisions, 46-23-102
- informal adjustment, by, 41-5-301, 41-5-401, 41-5-403
- interstate supervision, Title 41, chapter 6
- petition, reinstatement — consultation, 41-5-524
- revocation proceedings, 41-5-533
- violation, 41-5-103, 41-5-533, 41-5-703

Youth division offices, 41-5-201, 41-5-701, 46-18-1001, 52-2-203

PROCUREMENT ACT, Title 18, chapter 4
- See **PUBLIC CONTRACTS**, **Procurement, state**

PRODUCE
  See also **FOOD AND FOOD PRODUCTS**
Agricultural activities, zoning restrictions — protection, 76-2-901 — 76-2-903
Associations, 35-16-201, 35-17-103, See **AGRICULTURAL ASSOCIATIONS**; **AGRICULTURAL MARKETING ASSOCIATIONS**
Beans, See **AGRICULTURAL COMMODITIES**; See also **AGRICULTURAL SEEDS**
Citation of Montana Produce Act, 80-3-301
Commission merchants, 30-11-401
Cooperative associations, See **AGRICULTURAL ASSOCIATIONS**; **AGRICULTURAL MARKETING ASSOCIATIONS**
Definitions, 80-3-302, 80-7-105
Disease or insect control in nurseries, See **Nurseries and nursery stock**
Dry beans, See **AGRICULTURAL COMMODITIES**; See also **AGRICULTURAL SEEDS**
Enforcement
  injunction, 80-3-305
  "stop sale order" defined, 80-3-302
Fairs, Title 7, chapter 21, part 34
Farmers' market associations, tax exemption, 15-31-102, See also **PUBLIC MARKETS**
Fertilizers, Title 80, chapter 10
Flower seeds, Title 80, chapter 5, parts 1 — 3
Food laws, applicability, 50-31-103
Funds and funding
  assessment fees, 80-3-314
  inspection and license fee revenue, disposition, 80-3-304
  license fees, 80-3-321, 80-7-106
  nurseries, See **Nurseries and nursery stock**
  nursery account, 80-7-123
  produce account, 80-3-304
  shipping point inspection fees, 80-3-315
Hucksters, Title 7, chapter 21, part 25
  license
    application and fee, 7-21-2503, 7-21-2505, 7-21-2506
    discrimination in issuance prohibited, 49-3-204
    display upon demand, 7-21-2507
    failure to comply with requirements, 7-21-2508
    issuance, 7-21-2506
    nontransferability, 7-21-2504
    required, 7-21-2503
  scope, 7-21-2502
Inspections, 80-3-304, 80-3-321, 80-3-323
Labeling or markings
  advertisements, grade stated, 80-3-313
  "container" defined, 80-3-302
  exceptions, 80-3-312
  lack of, injunction against sale, 80-3-305
  license suspension or revocation when, 80-3-322
  nursery stock, See **Nurseries and nursery stock**
  required, 80-3-312
  ungraded or unclassified, use of terms, 80-3-311
Label, Montana quality, Title 81, chapter 8, part 7, See **FOOD AND FOOD PRODUCTS, Labeling; Montana quality label**
Laborers
  income tax withholding exemption, 15-30-201

PRODUCE (Continued)
Laborers (Continued)

- minimum wage, 39-3-402, 39-3-404
  - exclusions, 39-3-406
- minors' employment prohibited, exemptions, 41-2-106
- overtime compensation, 39-3-402, 39-3-405
  - exclusions, 39-3-406
- unemployment insurance coverage, 39-51-202 — 39-51-205

Markets for produce, 35-16-201, 35-17-103; Title 7, chapter 21, part 33, See **AGRICULTURAL ASSOCIATIONS**; **AGRICULTURAL MARKETING ASSOCIATIONS**
Minimum wage, 39-3-402, 39-3-404, 39-3-406
Montana quality label, Title 81, chapter 8, part 7, See **FOOD AND FOOD PRODUCTS**
Noxious weed management, Title 80, chapter 7, part 8
Nurseries and nursery stock, 80-7-105

- account, 80-7-123
- certification, 80-7-105, 80-7-122
- cooperative agreements, 80-7-132
- fees and costs, 80-7-122
  - infected stock, removal cost, 80-7-110
  - inspection fee, 80-7-108
  - license fee, 80-7-106
- fraud or misrepresentation, 80-7-107, 80-7-133
- importation, unlawful when, 80-7-133
- infestation
  - notification duty, 80-7-109
  - removal of infected stock, 80-7-110
- inspection, 80-7-108, 80-7-122
- investment of funds, 80-7-123
- license
  - refusal or revocation, grounds, 80-7-107
  - required, 80-7-106
- out-of-state firms, 80-7-106
- penalties, 80-7-133, 80-7-135
- "plant inspection certificate" defined, 80-7-105
- plant pests, 80-7-105, 80-7-109
- quarantines, 80-7-121
- unlawful acts, 80-7-133

Overtime compensation, 39-3-402, 39-3-405, 39-3-406
Penalties, 80-3-306, 80-7-133, 80-7-135
Pesticides Act, Title 80, chapter 8, parts 1 — 3, See **PESTS AND PESTICIDES**
Potatoes, seed, Title 80, chapter 5, part 4, See **AGRICULTURAL SEEDS**
Public markets for produce, Title 7, chapter 21, part 33; Title 30, chapter 9
Produce, 80-3-302

- account, 80-3-304
- advertising, requirements, 80-3-312
- dealers, See **Produce dealers**
- labeling, injunction against sale without, 80-3-305
- reporting requirements, 80-3-314
- seed products, 80-3-312, 80-3-314
- shipping point inspection, 80-3-315
- standard grades, 80-3-311
- ungraded or unclassified, use of terms, 80-3-311

Produce dealers, 80-3-302

- license
  - carrying and inspection, 80-3-321
  - required, 80-3-321
  - revocation, suspension, and nonrenewal, 80-3-322

PRODUCE (Continued)
Produce dealers (Continued)
  license (Continued)
    sale or transfer, restrictions, 80-3-321
  gross retail sales, volume of — effect, 80-3-314, 80-3-321
  report and fees, due, 80-3-314
Quality label, Title 81, chapter 8, part 7, See **FOOD AND FOOD PRODUCTS**, **Montana quality label**
Rodent control, 7-22-2222; Title 80, chapter 7, part 11
Reports
  failure to file, license revocation or suspension for, 80-3-322
  produce sale, 80-3-314
  publication, 80-3-323
Taxation, See **TAXATION, PROPERTY**, **Agricultural**
Transportation, caretakers of produce — free or reduced rates for, 69-11-208
Unemployment insurance coverage, 39-51-202 — 39-51-205, See **UNEMPLOYMENT INSURANCE**, **Agricultural labor**
Vegetables
  city inspections, 7-21-4202
  seeds, Title 80, chapter 5
  weight, 30-12-301
Weed management, Title 80, chapter 7, part 8
Weighing and measuring provisions, 30-12-301, 30-12-302, 30-12-408

PRODUCTS LIABILITY
Actions
  firearms or ammunition, defect in design — considerations, 27-1-720
  off-highway vehicles, effect of operator's responsibility provisions, 23-2-822
  punitive damages allowed, 27-1-220
  sellers of products, affirmative defenses, 27-1-719
  snowmobile equipment or products, effect of snowmobiler's responsibility provisions, 23-2-654
  telephone company, local exchange — emergency communications systems provided by, 27-1-735
Blood and blood products, 50-33-101 — 50-33-104
Damages, 27-1-220, 33-11-102
Defined, 33-11-102, See also **INSURANCE, CASUALTY**, **Risk retention groups and purchasing groups**
Drug products, 37-7-509
Equine activities, liability — nonapplicability, 27-1-727
Firearms or ammunition, defect in design — considerations, 27-1-720
Insurers, See **INSURERS ORGANIZATION AND REGULATION GENERALLY**
Motor vehicles, dealers and manufacturers, 61-4-204, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, **Warranty on new vehicles**
Risk retention groups, 33-11-102, See also **INSURANCE, CASUALTY**, **Risk retention groups and purchasing groups**
Sellers of products, strict liability, 27-1-719
Telephone company, local exchange — emergency communications systems provided by, 27-1-735
Tissue products, 50-33-102, 50-33-104
Warranties, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, **Warranty on new vehicles**; **SALES**, **Warranties**

PROFESSIONAL CORPORATION ACT, Title 35, chapter 4
  See **CORPORATIONS**, **Professional corporations**

PROFESSIONAL COUNSELING AND PROFESSIONAL COUNSELORS, Title 37, chapter 23
  See **COUNSELING AND COUNSELORS**

PROFESSIONAL EMPLOYER ORGANIZATIONS AND GROUPS
Audit or review, 39-8-202, 39-8-305
Citation of Montana Professional Employer Organizations and Groups Licensing Act, 39-8-101
Deceptive practices prohibited, 39-8-301
Definitions, 39-8-102

PROFESSIONAL EMPLOYER ORGANIZATIONS AND GROUPS (Continued)

Exemption, 39-8-201
Information, disclosure, 39-8-401
Injunctions, 39-8-203, 39-8-303, 39-8-304
Investigations, 39-8-303, 39-8-305
Licensee
  disciplinary action against, 39-8-302
  requirements, 39-8-207
Licensing
  application or renewal, denial — hearing, 39-8-203
  initial application and fee, 39-8-202
  renewal and fees, 39-8-204, 39-8-205
  required, 39-8-201
  suspension, revocation, or nonrenewal, 39-8-206
Other law, applicability, 39-8-402
Penalties, See **Violations**
Practice without license, investigation and injunction, 39-8-303
Purpose, 39-8-101
Rulemaking authority, 39-8-201
Standards, 39-8-202
Violations
  deceptive practices, 39-8-301
  injunction, of, 39-8-304
  practice without license, 39-8-303
Workers' compensation insurer requirements, 39-8-403

PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS, BOARD OF, 2-15-1873; Title 37, chapter 67, part 2
  See **ENGINEERS AND LAND SURVEYORS**

PROFESSIONAL TOW TRUCK ACT, 61-8-901 — 61-8-911
  See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Tow trucks**

PROFESSIONS AND OCCUPATIONS
  See also specific profession or occupation; **LABOR AND EMPLOYMENT**
Background review, 37-1-135
Censure of licensee, 37-1-136
Child support enforcement — suspension, denial, or nonrenewal of license for nonsupport, Title 40, chapter 5, part 7
Complaints
  investigation, 37-1-101, 37-1-121, 37-1-135
  report, 37-1-106
Continuing education, 37-1-134
Corporations, Title 35, chapter 4, See **CORPORATIONS, Professional corporations**
Criminal conviction of licensee, effect, 37-1-203, See **Offenders, former**
Disciplinary or legal actions against licensees
  authority of licensing boards, 37-1-136
  grounds for, 37-1-137
  reporting, 37-1-105
Education, discriminatory practices, See **DISCRIMINATION, Educational institutions**
Fraternal benefit societies, exemptions, 33-7-126
Illegal conduct of members, investigation, 37-1-101, 37-1-121, 37-1-134
Injunction to restrain practice, 37-1-136
Insurance fraud, 33-1-1204
Liability, See **MALPRACTICE**; **MALPRACTICE, CHIROPRACTIC**; **MALPRACTICE, MEDICAL**
  insurance, Title 33, chapter 23, part 3, See **INSURANCE, CASUALTY**

PROFESSIONS AND OCCUPATIONS (Continued)

Licensing and licenses, Title 37, chapter 1
  military service, persons in — suspension of fee, 10-1-605
  nonsupport — suspension, denial, or nonrenewal for, Title 40, chapter 5, part 7
  workers' compensation claims, fraud or deception with — suspension, 37-1-131, 39-71-316
Offenders, former — licensing restrictions
  alcoholic beverage licenses, 16-4-401
  building and loan association agent, 32-2-409
  contract security companies, 37-60-303
  denial of license
    conviction not sole basis, 37-1-203
    written statement of reasons, 37-1-204
  employment agencies, 39-5-203
  fireworks, wholesaler permits, 50-37-104
  gambling, restrictions, 23-5-176
  guides, professional, 37-47-341
  health care facilities, 50-5-207
  legislative intent, 37-1-202
  lottery, state, 23-7-110, 23-7-306
  outfitters, 37-47-341
  policy of state, 37-1-202
  proprietary security organizations, 37-60-303
  purpose of provisions, 37-1-201
  supervision, licensure on completion, 37-1-205
  timeshare brokers or salespersons, 37-53-302
Peer review, 37-1-135
Probationary license, 37-1-137
Probation, licensee placed on, 37-1-136
Regulation by state when, 2-8-101
Rules, 35-4-206, 35-4-301, 37-1-131, 37-1-136, 37-1-141
Schools, Title 20, chapter 30, See **POSTSECONDARY EDUCATIONAL INSTITUTIONS**
Sexual or violent offenders, prohibitions and restrictions, 46-18-255
Standards, 37-1-131
Teacher specialist certification, 20-4-106, See also **TEACHERS**, **Certificates**; **Certification**
Unethical conduct of members, investigation, 37-1-101, 37-1-121, 37-1-135
Vocational-technical education, See **VOCATIONAL-TECHNICAL EDUCATION**
Workers' compensation, fraud or deception with claims for — suspension of professional license, 37-1-131, 39-71-316

PROHIBITION, WRIT OF
  See also **WRITS**
Affidavit, 27-27-102
Alternative writ, 27-27-103
Appeals, when no stay of proceedings, Title 25, chapter 21, M.R.App.P., Rule 7
Definition and function, 27-27-101
Form and content, 27-27-103
Issuance, 3-1-302, 3-5-302, 27-27-102, 27-27-104
Jurisdiction
  district court, 3-5-302, 3-5-311, 27-27-102; Const., VII, 4
  supreme court, 3-2-202, 27-27-102; Const., VII, 2
Mandamus, applicability of procedure governing, 27-27-104
Peremptory writ, 27-27-103
State procurement provisions, nonapplicability, 18-4-131

PROPERTY AND CASUALTY INSURANCE POLICY LANGUAGE SIMPLIFICATION ACT, 33-15-333 — 33-15-340
  See **INSURANCE**, **Policies**, language simplification

PROPERTY, GENERALLY
    See also **PROPERTY, PERSONAL**; **PROPERTY, REAL**; specific subject heading
Accessions
    acquisition of property by, 70-1-110
    ownership, 70-1-103
Acquisition, how, 70-1-110, 70-1-203 — 70-1-205
Actions by or against joint tenants or tenants in common, 70-1-310, 70-1-311
Alienation
    future interest, defeat by not possible, 70-1-423
    indians, rights and privileges, 2-1-304
    mausoleum and columbarium property, contributions — effect, 35-21-614, 35-21-623
    restraint, 70-1-405
Arson, 45-6-102, 45-6-103, See **CRIMES**
Burglary, 45-6-204, 45-6-205, See **CRIMES**
Care, duty of, 28-1-201, See also **TORTS, Care**
    liability for lack of, 27-1-701
    services, by one who renders, 28-1-202
    trustee's obligation, See **TRUSTS, Care, diligence, and skill of trustee**
Civil disorder, prohibited activities, 45-8-107 — 45-8-109
Community decay, ordinances to control, 7-5-2110, 7-5-2111
Conditions of ownership, See also **CONTRACTS**
    alienation, restraining, 70-1-405, See also **Alienation**
    enjoyment upon, 70-1-401, See also **Enjoyment**
    future interest, effect on, 70-1-423, 70-1-424
    kinds, 70-1-402
    marriage, restraining, 70-1-404
    precedent, 70-1-402, 70-1-403
    qualified ownership, as, 70-1-304
    wrongful act, when condition requires, 70-1-403
Conversion, See **CONVERSION**
Credit rating as property right, 31-3-103
Crime victims or witnesses, return to, 46-18-244, 46-24-206
Criminal mischief, 45-6-101, See **CRIMES**
Criminal trespass, 45-6-203, See **CRIMES, Trespass, criminal**; **TRESPASS**
Damage or destruction
    boats, by, 23-2-505, 23-2-523, 23-2-527
    cities and towns, emergencies, 7-6-4251
    civil disorder, prohibited activities, 45-8-107 — 45-8-109
    community college district property, 20-15-323
    concealed weapons, permits to carry — arising from, 45-8-326
    construction blasting, from, Title 37, chapter 72
    counties, emergencies, 7-6-2341
    criminal mischief, as, 45-6-101, See **CRIMES**
    disaster and emergency services personnel, liability, 10-3-111
    energy supply emergencies, during, 90-4-315
    farm animal and research facilities, 81-30-103, 81-30-104
    fire, by, See **FIRES AND FIRE PROTECTION**
    fish and game wardens, enforcement authority, 87-1-504, 87-1-505
    flooding, by, Title 76, chapter 5, **FLOODPLAINS AND FLOODWAYS**; **FLOODS**
    hazardous or deleterious substance, release — third party claims, 75-10-718
    joint tenancy, effect, 70-1-311
    malicious intimidation or harassment, 45-5-221
    mining operations, strip and underground — reclamation violations, 82-4-252

PROPERTY, GENERALLY (Continued)
Damage or destruction (Continued)

- motor vehicles
  - dealers, 61-4-406
  - financial responsibility, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Financial responsibility**
- petroleum storage tank releases, caused by, 75-11-302
- products liability, strict liability of seller, 27-1-719
- risk retention groups and purchasing groups, liability, 33-11-102, See **INSURANCE, CASUALTY, Risk retention groups and purchasing groups**
- rural special improvement districts, incurred as result of improvements, 7-12-2140, 7-12-2154
- snowmobiles, by, 23-2-632, 23-2-651 — 23-2-656
- special improvement districts, incurred as result of improvements, 7-12-4170
- state parks, 23-1-106
- street grade changes, resulting from, 7-14-4201 — 7-14-4204
- tenancy in common, effect, 70-1-311
- underground facilities, liability regarding excavations near, 69-4-505
- water, surface or ground — legislative acts resulting in damage caused by, liability, 2-9-111
- water service pipelines, privately supplied — liability concerning excavations in maintaining, 69-4-511
- wild buffalo or bison, by, 87-1-216, 87-3-130

Damages
- air contamination or pollution, 75-2-104
- air operators, commercial — liability, 67-3-401
- airport operations, not allowed from — when, 67-4-313
- comparative negligence, 27-1-702
- fire, damage from, 50-63-103
- fireworks, damage from, 50-37-108
- future, periodic payment, 25-9-401 — 25-9-406
- liability, determination, 27-1-703
- peculiar value, 27-1-305
- pedestrian malls, resulting from establishment, 7-14-4703
- public contract bids, security retained as liquidated damages, 18-1-202

Deception, obtaining or exerting control by, 45-6-317, See **CRIMES, Theft**; See also **FRAUD**
Defacing, 45-5-221, See **Damage or destruction**
Defense of, See **Protection of property**
Definitions, 1-1-205, 45-2-101, 70-1-101
- absolute ownership, 70-1-303
- estate, 70-1-702
- future interest, 70-1-323, 70-1-324
- grant, 70-1-507
- interest in common, 70-1-313
- joint interest, 70-1-307
- ownership, 70-1-101
- partnership interest, 70-1-312
- qualified ownership, 70-1-304
- transfer, 70-1-501

Destruction, See **Damage or destruction**
Discriminatory practices, See **DISCRIMINATION**
Eminent domain, 70-1-205; Title 70, chapters 30 and 31
Enjoyment
- condition, upon, 70-1-401
- interest as to time of, 70-1-315, See **Interests in**
- obstruction, 27-30-101, See **NUISANCES**
- present, 70-1-315
- qualified ownership when deferred or limited, 70-1-304
- time of, fixing, 70-1-401

Escheat, 70-1-203, See **ESTATES AND PROBATE**

PROPERTY, GENERALLY (Continued)
Evidence
  crime victims, return to, 46-24-206
  grant, delivery, 70-1-509
  ownership, presumption, 26-1-602
  title, presumption of value, 27-1-304
Fire, damage from, 50-63-103, See **FIRES AND FIRE PROTECTION**
Fire departments, responsibilities, 7-33-4104
  property rescued from fires, 7-33-2313
Fraudulent transfers, Title 31, chapter 2, part 3
Fur farm animals, private property of licensee, 87-4-1008
Future interest, 70-1-315, 70-1-317, 70-1-322, See also **ESTATES AND PROBATE, Future interests**
  alienation, 70-1-423
  alternative interests, 70-1-325
  class gift, 70-1-420
  contingent, 70-1-322, 70-1-324, 70-1-424, 72-33-108
    improbability, interest not void for, 70-1-419
  defeat, 70-1-421 — 70-1-424
  heirs and issue, meaning, 70-1-518
  passing of, 70-1-326
  possibility, 70-1-319, 70-1-504
  posthumous children, 70-1-420, 70-1-422, 72-2-1002
  precedent interest, 70-1-423, 70-1-424
  recognition by law, 70-1-318
  trust beneficiary, 72-33-108, 72-33-705
  vested, 70-1-322, 70-1-323, 70-1-325, 72-33-108
"Gambling" defined, 23-5-112
Game bird farm birds, private property of licensee, 87-4-909
Game farm animals, private property of licensee, 87-4-414
Games of chance, promotional — disposal or distribution by, 23-5-112
"Gift enterprise" defined, 23-5-112
Gifts
  cemeteries, authority, 7-35-2201
  cemetery districts, authority, 7-35-2109
  counties, authority, 7-14-2123, 7-15-2120
  dissolution of marriage, division of property, 40-4-202
  estates, to, 70-1-703
    "estate" defined, 70-1-702
    power of appointment, 70-1-701, 70-1-704
    purpose of provisions, 70-1-701
  fish, wildlife, and parks — department of, acceptance, 23-1-102
  highway authorities, acquisitions by, 7-14-101, 60-4-111, 60-5-104
  historical society, acceptance, 22-3-107, 22-3-603
  investments, board of — authority, 17-5-1504, 17-5-1505
  park commissioners, boards of, 7-16-4109
  public health and human services, department of — authority, 41-3-1103
  "purchase" defined, 30-1-201, 30-2A-103
  regents of higher education, board of — authority, 20-31-401
  university system generally, 20-25-108, 20-25-426
  veterans' and pioneers' memorial building, for, 22-3-303
Goodwill, 30-13-122, See **TRADE REGULATION AND COMPETITION**
Grants, 70-1-507
  cemetery districts, 7-35-2109
  cities and towns
    acceptance, 7-1-4124

PROPERTY, GENERALLY (Continued)
Grants (Continued)
  cities and towns (Continued)
    rehabilitation of private dwellings, 7-15-4103
  delivery, 70-1-508, 70-1-510
    constructive, 70-1-512
    escrow, by, 70-1-511
    presumption, 70-1-509
  housing authorities, county — acceptance, 7-15-2120
  housing authorities, municipal — acceptance, 7-15-4416, 7-15-4460, 7-15-4466, 7-15-4501
  interpretation, 70-1-513
    grantor, against and exception, 70-1-516
    heirs and issue in certain remainders, meaning, 70-1-518
    irreconcilable provisions, which prevails, 70-1-517
    limitations, controlling words, 70-1-514
    recitals, resort to, 70-1-515
  port authorities, 7-14-1126
  stranger, benefit may inure to, 70-1-521
Hiring, See **LANDLORD AND TENANT**; **LEASES**; **PROPERTY, PERSONAL, Bailment**; **Rentals**; **PROPERTY, REAL, Rents and profits**
Income tax, individual — net income not construed to be, 15-30-102
Indians, general provisions, 2-1-304
Injury to, See **Damage or destruction**
Insurance, See generally **INSURANCE, CASUALTY**; **INSURANCE, MARINE**; **INSURANCE, PROPERTY**; **INSURANCE, TITLE**
Interests in, See also **Ownership**
  common, See **Tenancy in common**
  estates, conveyances to — passing of interest, 70-1-703
  future, 70-1-315, See **Future interest**
  joint, See **Joint tenancy**
  jurisdiction conferred by, Title 25, chapter 20, M.R.Civ.P., Rule 4B
  limited, 70-1-315, 70-1-321
  perpetual, 70-1-315, 70-1-320
  possibility not an interest, 70-1-319
  present, 70-1-315, 70-1-316
    trust beneficiary, 72-33-108, See **TRUSTS**
  vesting
    future interest, 70-1-322, 70-1-323, 70-1-325
    grant, delivery required, 70-1-508
    perpetuities, statutory rule against, 72-2-1001 — 72-2-1007
    transfer, by, 70-1-519
Joint tenancy, 70-1-306, 70-1-307, See also **Tenancy in common**
  abuse of property, 70-1-311
  actions by or against joint tenants, 70-1-310
  bailment, delivery of thing deposited, 70-6-214
  conservatorship, effect, 72-5-421, 72-5-431
  death certificate, filing, 72-16-502
  inheritance tax, See **TAXATION, ESTATES**
  parties to actions, 70-1-310, 70-1-311
  partnerships, 35-10-202, 70-1-306
  qualified ownership, 70-1-304
  safe deposit box, 70-1-308
  waste of property by, 70-1-311
"Lottery" defined, 23-5-112
Negotiable instruments, property right in, 30-3-306
Nuisances, 27-30-101, See **NUISANCES**
Obligations, rights or burden transferable, 28-1-1001, 28-1-1002
Occupancy, acquired by, 70-1-110

PROPERTY, GENERALLY (Continued)

Ownership, 70-1-101, See also **Interests in**; **Title**
  absolute, 70-1-302, 70-1-303
  accessions, 70-1-103, See **Accessions**
  conditions, See **Conditions of ownership**
  jurisdiction conferred by, Title 25, chapter 20, M.R.Civ.P., Rule 4B
  kinds of property that may be owned, 70-1-104
  partnerships, See **PARTNERSHIPS, Property**
  perpetuities, statutory rule against, 72-2-1001 — 72-2-1007
  presumption, 26-1-602
  products of thing owned, 70-1-103
  public or private, 70-1-102
  qualified, 70-1-302, 70-1-304
  several persons, by, 70-1-306, See **Joint tenancy**; **Tenancy in common**
  single person, by, 70-1-305
Perpetuities, Const., XIII, 6
  airports and landing fields, acquisition of nonconforming structures and land for control of space above land, 67-5-202
  conservation easements, 76-6-202, 76-6-208, 77-2-319
  deaf and blind, Montana school for the — land for, 20-8-110
  mausoleum property
    contributions, validity, 35-21-614, 35-21-623
    dedication does not violate, 35-21-408
  migratory bird reservations, 2-1-211, 87-1-705, 87-1-707
  natural areas preservation, 76-12-103
  open-space land preservation, 76-6-103
  statutory rule against, 72-2-1001 — 72-2-1007, See also **ESTATES AND PROBATE**
Possession
  future interest, effect, 70-1-317, 70-1-323
  jurisdiction conferred by, Title 25, chapter 20, M.R.Civ.P., Rule 4B
  present interest entitles owner, 70-1-316
Power of appointment, 70-1-701, 70-1-704, See also **ESTATES AND PROBATE**; **TRUSTS**
  future estate, vesting not prevented by, 70-15-216
Power of attorney, See **POWER OF ATTORNEY**
Products of the property, See **Accessions**
Protection of property
  arms, right to bear, 1-1-224, 7-1-111, 45-8-107; Const., II, 12
  civil disorder, 45-8-107 — 45-8-109
  conservation easements, tree-cutting provisions, 77-2-319
  conservatorship, See **ESTATES AND PROBATE, Conservators and conservatorship**
  justifiable use of force, 45-3-103, 45-3-104, 49-1-103
  occupied structure, 45-3-103
  private security guards and companies, Title 37, chapter 60
  recreational use, 23-2-302, 77-1-806, 87-1-303, 87-1-504
  right to protect property, Const., II, 3
  wardens, fish and game — duties, 87-1-504, 87-1-505
Sale, 30-11-101, See also **SALES**
Snare traps, use unlawful when, 87-3-107
Taxation, See **TAXATION, PROPERTY**
Tenancy in common, 70-1-306, 70-1-313, 70-1-314, See also **Joint tenancy**
  abuse of property, 70-1-311
  actions by or against, 70-1-310
  bailment, delivery of thing deposited, 70-6-214
  commingled personal property, 70-4-203
  estates and probate, See **ESTATES AND PROBATE, Tenancy in common**
  husband and wife, property held in common, 40-2-105, 70-1-314

PROPERTY, GENERALLY (Continued)
Tenancy in common (Continued)

- parties to actions, 70-1-310, 70-1-311
- partnerships, 35-10-202
- qualified ownership, 70-1-304
- waste of property by, 70-1-311

Theft of, 45-6-301 — 45-6-303, 45-6-305, See **CRIMES, Theft**
Title, See also **Ownership**
- constructive trust arises when, 72-33-219, See **TRUSTS**
- eminent domain, acquisition by, 70-1-205
- insurance, See **INSURANCE, TITLE**
- joint interest, creation, 70-1-307, See **Joint tenancy**
- law library, state, 22-1-501
- original and ultimate, 70-1-201
- presumption of value, 27-1-304
- transfer, 70-1-501, 70-1-519, See also **Transfer**

Transfer, 70-1-501, 70-1-503, See also generally **Alienation**; **Perpetuities**; **FRAUDULENT TRANSFERS**
- acquisition of property by, 70-1-110
- future interest, 70-1-326
- goodwill, 30-13-122
- incidents, of, 70-1-520
- obligations, rights or burdens, 28-1-1001, 28-1-1002
- oral, permitted, 70-1-506
- possibility not transferable, 70-1-504
- reentry or repossession, rights of, 70-1-505
- sale, by, 30-11-101
- things in action, 70-2-102
- title, vests, 70-1-519
- voluntary, applicability of contract law, 70-1-502

Trespass, criminal, 45-6-203, See **CRIMES, Criminal trespass**; **TRESPASS**
Waste, See **Damage or destruction**

PROPERTY, PERSONAL
See also **PROPERTY, GENERALLY**; specific subject heading
Abandoned, See **Unclaimed property**
Accessions and intermixture
- leases, applicability, 30-2A-103, 30-2A-310
- loaned property when loan for
  - exchange, 70-7-203
  - use, 70-7-103
- materials and workmanship
  - consent to use required, 70-4-204
  - ownership of materials by
    - another, reimbursement, 70-4-201
    - maker and another, 70-4-202
    - several owners, 70-4-203
  - wrongful use, 70-4-205, 70-4-206
- mausoleum and columbarium funds, 35-21-601, 35-21-602
- principal part, determination, 70-4-103
- unclaimed property after payment or delivery, 70-9-306
- uniform commercial code, applicability, 70-4-101
- uniting several things, whole belongs to whom, 70-4-102

Actions
- appeal permitted, Title 25, chapter 21, M.R.App.P., Rule 1
  - undertakings in courts of limited jurisdiction, 25-33-201, 25-33-205
- arrest, prejudgment, 27-16-102

PROPERTY, PERSONAL (Continued)
Actions (Continued)

- bailee's capacity as party, Title 25, chapter 20, M.R.Civ.P., Rule 17(a); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10A
- claim and delivery, Title 27, chapter 17
- conveyance, judgment for, Title 25, chapter 20, M.R.Civ.P., Rule 70
- costs, 25-10-101 — 25-10-103
- delivery to party or deposit in court, 25-8-101 — 25-8-104, 27-1-432, See also **CIVIL PROCEDURE**
- fees of sheriff, 7-4-2525, 7-32-2141
- interpleader by substitution, Title 25, chapter 20, M.R.Civ.P., Rule 22(b)
- jurisdiction
  - acquisition, Title 25, chapter 20, M.R.Civ.P., Rule 4B
  - city court, 3-11-103
  - justice's court, 3-10-301, 3-10-1004, 25-35-502
  - small claims court, 3-10-1004, 3-12-106, 25-34-102, 25-35-502
- parties, 25-3-504, 25-5-204
- partition, 70-2-211, 70-2-212
- quiet title, 70-2-201, 70-2-202
- recovery and replevin, 25-4-303, 25-7-503, 27-1-432; Title 27, chapter 17
- service of process by publication, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- specific performance, judgment for, 27-1-432; Title 25, chapter 20, M.R.Civ.P., Rule 70, See also **EXECUTION**; **REMEDIES**
- statutes of limitations, See **STATUTES OF LIMITATIONS**
- things in action, 70-2-101, 70-2-102
- true value, 25-4-303, 25-7-503, 25-10-101
- unclaimed property, relating to, 70-9-122, 70-9-307, 70-9-312, 70-9-315
- unknown parties defendant, 25-3-504
- venue, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3A

Advertising
- bailment, sale for storage costs, 70-6-411
- unclaimed, sale, 70-9-403, 70-9-406, 70-9-501, 71-3-1402

Amusement game prizes, 23-6-101, 23-6-102

Animals
- bailment, duty or compensation of depositary, 70-6-206, 70-6-404
- damages for injury to, 27-1-222, 27-1-301
- domestic animals
  - finders, notice to owner, 70-5-103
  - ownership, 70-1-104
- loan for use, duty of care, 70-7-105
- migratory game birds, effect of avicultural permit, 87-2-807
- wild animals
  - captivity, in — damage by, 87-1-233
  - ownership, 50-23-102, 70-2-111

Antiquities, Title 22, chapter 3, See **ANTIQUITIES**

Arbitration laws, applicability, 27-5-114

Assignment for benefit of creditors, Title 31, chapter 2, part 2

Attachment, Title 27, chapter 18

Bail, as, 46-9-401, 46-9-403, 46-9-502

Bailment
- actions, bailee's capacity as party, Title 25, chapter 20, M.R.Civ.P., Rule 17(a); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10A
- adverse claim, notices, 70-6-208, 70-6-211
- animals
  - compensation of depositary, 70-6-404
  - duty of depositary, 70-6-206
  - lien for care, Title 71, chapter 3, part 12

PROPERTY, PERSONAL (Continued)
Bailment (Continued)

- auto auction licensing provisions, 61-4-105, 61-4-120
- boat dealers, 23-2-502
- care, duty of, 70-6-206, 70-6-302, 70-6-403
- contract as retail installment contract, 31-1-202
- damage
  - caused by thing deposited, 70-6-210
  - to thing deposited, 70-6-203, 70-6-501
  - wrongful use, due to, 70-6-202
- delivery
  - adverse claim, effect, 70-6-208
  - demand, 70-6-211, 70-6-212
  - joint ownership, effect, 70-6-214
  - lessor, stopping, 30-2A-523, 30-2A-526
  - place, 70-6-213
  - wrongful detention, 70-6-209
- escrow businesses, "escrow" defined, 32-7-102
- exchange, deposit for, 70-6-101, 70-6-107, 70-6-108
- finders, See **Finders**
- gratuitous deposit, 70-6-301
  - care, duty of, 70-6-302
  - creditor as depositary, 28-1-1113
  - involuntary deposit as, 70-6-105
  - power of attorney, statutory — authority, 72-31-225
  - termination of depositary's duties, 70-6-303
- hire, deposit for, Title 70, chapter 6, part 4
- indemnification of depositary, 70-6-209, 70-6-210
- innkeepers, liability, 70-6-501 — 70-6-505, 70-6-511
- involuntary deposit, 70-6-101, 70-6-103
  - depositary bound, 70-6-104
  - gratuitous deposit as, 70-6-105
  - termination of depositary's duties, 70-6-303
- joint ownership of property, 28-1-1103, 70-6-214
- keeping, deposit for, 70-6-101, 70-6-106
- leases
  - delivery, stopping — lessor, 30-2A-523, 30-2A-526
  - risk of loss, 30-2A-219
- lien
  - effect, 70-6-211
  - services, for, Title 71, chapter 3, part 12
- loss of deposited property, 70-6-203
- negligence
  - innkeeper's liability, 70-6-501 — 70-6-503, 70-6-505
  - involuntary deposit not created by, 70-6-103
  - liability, 70-6-204
  - presumption, 70-6-203
- opening of thing deposited prohibited, 70-6-201
- safekeeping, deposit for, 70-6-101, 70-6-106
- sale of property
  - perishable property, 70-6-205
  - storage costs, for, 70-6-411, 70-6-412
  - storage space rental fees, for, 70-6-420
  - unclaimed property, Title 70, chapter 9, parts 3 and 4
- services of depositary, applicability of laws, 70-6-207
- storage, deposit for, 70-6-402
  - care, duty of, 70-6-403

PROPERTY, PERSONAL (Continued)
Bailment (Continued)
  storage, deposit for (Continued)
    compensation, 70-6-404, 70-6-405
    performance, custody of thing other than money offered as, 28-1-1224
    sale for costs or rental fees, 70-6-411, 70-6-412, 70-6-420
    seller as depositary until delivery, 30-11-201
    storage space rental fees, default, 70-6-420
    termination of deposit, 70-6-405
    unclaimed property, 70-9-402, 70-9-405
    uniform commercial code, applicability, 70-6-401
  taxation of property, designation of bailee in assessment, 15-8-502
  unclaimed property, Title 70, chapter 9
  uniform commercial code, applicability of laws, 30-1-111, 70-6-401
  use of thing deposited prohibited, 70-6-201, 70-6-202
  voluntary deposit, 70-6-101, 70-6-102
  warehouse receipts, Title 30, chapter 7, See **DOCUMENTS OF TITLE**
  wrongful detention, notice to true owner, 70-6-209
  wrongful use of thing deposited, 70-6-201, 70-6-202
Banks and trust companies, 32-1-111, 32-1-374, 32-1-421, 32-1-423, 32-1-447
Bequest, See **ESTATES AND PROBATE, Devises and devisees; Distribution and distributees; Wills**
Bills of lading, Title 30, chapter 7, See **DOCUMENTS OF TITLE**
Bingo prizes, 23-5-412
Care, duty of
  bailment, depositary, 70-6-206, 70-6-302, 70-6-403
  loan for use, 70-7-104 — 70-7-106
  unclaimed property, storage — carriers and bailees, 70-9-405
Carnival game prizes, 23-6-101
Carriers of, Title 69, chapter 11, part 4; chapter 12; Title 70, chapter 9, part 4
Child support debts, attachment for, See **CHILD SUPPORT, Duty of support**
Choice of law, 70-1-109
Claim and delivery, Title 27, chapter 17
Commingling, See **Accessions and intermixture**
Community property, disposition at death, Title 72, chapter 9, part 1
Confiscation, See **SEARCH AND SEIZURE**
Conflict of laws, 70-1-109
Confusion, See **Accessions and intermixture**
Conservatorship, See **ESTATES AND PROBATE**
Conversion, 27-1-320, 27-1-321, 30-3-419, See **CONVERSION**
Conveyance, See **Transfers; TAXATION, ESTATES**
County coroner, authority, 7-4-2911, 46-4-111
Damage or destruction
  actions arising from, See **Actions**
  bailee, liability, 70-6-202, 70-6-203
  innkeeper's liability, 70-6-501 — 70-6-505
  loan for use, repairs when, 70-7-107
  minors, by, 20-5-201, 40-6-237, 40-6-238, 41-1-201, 61-5-108
  trespass, See **CRIMES, Criminal trespass; TRESPASS**
Damages, See generally **Actions; DAMAGES**
Definitions, 1-1-205, 45-2-101, 70-1-105, 70-1-108
Delivery
  claim and delivery, Title 27, chapter 17
  gift, 70-3-102, 70-3-104
  judgment for, 27-1-432, See also **CIVIL PROCEDURE, Delivery to party**
  unclaimed property, See **Unclaimed property**, payment or delivery of property
Destruction, See **Damage or destruction**
Developmental disabilities, persons with — persons' right to possession in residential facilities, 53-20-142
Devise, See **ESTATES AND PROBATE**

PROPERTY, PERSONAL (Continued)

Dissolution of marriage, property settlement following, See **DISSOLUTION OF MARRIAGE, Property settlement**
Documents of title, Title 30, chapter 7
Drug violations, forfeiture of property constituting or derived from proceeds obtained from, 44-12-102, 45-9-206
Emergency services mutual aid agreements, interstate, 10-3-1105
Eminent domain, 70-1-205; Title 70, chapters 30 and 31
Escheat, 70-6-420, 72-14-102, See **Unclaimed property**; **ESTATES AND PROBATE, Escheated estates**
Escrow businesses, regulation, Title 32, chapter 7
Estates, disposition, See **ESTATES AND PROBATE**, generally
Evidence
  bailment, deposit — presumption when loss or injury, 70-6-203
  conversion, presumption of value, 27-1-320
  gift
    causa mortis, presumption, 70-3-202
    unsolicited goods, presumption as, 70-3-104
  rental, false identification prima facie evidence of offense, 45-6-309
  unclaimed, presumption, 70-9-111, 70-9-201 — 70-9-210
Execution, Title 25, chapter 13
Federal surplus, Title 18, chapter 5, part 2
Finders
  abandoned property, applicability of laws, 70-5-101
  compensation of finder, 70-5-103, 70-5-105
  depositary, finder as, 70-5-102
  exoneration of
    finder, 70-5-106
    owner, 70-5-107
  not bound to take charge, 70-5-102
  notice to owner, 70-5-103
  proof of claimant's ownership, 70-5-104
  sale of thing found, 70-5-201, 70-5-202
  storage of property by carriers, commission merchants, or warehousemen — fees, applicability, 70-9-407
  storage of thing found, effect, 70-5-106
  surrender of thing to finder, exoneration of owner, 70-5-107
  theft of lost of mislaid property, 45-6-302
Gifts, 70-3-101
  agriculture, department of — authority, 80-1-102
  airport authorities, authority, 67-11-201
  cemeteries, authority, 7-8-103
  cemetery associations, authority, 35-20-215
  cities and towns, authority, 7-8-103, 7-8-104, 67-10-201, 67-10-203, 90-5-102
  conservation districts, 76-15-403, 76-15-404
  counties, authority, 7-8-103, 90-5-102
  county water and/or sewer districts, authority, 7-13-2217
  death, in view of, 70-3-201
    legacy, treated as, 70-3-205
    presumption, 70-3-202
    revocation, 70-3-103, 70-3-203
    will, effect, 70-3-204
  generation-skipping transfers, tax on, 72-16-1001 — 72-16-1007
  health facility authority, authority, 90-7-202
  hospital districts, authority, 7-34-2122
  hospitals, authority, 7-8-103
  housing authorities, municipal — authority, 7-15-4416, 7-15-4460
  housing, board of — authority, 90-6-104

PROPERTY, PERSONAL (Continued)
Gifts (Continued)

- institutions, to, Title 17, chapter 3, part 10
- irrevocable, 70-3-103
- irrigation districts, 85-7-1411
- land commissioners, board of — authority, 77-1-213
- libraries, public, 22-1-309
- made how, 70-3-102
- mausoleums and columbariums, authority, 35-21-613, 35-21-614, 35-21-622, 35-21-623
- parking commissions, authority, 7-14-4622
- planning boards, authority, 76-1-408
- port authorities, authority, 7-14-1111
- power of attorney, statutory — authority, 72-31-225
- public education, board of — acceptance, 20-8-111
- regents of higher education, board of — authority, 20-25-252, 20-25-254, 20-25-402
- religious corporations sole, authority, 35-3-205
- school districts, authority, 20-6-601
- social and rehabilitation services, department of — authority, 53-2-201
- television districts, authority, 7-13-2510
- transportation, department of — authority, 67-2-301
- unsolicited goods as, 70-3-104
- urban renewal, authority, 7-15-4258

Grant of
- cemeteries, 7-8-103
- cemetery associations, authority, 35-20-215
- cities and towns, acceptance, 7-8-103, 7-8-104
- conservation districts, 76-15-404
- counties, acceptance, 7-8-103
- county water and/or sewer districts, 7-13-2217
- hospitals, acceptance, 7-8-103
- housing authorities, municipal — acceptance, 7-15-4460
- library board of trustees, 22-1-309
- mausoleums and columbariums, authority, 35-21-613, 35-21-614, 35-21-622, 35-21-623
- parking commissions, 7-14-4622
- planning boards, acceptance, 76-1-408
- school districts, acceptance, 20-6-601
- trust company, purpose, 32-1-107, See **BANKS AND TRUST COMPANIES**; **TRUSTS**
- urban renewal, 7-15-4258

Guardian for, See **ESTATES AND PROBATE, Conservators and conservatorship**; **GUARDIANS AND GUARDIANSHIP, Property**
Historical objects and heritage properties, Title 22, chapter 3, See **ANTIQUITIES**; **HISTORICAL SOCIETY**
Husband and wife, See **HUSBAND AND WIFE, Property**
Income and principal, determination, Title 72, chapter 34, part 4
Indians, general provisions, 2-1-304
Injury to, See **Damage or destruction**
Innkeepers
- liability as to property of guests, 70-6-501 — 70-6-505, 70-6-511
- unclaimed baggage, sale, 70-9-501, 70-9-502

Institutional funds, investment in, 72-30-204
Insurance, See generally **INSURANCE, CASUALTY**; **INSURANCE, MARINE**; **INSURANCE, PROPERTY**
Interests in
- real property classification — applicability, 70-15-201
- trust property, 72-33-108, See **TRUSTS**

Interlocal cooperation
- agreements, 7-11-105

PROPERTY, PERSONAL (Continued)
Interlocal cooperation (Continued)

  service plan provisions, 7-11-304
Intermixture, See **Accessions and intermixture**
Joint tenancy
  building and loan association savings certificates and shares, 32-2-101, 32-2-416
  credit union accounts, 32-3-505
  husband and wife, 40-2-105
Judgment for execution or conveyance, Title 25, chapter 20, M.R.Civ.P., Rule 70
Keno prizes, 23-5-412
Leases, Title 30, chapter 2A, See also **Rentals**
Liens upon, Title 71, chapter 3
Limited partnership interest as, 35-12-1101
Loan for exchange, 70-7-202
  applicability of laws, 70-7-101, 70-7-201
  modification of contract, 70-7-204
  option for, 70-7-101
  title transferred by, 70-7-203
Loan for use, 70-7-102
  animals, duty of care, 70-7-105
  applicability of laws, 70-7-101
  care, duty of, 70-7-104 — 70-7-106
  defect in thing loaned, 70-7-111
  expenses, 70-7-110
  extent of use, 70-7-108
  increase, 70-7-103
  injury to thing loaned, 70-7-107, 70-7-110
  money, loan for — applicability, 31-1-101
  option for, 70-7-101
  relending, 70-7-109
  return of thing loaned, 70-7-112 — 70-7-114
  skill of borrower required, 70-7-106
  title not transferred, 70-7-103
Lost or mislaid property
  bailment, deposit
    involuntary, 70-6-103
    loss or injury during, 70-6-203
  finders, See **Finders**
  investigators, Title 37, chapter 60
  theft of, 45-6-302
Married persons, See **HUSBAND AND WIFE, Property**; **MARRIAGE, Premarital agreements**
Medicaid benefits, recovery through property sale, See **PUBLIC ASSISTANCE**
Mentally ill persons, institutionalized — right to possessions, 53-21-142
Minors, See **MINORS, Property**; **TRUSTS, Minors, transfers to**
Mortgages, Title 71, chapter 1, parts 1 and 2
Museum Loan Act, Title 22, chapter 3, part 5
Negotiable instruments, conversion — applicability of laws, 30-3-419
Partition, 70-2-211, 70-2-212, 72-3-914
Pawnbrokers, See **PAWNBROKERS AND JUNK DEALERS**
Perishable property
  appeal from order to sell, Title 25, chapter 21, M.R.App.P., Rule 7
  attachment, prejudgment — sale by sheriff, 27-18-801, 27-18-903
  bailment, sale by depositary, 70-6-205
  carrier, sale to satisfy lien for freightage, 69-11-411
  cost, sales at less than, 30-14-213
  drugs — sale upon suspension or revocation of manufacturer's, distributor's, or dispenser's registration, 50-32-311

PROPERTY, PERSONAL (Continued)
Perishable property (Continued)

- execution, notice of sale, 25-13-701
- finder, sale by, 70-5-201
- food
  - condemnation as human food, 50-31-510
  - "perishable food dealer" defined, 50-50-102
- milk as, 81-23-102
- sale, See **SALES, Perishables**
- secured transaction, as collateral — notice of sale, 30-9-504
- warehouse receipt, delivery without, 30-7-705

Personal representative, authority, 7-4-2620, 72-3-613, 72-3-904
Pledge of, Title 71, chapter 2
Possession

- bailment, deposits, 70-6-102, 70-6-103, 70-6-301
- gift, effect, 70-3-102
- judgment for execution or conveyance, Title 25, chapter 20, M.R.Civ.P., Rule 70
- loan for use, 70-7-102
- recovery, Title 27, chapter 17
- wild animals, ownership by, 70-2-111

Power of attorney, statutory — authority, 72-31-201, 72-31-225
Premarital agreements, Title 40, chapter 2, part 6
Principal and income, determination, Title 72, chapter 34, part 4
Probate matters, See **ESTATES AND PROBATE**, generally
Products of the mind, See **TRADE REGULATION AND COMPETITION, Invention, rights to**
Products of the property, See **Accessions and intermixture**
Protection, justifiable use of force, 45-3-104
Quiet title, 70-2-201, 70-2-202
Raffle prizes, 23-5-413
Receivers, See **RECEIVERS**
Rentals

- community property, disposition at death, 72-9-102
- failure to return, 45-6-309
- personal solicitation sale, as, 30-14-502, See **SALES**
- principal and income determinations, 72-34-404, 72-34-405, 72-34-410, 72-34-416
- rent, presumption of payment, 26-1-602
- ships, contract for, 70-8-201

Sale

- agent's authority, inclusion of warranty, 28-10-421
- auctioneer, authority, 30-11-508
- community property, disposition at death, 72-9-110
- counties, abandoned — sale of property, 7-2-2757
- escrow businesses, regulation, Title 32, chapter 7
- fiduciary, by — validation, 72-31-103
- goods, Title 30, chapter 2, See **SALES**
- premarital agreements, Title 40, chapter 2, part 6
- secured transactions, Title 30, chapter 9
- tax sales, See **TAXATION, PROPERTY**
- unclaimed property, See **Unclaimed property**

School, See **SCHOOLS**
Secured transactions, Title 30, chapter 9
Seizure, See **CLAIM AND DELIVERY; SEARCH AND SEIZURE; SPECIAL PROCEEDINGS**
State, See **PUBLIC CONTRACTS, Procurement, state**; **STATE GOVERNMENT, Property**
State-tribal cooperative agreements, Title 18, chapter 11, part 1
Statutes of limitations, See **STATUTES OF LIMITATIONS**
Storage, See **Bailment**; **WAREHOUSES AND WAREHOUSEMEN**

PROPERTY, PERSONAL (Continued)

Taxation, See also **TAXATION, PROPERTY**
  generation-skipping transfers, tax on, 72-16-1001 — 72-16-1007
  in-kind payment of inheritance and estate taxes, 72-16-445 — 72-16-450
  tax sales, See **TAXATION, PROPERTY**
Things in action, 1-1-205, 25-13-402, 27-1-503, 37-61-408, 37-61-410, 70-2-101, 70-2-102, 70-5-103
Title
  bailment, sale for storage costs or storage space rental fees vests, 70-6-412, 70-6-420
  deposit for exchange, passing of, 70-6-108
  judgment, vested by, Title 25, chapter 20, M.R.Civ.P., Rule 70
  loan for exchange, transfer by, 70-7-203
  loan for use does not transfer, 70-7-103
  unclaimed property, sale — transfer, 70-9-308
  warranty, agent's authority, 28-10-421
Transfers, See also **TAXATION, ESTATES**
  escrow businesses, regulation, Title 32, chapter 7
  generation-skipping, tax on, 72-16-1001 — 72-16-1007
  gift, by, 70-3-101, See **Gifts**
  married persons, by, 40-2-202
  minors, to, See **TRUSTS**, **Minors, transfers to**
  specific performance, 27-1-419
  things in action, 70-2-102
  unclaimed property, sale, 70-9-308
Trespass, See **CRIMES**, **Criminal trespass**; **TRESPASS**
Trust property, See **TRUSTS**
Unclaimed property
  alfalfa leaf-cutting bees or nesting material, 80-6-1103
  banking organizations, 32-1-537, 70-9-102, 70-9-201, 70-9-205, 70-9-206, 70-9-301
  business associations, 70-9-102, 70-9-201, 70-9-204 — 70-9-206, 70-9-210, 70-9-314
  carriers, commission merchants, and warehousemen
    fees of officers, 70-9-407
    sale of property, 70-9-403, 70-9-404, 70-9-406
    storage of property, 70-9-402, 70-9-405
    uniform commercial code, applicability, 70-9-401
  citation of uniform unclaimed property act, 70-9-101
  claims for property, 70-9-310 — 70-9-312
  courts, property held by, 70-9-207
  credit memos, 70-9-102, 70-9-209
  credit unions, dormant accounts, 32-3-508
  custodial taking by state, 70-9-111, 70-9-210, 70-9-304
  definitions, 70-9-102
  enforcement, 70-9-105, 70-9-122, 70-9-307, 70-9-315
  escheat, See **ESTATES AND PROBATE**, **Escheated estates**
  fiduciaries, property held by, 70-9-206
  financial organizations, 70-9-102, 70-9-201, 70-9-205, 70-9-206, 70-9-301, 70-9-302
  finders, applicability of laws, 70-5-101, 70-9-407
  gift certificates, 70-9-102, 70-9-209
  holder, 70-9-102
    notice to owner, 70-9-301
    records, 70-9-111, 70-9-314, 70-9-601
    reimbursement for payment, 70-9-305
  innkeepers, baggage, 70-9-501, 70-9-502
  interstate agreements and cooperation, 70-9-121
  joint or reciprocal actions with other states, 70-9-122
  landlord-tenant relationships, personal property of tenant, 70-24-430
  life insurance corporations, 70-9-102, 70-9-202, 70-9-301, 70-9-302, 70-9-309

PROPERTY, PERSONAL (Continued)
Unclaimed property (Continued)

  limitations, period of — effect, 70-9-307
  lottery, state — prizes, 23-7-311, 23-7-411
  mineral trusts, applicability of provisions, 82-1-304
  miscellaneous property held for another person, 70-9-208
  museum loan act to supersede provisions, 22-3-522, 70-9-106
  notice
    claims, exclusion from payment, 70-9-311
    examination of records, 70-9-314
    owner, to, 70-9-301
    presumption of abandonment, 70-9-302
    retail launderers or dry cleaners, posting, 70-9-601
    sale of property, 70-9-308
      carriers, commission merchants, and warehousemen, 70-9-403
      innkeepers, 70-9-501, 70-9-502
  payment or delivery of property, 70-9-303, 70-9-316
    claim for property following, 70-9-310
    enforcement, 70-9-315
    income accruing after, 70-9-306
    liability, relief from, 70-9-304
    limitations, period of — effect on actions, 70-9-307
    reimbursement to holder, 70-9-305
  penalties, 70-9-307, 70-9-316
  presumption of abandonment, 70-9-111; Title 70, chapter 9, part 2
    limitations, period of — effect, 70-9-307
    notice, 70-9-302
  public officers or agencies, 70-9-207, 70-9-301
  reciprocity with other states, 70-9-121, 70-9-122
  records, 70-9-309, 70-9-314, 70-9-601
  report of abandoned property, 70-9-301, 70-9-314, 70-9-316
    interstate agreements, compliance, 70-9-121
    limitations, period of — effect, 70-9-307
    museums, loaned property, 22-3-522, 70-9-106
  retail launderers or dry cleaners, disposal when, 70-9-601
  rulemaking authority, 70-9-105, 70-9-301
  sale of property, 70-9-308 — 70-9-311
    carriers, commission merchants, and warehousemen — by, 70-9-403, 70-9-404, 70-9-406
    innkeepers, by, 70-9-501, 70-9-502
    landlord, by, 70-24-430
    museums, loaned property, 22-3-522, 70-9-106
  search and seizure, property obtained by — nonapplicability of provisions, 46-5-309
  service charges, 70-9-303, 70-9-309, 70-9-311
  state entity, property issued by, 70-9-210
  state warrants, stale-dated, 17-8-303
  uniformity of provisions, 70-9-104
  utilities, 70-9-102, 70-9-203
  utilities, rural cooperatives, 35-18-316, 70-9-203, 70-9-301, 70-9-309, 72-14-102
Unfair trade practices, loss by, 30-14-133
Warehouse receipts, Title 30, chapter 7, See **DOCUMENTS OF TITLE**
Waste, See **Damage or destruction**
Wildlife, See **Animals**

PROPERTY, REAL
  See also **PROPERTY, GENERALLY**; specific subject heading
Abstracts of title, 70-21-101, 70-29-216, 70-29-217, See **Recording of transfers and other transactions**;
  See also **INSURANCE, TITLE**

PROPERTY, REAL (Continued)

Accessions
  fixtures, 70-18-101, See **Fixtures**
  goods, severance from realty in sale, 30-2-107
  leases, applicability, 30-2A-103, 30-2A-310
  occupancy will not confer title against, 70-19-406
  tenant for years or at will, right to, 70-16-104
Accretion, 70-18-201, See also **Watercourses**
Acknowledgments, See also **Recording of transfers and other transactions**
  certification, 1-5-416, 3-1-404, 70-21-203
  condition subsequent, nonperformance — reconveyance, 70-20-311
  defeasance, instrument of, 71-1-209
  homesteads
    abandonment, declaration of, 70-32-302
    conveyance, 70-32-301
    declaration of, 70-32-105
    encumbrance, 70-32-221, 70-32-301
  "instrument" defined, 70-21-101
  preexisting deeds, wife — presumption grantor had none, 70-20-316
Actions, 70-19-101
  adverse possession, See **Adverse possession**
  appeal permitted, Title 25, chapter 21, M.R.App.P., Rule 1
    undertakings in courts of limited jurisdiction, 25-33-201
  arrest, prejudgment, 27-16-102
  conveyance upon judgment, 25-8-102; Title 25, chapter 20, M.R.Civ.P., Rule 70
  costs, 25-10-101, 25-10-102
  counties, new — transfer of actions affecting, 7-2-2411
  covenants, implied — suit upon, 70-20-304
  easements
    canals and ditches, interference with — enforcement, 70-17-112
    enforcement, 70-17-109
  entry upon land
    action on, 70-19-403
    discovery, request for, Title 25, chapter 20, M.R.Civ.P., Rule 34(a)
  fees of sheriff, 7-4-2525, 7-32-2141
  fences
    common occupancy ceases, refusal to build, 70-16-208
    repairs or rebuilding, for, 70-16-209
  forcible entry and detainer, 70-16-109; Title 70, chapter 27
  injury to inheritance, remedy of remainderman or reversioner, 70-16-105
  interpleader by substitution, Title 25, chapter 20, M.R.Civ.P., Rule 22(b)
  jurisdiction
    acquisition, Title 25, chapter 20, M.R.Civ.P., Rule 4B
    city court, 3-11-103
    justices' courts, 3-10-301, 25-31-101, 25-31-102
  jury, view of premises, 25-7-401
  mining claims, relating to, 70-19-201 — 70-19-204
  parties
    joinder, 25-5-203, 25-5-204, 70-19-303
    joint tenants or tenants in common, 70-19-202
    unknown parties defendant, 25-3-504
  partition, Title 70, chapter 29
  possession
    affecting, 70-19-102
    descent, effect on right of, 70-19-414
    summary proceedings for, 70-16-109

PROPERTY, REAL (Continued)
Actions (Continued)

- quiet title, Title 70, chapter 28
- recovery of possession, See **Recovery of possession**
- redemption period, accounting, 25-13-822
- reentry, right of — for possession under, 70-16-402
- rents and profits, arising from, 70-19-402
- royalty interest in land sold for taxes, recovery, 15-17-326, 27-2-210, 70-19-421
- service of process by publication, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- smoke detectors for dwellings, notice upon sale of dwelling — noncompliance, 70-20-113
- specific performance
  - complaint for, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 11
  - judgment for, Title 25, chapter 20, M.R.Civ.P., Rule 70
- state, special provisions, 25-5-204, 70-19-301 — 70-19-305
- statutes of limitations, See **STATUTES OF LIMITATIONS**
- successors in interest, obligations enforced against, 27-1-421
- timber, trespass for taking — damages, 70-16-107
- title, affecting or arising from, 70-19-102, 70-19-402
- unknown parties defendant, 25-3-504
- unlawful detainer, 70-16-109; Title 70, chapter 27
- venue, 25-2-123, 25-2-206; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3A
- waste, for, 70-16-106

Adjoining landowners, See also **Boundaries**

- easements, See **Easements**
- excavations, 70-16-203
- fences, duties, 70-16-205
  - partition fences, 70-16-206 — 70-16-210
- monuments and boundaries, duties, 70-16-205
- support, lateral and subjacent — right to, 70-16-203
- support of land, right, 70-17-101
- trees standing on or near boundary, 70-16-204

Adverse possession

- certificate of purchase from state, effect, 70-19-305
- descent, effect, 70-19-414
- landlord-tenant relationship, effect, 70-19-412
- mortgage
  - creation when, 71-1-109
  - redemption, effect, 71-1-230
- "occupation" and "possession", what considered, 70-19-408, 70-19-410
- presumption of possession, effect, 70-19-404
- recovery, bar to, 70-19-405
- royalty interest in land acquired by county by tax deed, defense in action to challenge title, 15-17-326
- taxes, payment required to prove, 70-19-411
- time of occupancy required, 70-19-404, 70-19-407, 70-19-411
- transfer, effect, 70-20-309
- water, appropriation by — prohibited, 85-2-301
- written instrument or judgment
  - founded on, 70-19-407, 70-19-408
  - not founded on, 70-19-409, 70-19-410
- wrongful occupation, 27-1-318

Agricultural lands, See **AGRICULTURE**

Airspace, ownership, 67-1-203

Alienation

- "conveyance" defined, 70-21-301
- highway property, fee simple, 60-1-103
- indians, rights and privileges, 2-1-304

PROPERTY, REAL (Continued)
Alienation (Continued)

- recovery of possession, effect, 70-19-103
- years, estate for — suspension of ownership, 70-15-208

Alluvion, 70-18-201, See also **Watercourses**
Antiquities, Title 22, chapter 3
Appraisal
- appeal from actions permitted, Title 25, chapter 21, M.R.App.P., Rule 1
- homesteads, execution under judgment, 70-32-203, 70-32-204, 70-32-206 — 70-32-209, 70-32-214

Appraiser licensing and certification, Title 37, chapter 54
Appurtenances, 70-1-106, 70-15-105
- covenants as, 70-17-201
- drug violations, forfeiture of property used to commit or facilitate and constituting or derived from proceeds resulting from, 44-12-102
- easements, as, 70-17-101
- homestead, as, 70-32-101

Arbitration laws, applicability, 27-5-114
Assessments, See **Encumbrances**
Assignment for benefit of creditors, Title 31, chapter 2, part 2
Assignment or assignees
- conveyance, unacknowledged deeds — validation, 70-20-315
- covenants, implied, 70-20-304
- covenants running with the land, 70-17-201, 70-17-203
- estates at will, transfer, 70-20-101
- ownership, certificate of purchase as evidence, 70-19-305
- purchaser under contract for deed, 70-20-115
- recording of transaction, first recorded voids subsequent recordings, 70-21-304
- recovery of possession under void conveyance from state, 70-19-304
- validation of recorded instrument, defect in execution, 70-21-310

Attachment, Title 27, chapter 18
Bail, as, 46-9-401, 46-9-403, 46-9-502
Boundaries, See also **Adjoining landowners**
- conveyance, inconsistency with description, 70-20-201
- description, See **Coordinate system**; **Corner records**
- fences, 70-16-205 — 70-16-210
- highway as, 70-20-307
- maintenance, 70-16-205
- professional land surveyor, authority, 70-16-111
- road or street as, 70-16-202, 70-20-201
- trees standing on or near, 70-16-204
- water as, 70-16-201, 70-20-201

Brokers, Title 37, chapters 51 and 53
Burial
- easement for, 70-17-101, 70-17-102
- site protection, Title 22, chapter 3, part 8

Campgrounds, Title 50, chapter 52, See **CAMPING AND CAMPGROUNDS**
Centennial acre, deeds to square inches of land, Title 2, chapter 89, part 2
Chattels real, 70-15-206, 70-15-212
Child support debts, attachment for, See **CHILD SUPPORT**, **Duty of support**
Choice of law, 70-1-107
Classification, 70-1-301, 70-15-201, See **Estates** entries
Clouds on title, See **QUIET TITLE**
Community property, disposition at death, Title 72, chapter 9, part 1
Condemnation, Title 70, chapters 30 and 31
Condominiums, Title 70, chapter 23
Conflict of laws, 70-1-107
Conservation easements, 77-2-319; Title 76, chapter 6, part 2

PROPERTY, REAL (Continued)

Conservatorship, See **ESTATES AND PROBATE**
Consumer loans, as security for, 32-5-301, 32-5-505
Contract for deed
  cities and towns
    annexation with provision of services, resident freeholder, 7-2-4704
    improvements without special improvement district, notice of order for, 7-14-4109
    recording, 7-4-2613
  eminent domain, party defendant, 70-30-203
  fire hazards, order to repair hazardous condition or demolish structure to purchaser, 50-62-103
  game farm license application, requirements, 87-4-409
  hospital districts, authority, 7-34-2122
  mining operations
    metal mine reclamation by governmental agencies, notice to purchaser, 82-4-371
    metal mines operating permit applications, enumeration of purchaser in, 82-4-335
    opencut mining, reclamation by governmental agencies — notice to purchaser, 82-4-445
    open-pit mining, notice to purchaser of eminent domain proceedings, 82-2-224
    strip and underground mining
      mining permit application, enumeration of purchaser in, 82-4-222
      reclamation by governmental agencies, notice to purchaser, 82-4-239
  mosquito control districts, petition to create, 7-22-2406
  nursery stock, infected — notice of removal, condemnation, or treatment, 80-7-110
  oil and gas drilling operations, notice to surface owner and purchaser, 82-10-503
  purchaser under contract for deed, 70-20-115
  state cabinsite sales, purchase, 17-6-207
  subdivisions, 76-3-303
    preliminary plat, notice of hearing, 76-3-605
  taxation
    appraisal, notice to purchaser, 15-7-102, 15-15-101
    assessment, notice to purchaser, 7-3-1309, 15-23-102
    class four property, 15-6-134
    classification, notice to purchaser, 15-7-102, 15-7-208, 15-15-101
    homeowner's tax payment, eligibility, 15-1-1002
    reclassification, 15-7-208
    redemption by interested party, 15-18-111
    tax deeds, interested parties, 15-18-111, See **TAXATION, PROPERTY, Tax deeds**
  utilities, underground conversion of facilities — notice, 69-4-353
  water and water rights
    adjudication of rights, availability of preliminary or temporary preliminary decree to purchaser, 85-2-232
    appropriation permit, notice of application to purchaser, 85-2-307
Conveyance, See also **Deeds, specific provisions**; **Grant of estate in**; **Transfer**; **TAXATION, ESTATES**
  appeal from court order for, Title 25, chapter 21, M.R.App.P., Rule 1
  breach of agreement, 27-1-314, 27-1-316, 27-1-419
  city manager, execution, 7-3-4368
  commission-manager government
    execution, 7-3-4368
    powers, 7-3-4313
  condominiums, Title 70, chapter 23
  conservation easements, 76-6-205, 76-6-206
  fiduciary sales, validation, 72-31-103
  fraternal benefit societies, effect of consolidation or merger, 33-7-215
  health facility authority, of facility, 90-7-214, 90-7-307
  homesteads, 70-32-301
  housing authorities
    county, acceptance, 7-15-2122

PROPERTY, REAL (Continued)
Conveyance (Continued)
  housing authorities (Continued)
    municipal, powers, 7-15-4466
  judgment for, See **Judgment**
  married persons, by, 40-2-202
  mayor, execution by, 7-3-4368
  open-space lands, 76-6-108
  partition sales, 70-29-310, 70-29-311
  presumption, 26-1-602
  railroad corporations, 69-14-552, 69-14-553
  rental property, See **LANDLORD AND TENANT**, **Conveyance of property**
  special improvement districts, tax-sale property, 7-12-4228
  specific performance, 27-1-419, 27-1-420
  state lands, See **STATE LANDS**, **Deeds and conveyances**
  successors in interest, obligations enforced against, 27-1-421
  transportation, department of — land sold by, 60-4-207
  trust indentures, Title 71, chapter 1, part 3
  trusts, to or from, 70-20-102, 72-36-206, See **TRUSTS**
Coordinate system
  designation and division into zones, 70-22-201, 70-22-202
  public land survey description prevails, 70-22-208
  purchaser or mortgagee, requirements, 70-22-209
  standards, conformity to, 70-22-206
  survey stations, 70-22-203, 70-22-204, 70-22-206
  use of Montana coordinate system NAD 27, limitation, 70-22-210
  use of term "Montana coordinate system" limited, 70-22-207
  x and y coordinates, use, 70-22-203, 70-22-205
  zones, 70-22-201, 70-22-202, 70-22-204, 70-22-205
Corner records
  certification, 70-22-108
  citation of corner recordation act of Montana, 70-22-101
  contents and form, 70-22-107, 70-22-109
  conveyance, inconsistency with description, 70-20-201
  coordinate systems, effect, 70-22-208
  definitions, 70-22-103, 70-22-104
  filing, 70-22-104 — 70-22-106, 70-22-108, 70-22-109
  maintenance, 70-16-205, 70-22-110
  plain language in contracts provisions, effect, 30-14-1104
  professional land surveyor
    information, 70-16-111
    noncompliance, 37-67-331
    utilities, excavations near underground facilities, 69-4-502
  purpose of provisions, 70-22-102
  rehabilitation of monuments required, 70-22-110
  subdivisions, 76-3-401 — 76-3-405, See also **SUBDIVISIONS**, **Survey**
Covenants against encumbrances, 27-1-316, 30-11-109, 30-11-110, 70-26-106
Covenants for further assurance, 70-17-203, 30-11-109, 30-11-110
Covenants for payment of rent or taxes and assessments, 70-17-203
Covenants in general
  heirs of covenantor, responsibility, 70-20-306
  implied, 70-20-304
Covenants of quiet enjoyment, 27-1-316, 30-11-109, 30-11-110
Covenants of right to convey, breach, 27-1-316
Covenants of seisin, 27-1-316, 30-11-109, 30-11-110
Covenants of warranty, 20-25-307, 27-1-316, 28-10-422, 30-11-109, 30-11-110, 70-17-203, 87-1-209
Covenants running with the land, 70-17-201 — 70-17-203
  apportionment of burdens and benefits, 70-17-206

PROPERTY, REAL (Continued)
Covenants running with the land (Continued)

- binding upon whom, 70-17-204
- breach, 70-17-205
- extent, 70-17-201, 70-17-204
- subdivisions, 76-3-207, 76-3-306
- transfer of burden, 28-1-1002

Damage or destruction
- actions arising from, See **Actions**
- fish and wildlife provisions, See **FISH AND WILDLIFE, Lands or waters**, damage to
- forcible detainer, by, 70-27-103
- forcible entry, by, 70-27-102
- geophysical exploration, firing of shotpoints, 82-1-108
- irrigation ditch owners and operators, nonliabilities, 85-7-2212
- life tenant, by, 70-16-102, 70-16-103, 70-16-106
- mining operations, by, 70-19-202, 82-4-253, 82-4-356
- minors, by, 20-5-201, 40-6-237, 40-6-238, 41-1-201
- natural resources and conservation, department of — liability for entry on land, 85-2-115
- redemption period, during, 25-13-823 — 25-13-825
- remainderman, remedy of, 70-16-105
- reversioner, remedy of, 70-16-105
- school property, 20-5-201, 20-9-161
- state parks, 23-1-106
- timber, trespass for taking, 70-16-107, 70-16-108
- unlawful detainer, by, 70-27-108
- venue, 25-2-123
- water use, property for — restoration and repair, 85-1-217

Damages, See also **Actions**; **DAMAGES**, generally
- aircraft, forced landings or willful and malicious use — liability, 67-1-204
- breach of agreement, 27-1-314, 27-1-315
- county roads, resulting from establishment or alteration, 7-14-2607 — 7-14-2610
- covenants, breach, 27-1-316
- drainage districts, for construction, See **DRAINAGE DISTRICTS, Damages**
- fences, repair, 70-16-209
- forcible entry and detainer, Title 70, chapter 27
- holding over, willful, 27-1-319
- landlord tenant actions, Title 70, chapters 24 — 26
- railroad division points or terminals, removal, 69-14-1002
- redemption period, injury during, 25-13-825
- state, prohibited against, 70-19-303
- unlawful detainer, by, 70-27-108
- water projects, state — acquisition of property for, 85-1-209
- water supply, contamination, 75-20-405
- water users' associations, liability, 85-6-107
- wrongful occupation, 27-1-318

Deeds, specific provisions, See also **Conveyance**; **Grant of estate in**; **Transfer**
- centennial acre, to square inches of land, Title 2, chapter 89, part 2
- condominiums, common expenses — claim, recording, 70-23-607
- contract for, See **Contract for deed**
- counties, acquisition of land, 7-16-2105
- entry townsite land, 70-28-301 — 70-28-304
- fiduciary sales, validation, 72-31-103
- highways, transfer of land for, 60-2-209
- homesteads, 72-2-415
- institutional funds gift instrument creating, 72-30-102
- insurance against loss or damage to, 33-1-211, See **SURETYSHIP AND SURETIES, Surety insurance**

PROPERTY, REAL (Continued)
Deeds, specific provisions (Continued)

irrigation districts, transfer of land, 85-7-2167
justice of the peace not permitted to draw, 3-1-602
married persons, preexisting deeds — presumption grantor had no wife, 70-20-316
minors, transfers to — nomination of custodian, 72-26-601
notaries public, certification, 1-5-416
partition proceedings, 70-29-206, 70-29-208
personal representative, authority, 7-4-2620, 72-3-613, 72-3-904
power of appointment, creation by, 70-1-704
quiet title actions, 70-28-204, 70-28-301 — 70-28-304
railroad corporations, authority, 69-14-552, 69-14-553
railroad right-of-way, leasehold along — transfer, 69-14-932
recording, See **Recording of transfers and other transactions**
regents of higher education, board of — authority, 20-25-307
school property, 20-6-605, 20-6-703, 20-9-602
securities, assignment by fiduciary, Title 30, chapter 10, part 4
solid waste management, acquisition of land for, 75-10-112
state lands, See **STATE LANDS, Deeds and conveyances**
tax deeds, Title 15, chapter 18, part 2, See **TAXATION, PROPERTY**; See also **COUNTIES, Tax-deed lands**; **IRRIGATION DISTRICTS, Taxes and assessments**
timeshare sales by, in lieu of foreclosure, 37-53-205
transportation, department of — land sold by, 60-4-207
trust deeds, 71-1-321, See **MORTGAGES**; **TRUST INDENTURES**
water quality districts, acquisition of land, 7-13-4517
Definitions, 1-1-205, 7-1-4121, 45-2-101, 67-1-101, 70-1-105, 70-1-106, 70-15-101
agreement, 70-20-202
corner records provisions, 70-22-103, 70-22-104
dominant tenement, 70-17-103
easement, 70-17-101
encumbrance, 70-20-305
fee simple or absolute fee, 70-15-203
fixtures, 70-15-103, 70-15-104
incident or appurtenance, 70-15-105
instrument, 70-21-101
land, 70-15-102
power, 70-15-301
private property assessment provisions, 2-10-103
remainder, 70-15-211
reversion, 70-15-210
servient tenement, 70-17-103
Destruction, See **Damage or destruction**
Devise, See **ESTATES AND PROBATE**
Discriminatory practices, See **DISCRIMINATION**, generally
Dissolution of marriage, property settlement following, See **DISSOLUTION OF MARRIAGE, Property settlement**
Drug violations, forfeiture of property used to commit or facilitate and constituting or derived from proceeds resulting from, 44-12-102, 45-9-206
Easements, 70-17-101, 70-17-102
airports and landing fields, 67-2-301, 67-6-301, 67-10-201, 67-11-201
apportionment, 70-17-107
canals and ditches, interference with, 70-17-112
condominium property, 70-23-102
conservation easements, 77-2-319; Title 76, chapter 6, part 2
conservator's power to dedicate, 72-5-427
dominant tenement, 70-17-103, 70-17-107 — 70-17-109
eminent domain, subject to, 70-30-104

PROPERTY, REAL (Continued)
Easements (Continued)

- enforcement, action for, 70-17-109
- extent of servitude, 70-17-106
- extinguishment of servitude, 70-17-111
- fish, wildlife, and parks — department of, acquisition by, 87-1-209
- forest land, owner — exception, 76-13-102, 76-13-302
- future estates, owner's rights, 70-17-108
- grain elevators, 69-14-901 — 69-14-911
- granting of servitude, who may grant, 70-17-104
- highways, 60-1-103, See **HIGHWAYS, Rights-of-way**
- holding of servitude, who may not hold, 70-17-105
- in-kind payment of inheritance and estate taxes, 72-16-445 — 72-16-450
- off-highway vehicles, operation on, 23-2-801, 23-2-811
- personal representative's power to dedicate, 72-3-613
- pipeline carriers, condemnation power, 69-13-104
- port authorities, 7-14-1105, 7-14-1111
- possession of land, action for, 70-17-110
- rail authorities, county cooperation, 7-14-1623
- railroads, acquisition, 60-11-111
- recording, 70-17-301
- recreational use of surface waters, not granted by, 23-2-302, 23-2-322
- servient tenement, 70-17-103, 70-17-107, 70-17-110, 70-17-111
  - servitude, 70-17-104, 70-17-105, 70-17-111
- snowmobiles, operation on, 23-2-611
- solar, 70-17-101, 70-17-301, 70-17-302
- state lands, upon, Title 77, chapter 2, part 1, See also **STATE LANDS**
- subdivisions, 76-3-305, 76-3-501, 76-4-1228, 76-4-1233
- transfer with property, 70-20-308
- trustee's power to dedicate, 72-34-320
- wastewater treatment works revolving loan program projects, 75-5-1113
- water rights, 70-17-101, 70-17-112, 85-1-209
- wind energy easement, 70-17-101, 70-17-303

Ejectment, See **Recovery of possession**
Eminent domain, 70-1-205; Title 70, chapters 30 and 31
Encumbrances, 70-20-305

- covenant against, breach, 27-1-316
- covenants, implied, 70-20-304
- fraudulent conveyances, 70-20-401, 70-20-402, 70-20-404
- homesteads, 70-32-221, 70-32-301
- indians, rights and privileges, 2-1-304
- recording of instruments, effect, Title 70, chapter 21, part 3

Enjoyment, 70-15-202, See **Covenants** entries; **Easements**; **Estates** entries
Entry on land, See also **Reentry**

- action on claim by, statute of limitation, 70-19-403
- child abuse and neglect, right of entry of peace officer or department worker, 41-3-403
- eminent domain, subject to, 70-30-104
- fish and wildlife provisions, for, See **FISH AND WILDLIFE, Landowners**
- noxious weeds, inspection or investigation, 80-7-910
- nuisance, for abatement, 27-30-302
- professional land surveyor, 70-16-111
- recreational use of surface waters, right not granted by, 23-2-302, 23-2-322
- recreationists, 70-16-301, 70-16-302, 77-1-806
- surveying, for, 70-16-111, 70-28-113, 70-30-110; Title 25, chapter 20, M.R.Civ.P., Rule 34(a)
  - water surveys, 85-1-204
- tax exemption, 15-6-201
- trespass, See **CRIMES, Criminal trespass**; **TRESPASS**

PROPERTY, REAL (Continued)
Entry on land (Continued)

- unlawful, 45-6-201, 45-6-203
- water matters, See **WATER USE, Entry on land**

Escheat, 72-14-102, See **ESTATES AND PROBATE, Escheated estates**
Escrow businesses, regulation, Title 32, chapter 7
Estates at will

- chattel interest, as, 70-15-206
- duration of enjoyment, 70-15-202
- rights of tenant, 70-16-104
- transfer, 70-20-101
- trust indenture foreclosure, occupants as tenants at will, 71-1-319

Estates, conditional, 70-15-203
Estates, contingent, 70-15-212
Estates, defeasible, 70-15-203, 71-1-209
Estates, executory, 70-15-209, 70-15-211 — 70-15-213, See also **Remainders**
Estates, fee simple absolute, See **Fee simple absolute**
Estates for life, 70-15-212

- duration of enjoyment, 70-15-202
- duties of owner, 70-16-103
- freehold estate, as, 70-15-206, 70-15-207
- grant, 70-20-313
- holdover, damages, 27-1-319
- inheritance tax, See **TAXATION, ESTATES**
- nonprobate interest, recording, 7-4-2613
- partition, See **PARTITION**
- remainder upon, 70-15-212, 70-15-214, 70-15-215
- rights of owner, 70-16-102
- termination, 72-3-631, 72-3-633, 72-16-502, See **TAXATION, ESTATES**, **Inheritance tax**, life estates
- third person, estate for life of, 70-15-207
- waste, action for, 70-16-106

Estates for years

- chattels real, as, 70-15-206
- duration of enjoyment, 70-15-202
- grant, 70-20-313
- inheritance tax, when subject to divesting, 72-16-420
- partition, See **PARTITION**
- remainder, 70-15-212, 70-15-214
- rights of tenant, 70-16-104, 70-26-206
- suspension of absolute ownership, extent, 70-15-208
- waste, action for, 70-16-106

Estates, future, 70-15-212

- easements, rights in, 70-17-108
- limitation, 70-15-209
- partition, effect of sale of property, 70-29-325
- power of appointment, effect on vesting, 70-15-216
- remainder, as, 70-15-211, See also **Remainders**

Estates of freehold, 69-14-1002, 70-15-206, 70-15-207, 70-15-212
Estates of inheritance

- covenants, implied, 70-20-304
- duration of enjoyment, 70-15-202
- fee simple or absolute fee, as, 70-15-203
- freehold estate, as, 70-15-206
- partition, 70-29-101, 70-29-104, 70-29-212, See also **PARTITION**

Estates, periodic

- chattels real, as, 70-15-206
- duration of enjoyment, 70-15-202

PROPERTY, REAL (Continued)
Estates, periodic (Continued)

  transfer, 70-20-101
Estates, perpetual — duration of enjoyment, 70-15-202
Estates tail, 70-15-204, 70-15-205
Eviction, See also **Recovery of possession**
  execution sales, irregularity of proceedings, 25-13-713
  reentry as contempt, 3-1-504
Evidence
  boundaries, presumption, 70-16-202
  conveyance, presumption of, 26-1-602
  coordinate systems, adherence to federal specifications — publication of existing or new stations as, 70-22-206
  grant of estate
    address of grantee, effect of omission, 70-21-310
    conclusive, grant as, 70-20-303
    essentials of grant, presumption of inclusion, 1-3-213
    execution, defect — effect, 70-21-309
    extrinsic evidence, 28-2-905, 70-20-202
    fee simple, presumption of passing, 70-20-301
    parol evidence, 28-2-904, 28-2-905, 70-20-202
    preexisting deeds, wife — presumption grantor had none, 70-20-316
  homestead, value of property, 70-32-104
  monuments, location at corner presumed, 70-22-103
  ownership, certificate of purchase from state or united states, 70-19-305
  personal representative, deed of distribution, 72-3-904
  possession, presumption created by, 70-19-404, 70-19-412
  professional land surveyor, entry on land — rebuttable presumption of protection against injury or property damage, 70-16-111
  recording of transfers and other transactions
    federal instruments, 70-21-207
    hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
    letters patent, copy of transcript, 70-21-207
    removal of records which are evidence, 70-21-104
  smoke detectors for dwellings, failure to or noncompliance in complying with notice requirement upon sale of dwelling — inadmissibility, 70-20-113
  transfer of property
    breach of agreement, presumption regarding damages as relief, 27-1-419
    unacknowledged deeds, when validated, 70-20-315
Execution, Title 25, chapter 13
Fee simple absolute, 70-15-203
  after-acquired title, 70-20-302
  condominium ownership, 70-23-102
  covenants, implied, 70-20-304
  estates tail become upon abolishment, 70-15-204
  highway property, 60-1-103, 60-4-101, 60-4-102, 60-4-209
  inheritance or succession, words unnecessary, 70-20-104
  liens, construction — extent, 71-3-525
  married person, transfer of title, 40-2-202
  presumption of passing, 70-20-301
  recording, 70-21-211, 71-1-209
  rights of owner, 70-16-101, 70-16-102
  servient tenement, owner — action for possession, 70-17-110
  "state land" defined, 77-1-701
Fee tail, 70-15-204, 70-15-205
Fences, See also **FENCES**
  adjoining owners, duties, 70-16-205

PROPERTY, REAL (Continued)
Fences (Continued)

  excavations, failure to fence, 45-8-113
  partition fences, 70-16-206 — 70-16-210
Ferries and wharves, 7-14-2804, See **FERRIES AND WHARVES**, **Property**, generally
Fixtures, 70-1-106, 70-15-101, 70-15-103, 70-15-104
  attachment by another, 70-18-101
  condominium property, 70-23-102
  drug violations, forfeiture of property used to commit or facilitate and constituting or derived from proceeds resulting from, 44-12-102
  eminent domain, acquisition of buildings with land, 70-31-305
  goods that become, lessor's and lessee's rights, 30-2A-309
  mines, attachment to, 70-15-104
  partition, effect, 70-29-206, 70-29-207
  quiet title actions, as setoff for damages, 70-28-110
  removal, 70-18-101, 70-18-102
  secured transactions, Title 30, chapter 9
Flooding, Title 76, chapter 5, See **FLOODPLAINS AND FLOODWAYS**; **FLOODS**
Forcible entry and detainer, 70-16-109; Title 70, chapter 27
Forests, See **FORESTS AND FORESTRY**
Freehold estates, 69-14-1002, 70-15-206, 70-15-207, 70-15-212, See also **Estates** entries
Future estates, 70-15-212, See **Estates, future**
Gifts
  agriculture, department of — authority, 80-1-102
  airport authorities, authority, 67-11-201
  cemeteries, authority, 7-8-103, 7-35-2201, 7-35-4106
  cemetery associations, authority, 35-20-212, 35-20-215
  cities and towns, authority, 7-3-4313, 7-7-4404, 7-8-103, 7-8-104, 67-10-102, 67-10-201, 67-10-203, 76-5-1108, 90-5-102
  city-county consolidated governments, authority, 7-3-1203
  city or town councils, authority, 7-14-4501, 7-14-4801, 7-16-4106
  conservation districts, 76-15-403, 76-15-404
  conservation easements, acquisition by, 76-6-204
  counties, authority, 7-8-103, 7-16-2105, 7-35-2201, 67-10-102, 76-5-1108, 90-5-102
  county water and/or sewer districts, authority, 7-13-2217
  environmental quality, department of, 82-4-239, 82-4-371, 82-4-445
  federal migratory bird reservations, for, 2-1-211
  fish, wildlife, and parks — department of, acceptance, 87-1-209, 87-1-702, 87-1-703, 87-1-708, 87-1-709
  generation-skipping transfers, tax on, 72-16-1001 — 72-16-1007
  health and environmental sciences, department of — authority, 75-10-412
  health facility authority, authority, 90-7-202
  hospital districts, authority, 7-34-2122
  hospitals, authority, 7-8-103
  housing authorities, municipal — authority, 7-15-4416, 7-15-4460
  housing, board of — authority, 90-6-104
  institutions, to, Title 17, chapter 3, part 10
  irrigation districts, 85-7-1411
  land commissioners, board of — authority, 23-1-103, 76-12-107, 77-1-213, 77-1-214
  libraries, public, 22-1-309
  mausoleums and columbariums, authority, 35-21-613, 35-21-614, 35-21-622, 35-21-623
  open-space lands, acquisition by, 7-12-4102, 76-6-105, 76-6-106
  park commissioners, boards of, 7-16-2321
  parking commissions, authority, 7-14-4622
  planning boards, authority, 76-1-408
  port authorities, authority, 7-14-1111
  power of attorney, statutory — authority, 72-31-224
  public education, board of — acceptance, 20-8-111

PROPERTY, REAL (Continued)
Gifts (Continued)

- public parks, land for, 7-12-4102
- railroad corporations, authority, 69-14-553
- regents of higher education, board of — authority, 20-25-242, 20-25-252, 20-25-254, 20-25-402
- religious corporations sole, authority, 35-3-205
- school districts, authority, 20-6-601
- social and rehabilitation services, department of — authority, 53-2-201
- solid waste management, acquisition of land for, 75-10-112
- subdivisions, review exemption, 76-3-207
- television districts, authority, 7-13-2510
- transfer certificate, exemption, 15-7-307
- transportation, department of — authority, 67-2-301, 75-15-123, 75-15-223
- urban renewal, authority, 7-15-4258
- water conservancy district, board of directors — authority, 85-9-405

Goods

- payment for, with realty, 30-2-304
- severance from realty in sale, 30-2-107

Grant of estate in, See also **Conveyance**; **Deeds, specific provisions**; **Transfer**

- after-acquired title, passing, 70-20-302
- airports and landing fields, acquisition, 67-5-202, 67-6-301
- cemeteries, for, 7-8-103, 7-35-102
- cemetery associations, authority, 35-20-215
- cemetery districts, authority, 7-35-2109, 7-35-2149
- cities and towns, authority, 7-1-4124, 7-8-103, 7-8-104, 7-15-4103, 7-15-4258
- city or town lot, duration, 70-26-110
- community college district trustees, authority, 20-15-225
- conclusive, grant is and exception, 70-20-303
- condition precedent, on, 70-20-312
- condition subsequent, on, 70-20-311
- conservation districts, 76-15-404
- construction, 70-20-201
  - extrinsic evidence, 70-20-202
- counties, authority, 7-8-103, 7-16-2105
  - abandoned, sale of property, 7-2-2756, 7-2-2757
  - land owned by, to other governmental entities, 7-8-102, 7-16-102, 7-35-102
  - name change, effect, 7-2-2509
  - park and recreation land, 7-16-102, 7-16-2401
- county water and/or sewer districts, authority, 7-13-2217
- covenants, See **Covenants** entries
- deaf and blind, Montana school for the, 20-8-110, 20-8-111; Title 17, chapter 3, part 10
- defeasance, recording necessary, 71-1-209
- enabling act
  - capitol building land grant, revenue from, 18-2-107, 77-3-436
  - eastern Montana college and western Montana college of the university of Montana, public lands for, 20-25-255
- essentials of, presumption of inclusion, 1-3-213
- estate for life or years, 70-20-313
- fee simple presumed to pass, 70-20-301
- fish, wildlife, and parks — department of, authority, 23-1-201, 23-1-202, 23-1-303
- form of, 70-20-103
- heritage properties and paleontological remains on state lands, environmental review, 22-3-433
- historical society, authority, 22-3-603
- homestead
  - abandonment, 70-32-302
  - declaration of, 70-32-105
- hospitals, authority, 7-8-103

PROPERTY, REAL (Continued)
Grant of estate in (Continued)

- housing authorities, municipal — powers, 7-15-4416, 7-15-4460
- institutions generally, authority, 7-8-103; Title 17, chapter 3, part 10
- joint tenancy, right of survivorship, 70-20-310
- land commissioners, board of — authority, 23-1-103
- library board of trustees, public — authority, 22-1-309
- marriage settlement contracts, applicability, 40-2-312, 40-2-314
- married persons, inventory of property — applicability, 40-2-203
- mausoleums and columbariums, authority, 35-21-613, 35-21-614, 35-21-622, 35-21-623
- Montana college of mineral science and technology, lands granted for, 17-5-421
- Montana state university, designation as land-grant university, 20-25-221
- "mortgage" defined, 71-1-103, See **MORTGAGES**
- notaries public, certification, 1-5-416
- open-space lands, 76-6-106
- park commissioners, county board of — authority, 7-16-2321
- parking commissions, authority, 7-14-4622
- partition, Title 70, chapter 29
- planning boards, authority, 76-1-408
- preexisting deeds, wife — presumption grantor had none, 70-20-316
- public health and human services, department of — authority, 41-3-1103
- redelivery or cancellation, effect, 70-20-110
- reentry, right of, 70-16-401, 70-16-402
- regents of higher education, board of — authority, 20-25-255, 20-25-301, 20-25-402, 20-31-401
- revocation, by person having power of, 70-20-403
- school districts, authority, 20-6-601
- servitude, extent, 70-17-106, See **Easements**
- state, actions relating to, 70-19-303, 70-19-304
- "state land" defined, 77-1-701
- tenant, property occupied by, 70-20-314
- "trust company" defined, 32-1-107, See **BANKS AND TRUST COMPANIES**; **TRUSTS**
- unacknowledged deeds, validation, 70-20-315
- university of Montana biological station, land for, 23-1-201, 23-1-202
- university system generally, 20-25-426; Title 17, chapter 3, part 10
- urban renewal, 7-15-4258
- water, owner of land bounded by, 70-16-201

Grazing lands, Title 76, chapter 16, See **GRAZING DISTRICTS**
Guardian for, See **ESTATES AND PROBATE, Conservators and conservatorship**; **GUARDIANS AND GUARDIANSHIP, Property**
Hazardous or deleterious substance, release by facility — contractual relationship, 75-10-715, 75-10-719
Highways, acquisition and disposition, See **HIGHWAYS, Acquisition of property**; **Relocation**; **Sale of property**
Historical sites and objects and heritage properties, Title 22, chapter 3, See **ANTIQUITIES**; **HISTORICAL SOCIETY**
Holding over, willfully, 27-1-319
Homesteads, 70-32-101

- abandonment, 70-32-302, 70-32-303
- bankruptcy, exemption, 31-2-106
- conveyance, 70-32-301
- decedent's family, allowance, 72-2-412, See also **ESTATES AND PROBATE, Exempt property and allowances**
- declaration of abandonment, 70-32-302, 70-32-303
- declaration of homestead, 70-32-105 — 70-32-107, 70-32-202, 70-32-303
- encumbrance, 70-32-221, 70-32-301
- execution, exemption, 25-13-615, 70-32-201
    - limitation when, 70-32-104
    - proceeds from homestead sold, condemned, or destroyed — tracing, 70-32-216

PROPERTY, REAL (Continued)
Homesteads (Continued)
  execution, exemption (Continued)
    remainder of land over exemption, execution against, 70-32-209
    sale when land cannot be divided, 70-32-210 — 70-32-213
  execution upon judgment
    acknowledgment required, 70-32-221
    appraisal
      application for, 70-32-203, 70-32-204
      appointment of appraisers, 70-32-203, 70-32-206
      compensation of appraisers, 70-32-214
      duty of appraisers, 70-32-207
      hearing, 70-32-205
      order dividing land, 70-32-209
      petition, 70-32-204 — 70-32-206
      report of appraisers, 70-32-208 — 70-32-210
    costs, 70-32-215
    remainder of land over exemption, execution against, 70-32-209
    sale of land, 70-32-210
      bid, 70-32-211
      proceeds, 70-32-212, 70-32-213
    specific judgments, enumeration, 70-32-202
  liberal laws required, Const., XIII, 5
  selection, 70-32-101, 70-32-103, 70-32-105
  value, 70-32-104
Human skeletal remains, protection, Title 22, chapter 3, part 8
Hunting on, owner's rights, See **FISH AND WILDLIFE, Landowners**
Husband and wife, See **HUSBAND AND WIFE, Property**
Improvements, See **Fixtures**
Incidents, 70-1-106, 70-15-105
  easements, as, 70-17-101
  ownership in property, rights and obligations, Title 70, chapter 16
Income of property, See **Rents and profits**
Increase, See **Accessions**
Indians, general provisions, 2-1-304
Inheritance, estates of, See **Estates of inheritance**
Injury to, See **Damage or destruction**
Institutional funds, investment in, 72-30-204
Insurance, See also generally **INSURANCE, CASUALTY**; **INSURANCE, MARINE**; **INSURANCE, PROPERTY**; **INSURANCE, TITLE**
  credit life and disability, nonapplicability, 33-21-102
  deeds, against loss or damage to, 33-1-211, See **SURETYSHIP AND SURETIES, Surety insurance**
Interests in, classification, Title 70, chapter 15, part 2, See also **Estates** entries; **Transfer**; **TRUSTS**
Interlocal cooperation
  agreements, 7-11-105
  service plan provisions, 7-11-304
Islands, 70-18-203 — 70-18-205, 77-1-102 — 77-1-105, See **STATE LANDS, Islands and abandoned riverbeds**
Joint tenancy
  creation, 70-1-307, 70-20-105
  husband and wife, 40-2-105
  liens, construction — contracting owner, 71-3-522
  mausoleum-columbarium plots, 35-21-429 — 35-21-431
  nonprobate transfers, recording, 7-4-2613
  partition, See **PARTITION**
  right of survivorship, 70-20-310
  termination, 72-3-631, 72-3-633
  waste, action for, 70-16-106, 70-19-202

PROPERTY, REAL (Continued)

Judgment, See also **JUDGMENTS AND DECREES, Property**
  declaratory judgments, availability, 27-8-202
  execution or conveyance, for, 25-8-102, 27-1-431; Title 25, chapter 20, M.R.Civ.P., Rule 70
  lien created by, justice's court, 25-31-914
  recording, 7-4-2613, 70-21-201, 70-21-205, 70-21-206, 70-21-306
  validation, 25-9-105
Kinds of property or interests in property, 70-1-105, 70-1-106, 70-15-101, 70-15-102, See **Appurtenances**; **Estates** entries; **Fixtures**
"Land" defined, 70-15-102
Landlord and tenant, applicability of laws, 70-24-105, See **LANDLORD AND TENANT**
Landscape architects, Title 37, chapter 66
Landscape management, Title 75, chapter 15, parts 1 and 2
Land surveyors, 37-67-331, 69-4-502, 70-16-111, See **Surveying**; **COUNTY SURVEYOR**; **ENGINEERS AND LAND SURVEYORS**
Land use planning, See **LAND USE PLANNING**
Leases, See also **Rents and profits**; **LEASES**
  default procedure, 30-2A-501
  fixtures, lessor's and lessee's rights when goods become, 30-2A-309
  military affairs, department of — for armories or military facilities, 10-1-109
Letters patent, 70-19-303, 70-19-304, 70-21-207, 70-22-103
Liens upon, 25-31-914; Title 71, chapter 3, See also **Encumbrances**
Life, estates for, See **Estates for life**
Littering, Title 75, chapter 10
Malicious intimidation or harassment, 45-5-221
Managers, licensing, Title 37, chapter 51, part 6, See **REAL ESTATE BROKERS AND SALESPERSONS**
Married persons, See **HUSBAND AND WIFE, Property**; **MARRIAGE**; **Premarital agreements**
Mausoleum or columbarium plots, See **MAUSOLEUMS AND COLUMBARIUMS**
Medicaid benefits, recovery through redemption, 53-6-171 — 53-6-188
Megalandfill facilities, construction, 75-10-903
Minors, See **MINORS, Property**; **TRUSTS, Minors, transfers to**
Monuments, See **Corner records**
Mortgages, Title 71, chapter 1, parts 1 and 2
Natural areas preservation, Title 76, chapter 12, part 1
Notice
  actions affecting title or possession, filing — effect, 70-19-102
  excavations on adjacent land, 70-16-203
  fraudulent conveyance, instrument not void as to purchaser with notice, 70-20-402
  homestead, execution under judgment — notice of appraisal hearing, 70-32-205, 70-32-206
  professional land surveyor, entry on land, 70-16-111
  purchaser under contract for deed, to, 70-20-115
  recording as constructive notice, 70-21-302
    address of grantee, omission — effect, 70-21-310
    after-acquired interest, 70-21-303
    defective execution, effect, 70-21-309
    judgments, 70-21-306
    trustee, when powers not specifically limited, 70-21-307
  reentry, 70-16-401, 70-16-402
  smoke detectors for dwellings, requirement upon sale of dwelling, 70-20-113
  tenant, grant of property occupied by, 70-20-314
Occupancy, See also **Possession**
  simple occupancy, effect, 70-19-406
  title, acquiring by, 70-19-405, 70-19-406, See **Adverse possession**
  wrongful, 27-1-318, See **Recovery of possession**
Open-space land preservation, Title 76, chapter 6

PROPERTY, REAL (Continued)

Ownership, See also **Estates** entries
  airspace, 67-1-203
  certificate of purchase from state, evidence, 70-19-305
  corner records, Title 70, chapter 22, part 1
  islands formed in watercourses, 70-18-203 — 70-18-205
  rights and obligations incidental to, Title 70, chapter 16
  term of years, suspension, 70-15-208
Paleontological remains on, Title 22, chapter 3, part 4, See **ANTIQUITIES**, **Heritage properties and paleontological remains**
Park lands, See **PARKS**
Partition, Title 70, chapter 29
Personal property, applicability of laws, 70-15-201
Personal representative, authority, 7-4-2620, 72-3-613, 72-3-904
Planning, Title 76, chapters 1 and 2, See **LAND USE PLANNING**; **ZONING**
Planning boards, authority, 76-1-408
Possession, See also **Occupancy**
  actions affecting, 70-19-102, See also **Actions**
  adverse, See **Adverse possession**
  descent, effect on right, 70-19-414
  eminent domain, See **EMINENT DOMAIN**
  forcible entry and detainer, 70-27-102, 70-27-103
  future day, 70-15-209, See **Estates, future**
  judgment, See **Judgment**
  presumption, 70-19-404
  quiet title, Title 70, chapter 28
  recovery, See **Recovery of possession**
  reentry, right of — action under, 70-16-402
  servient tenement, owner — action by, 70-17-110
  summary proceedings for, 70-16-109
  unlawful detainer, 70-27-108
Posting of land, 45-6-201, 45-8-115
Power of attorney, See also **POWER OF ATTORNEY**
  execution by, 70-20-108
  married persons, capacity, 40-2-202
  recording and index, 7-4-2613, 7-4-2619
  revocation, 70-21-308
  statutory, authority, 72-31-201, 72-31-224, 72-31-231
Power to act in relation to, 70-15-301
  capacity to execute, 70-15-302, 70-15-303
  written instrument, execution by, 70-15-304
Preemption claims, recording, 7-4-2613
Premarital agreements, Title 40, chapter 2, part 6
Prescription, title by, 70-19-405, 70-19-406
  exception, 23-2-322
  fences, maintenance by adjoining landowners, 70-16-205
Principal and income, determination, Title 72, chapter 34, part 4
Private property assessment
  actions with taking implications, guidelines, 2-10-104
  citation of private property assessment act, 2-10-101
  definitions, 2-10-103
  impact assessment, 2-10-105
  purpose, 2-10-102
Products of the land, See **Accessions**
Property lines, See **Boundaries**

PROPERTY, REAL (Continued)

Property managers, licensing, Title 37, chapter 51, part 6, See **REAL ESTATE BROKERS AND SALESPERSONS**
Protection, justifiable use of force, 45-3-104
Quiet enjoyment, See **Covenants** entries
Quiet title, Title 70, chapter 28
Radon control, Title 75, chapter 3, part 6, See **RADIOACTIVE SUBSTANCES**
Raffle prizes, 23-5-413
Rangeland, Title 76, chapters 14 and 16, See **GRAZING DISTRICTS**; **RANGELAND RESOURCES**
Receivers, See **RECEIVERS**
Recording of transfers and other transactions, 7-4-2613, 70-21-209
- abstract, effect, 7-4-2613, 70-21-101, 70-21-202, 70-21-305
- acknowledgment required, 7-4-2613, 70-21-203, 70-21-209, 72-36-206
  - defects, validation after, 70-21-309
  - judgments, not required, 70-21-205
  - letters patent and other documents, not required, 70-21-207
  - revocation of power of attorney, 70-21-308
- addresses required on documents, 7-4-2618
- after-acquired interests, effect on notice, 70-21-303
- assignment for benefit of creditors, Title 31, chapter 2, part 2
- books to be separate, 70-21-211
- certificate of transfer required, 15-7-305
- conservatorship, letters of or orders terminating as notice of title, 72-5-426
- "conveyance" defined, 70-21-301
- coordinates in, conformity to standards, 70-22-206
- corners, See **Corner records**
- county of recording, 70-21-201, 70-21-208, 70-21-302
- defeasance, 71-1-209
- defects, 7-4-2618, 70-21-309, 70-21-310
- easements, 70-17-301
- escheated estates, unsold property — deed, 72-14-206, See also **ESTATES AND PROBATE**
- federal instruments, 70-21-207
- fees, 7-4-2631, 70-21-210
- first recorded voids subsequent recordings, 70-20-303, 70-21-304
- handwriting, instrument proved by, 70-21-204
- hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
- homestead, declaration of, 70-32-105, 70-32-107
- indexes, 7-4-2619, 7-4-2620
- "instrument" defined, 70-21-101
- letters patent, 70-21-207
- marriage settlement contracts, applicability, 40-2-314
- mortgages, Title 71, chapter 1, parts 1 and 2
- notice by, 70-21-302, 70-21-303, 70-21-306, See also **Notice**
- power of attorney, 7-4-2613, 7-4-2619, 70-21-308
- preemption claims, 7-4-2613
- preexisting recordings, validation, 70-21-309, 70-21-310
- purchaser under contract for deed, by, 70-20-115
- removal of record from recording office, 70-21-104
- return of sale under court decree, 70-21-206
- search of records, 7-4-2621
- security interest financing statement, filing with deed, 30-9-402
- state instruments, 70-21-207
- subdivisions, tract of record, 76-3-103, See **SUBDIVISIONS, Conveyances**
- tax payment prior to recording division or merger of real property, 70-21-213
- trust, transfers in, 70-21-202, 70-21-307
- unrecorded instruments, 70-21-102, 70-21-103

PROPERTY, REAL (Continued)
Recording of transfers and other transactions (Continued)

  validation when recording after defects, 70-21-309, 70-21-310
  what may be recorded, 7-4-2613, 70-21-201
Recovery of possession, See also **Actions**; **FORCIBLE ENTRY AND DETAINER AND UNLAWFUL DETAINER**
  adverse possession, effect, 70-19-404, See also **Adverse possession**
  alienation not to prejudice, 70-19-103
  complaint, description of property, 25-4-201
  costs, 25-10-101, 25-10-102
  descent, effect, 70-19-414
  estate property, See **ESTATES AND PROBATE**
  judgment, 27-1-431, 70-21-205; Title 25, chapter 20, M.R.Civ.P., Rule 70
  mortgaged property, 71-1-202
  occupancy bar to recovery, 70-19-405
  presumption of possession, 70-19-404
  statutes of limitations, 70-19-304, 70-19-401, 70-19-413
  venue, 25-2-123, 25-2-206
  void conveyance from state, 70-19-304
  wrongful occupancy, damages, 27-1-318
Recreational use, 70-16-301
  entry on land, right not granted by use of surface water, 23-2-302, 23-2-322
  easement, 70-17-101, 70-17-102, 72-16-445 — 72-16-450
    not granted by, 23-2-302, 23-2-322
  liability to recreationists, 70-16-302, 77-1-805
  state lands, Title 77, chapter 1, part 8
  streams, Title 23, chapter 2, parts 3 and 4
Reentry, 70-16-401, 70-27-105 — 70-27-107
  action for possession under, 70-16-402, 70-27-107
  contempt when, 3-1-504
Regents of Higher Education, Board of — authority, 20-25-307
Remainders, 70-15-211, See also **Estates, future**
  chattel real, creation upon, 70-15-212
  contingencies, not upon, 70-15-214
  contingencies, upon, 70-15-213
  death certificate, filing by remainderman, 72-16-502
  estate for life, creation upon, 70-15-212, 70-15-215
  fee tail, upon, 70-15-204, 70-15-205
  freehold estate, creation upon, 70-15-212
  heirs of tenant for life, to, 70-15-215
  inheritance taxes, apportionment, 72-16-606, See also **TAXATION, ESTATES**
  injury to estate, remedy of remainderman, 70-16-105
  partition, parties, 70-29-103, 70-29-104, 70-29-212
  principal and income, determination, 72-34-402, See **TRUSTS**, **Principal and income, determination**
Rents and profits, See also **FORCIBLE ENTRY AND DETAINER AND UNLAWFUL DETAINER**; **LEASES**
  actions for, statutes of limitations, 70-19-402, 70-19-413
  adverse possession, effect on, 70-19-412, 70-19-413
  community property, disposition at death, 72-9-102
  covenant for payments, 70-17-203
  fraudulent charges, 70-20-401
  grant of property, effect upon, 70-20-314
  principal and income, determination, 72-34-404, 72-34-405, 72-34-410, 72-34-416
  redemption period, during, 25-13-822
  right of taking rents and tolls, 70-17-102
  state actions concerning property, statute of limitation, 70-19-302
  writing required, 28-2-903

PROPERTY, REAL (Continued)
Rents and profits (Continued)

  wrongful occupation, 27-1-318
Restoration when wrongfully acquired, 27-1-713
Reversion, 70-15-210
  injury to estate, remedy of reversioner, 70-16-105
  partition, parties, 70-29-104, 70-29-212
Right of entry, See **Entry on land**
Right of reentry, See **Reentry**
Rights-of-way, See **RIGHTS-OF-WAY**
Rivers, See **Watercourses**
Road improvement districts, Title 7, chapter 14, part 29, See **COUNTY ROADS AND BRIDGES**
Roads as boundaries, 70-16-202, 70-20-201
Sale, See also **REAL ESTATE BROKERS AND SALESPERSONS**; **SALES**, generally
  agreement for, 30-11-108
    breach, 27-1-314 — 27-1-316, 27-1-419
  appeal permitted, Title 25, chapter 21, M.R.App.P., Rule 1
  auctioneer, authority, 30-11-508
  authority to sell, what included, 28-10-422
  contract for deed, See **Contract for deed**
  counties, abandoned — sale of property, 7-2-2756
  covenants, See **Covenants** entries
  escrow businesses, regulation, Title 32, chapter 7
  fiduciary, by — validation, 72-31-103
  goods, severance from land, 30-2-107
  irrigation districts, land — water included with, 85-7-2167
  late payment charges, exclusion, 31-1-501
  lien for purchase price, Title 71, chapter 3, part 13
  occupancy, exclusion from landlord-tenant provisions, 70-24-104
  partition proceedings, Title 70, chapter 29
  railroad right-of-way, leasehold along — transfer of title, 69-14-932
  recording of documents, 7-4-2613, 7-4-2519
  return of sale under court order, 70-21-206
  smoke detectors for dwellings, notice requirement, 70-20-113
  specific performance, 27-1-419, 27-1-420, 30-11-111
  statutes of fraud, 28-2-903, 30-11-111, 70-20-101, 70-20-102
  writing required, 28-2-903, 30-11-111
School property, 20-6-605, 20-6-703, 20-9-601, 20-9-602, See also **SCHOOLS**
Seizure, See **SEARCH AND SEIZURE**; **SPECIAL PROCEEDINGS**
Servitudes, See **Easements**
Shooting range operators, relinquishment of interest when, 76-9-105
Snare traps, landowner's consent required, 87-3-107
Specific performance, 27-1-419 — 27-1-421, 27-1-431, 30-11-111, 70-20-102; Title 25, chapter 20, M.R.Civ.P., Appendix, Form 11, See also **REMEDIES**, **Specific performance**
State, See **STATE GOVERNMENT**, **Property**; **STATE LANDS**
State-tribal cooperative agreements, Title 18, chapter 11, part 1
Statutes of fraud, 28-2-903, 30-11-111, 70-20-101, 70-20-102
Statutes of limitations, See **STATUTES OF LIMITATIONS**
Stream access law, Title 23, chapter 2, part 3
Streams, See **Watercourses**
Streets as boundaries, 70-16-202
Subdivision of, Title 76, chapters 3 and 4
Surveying, See also **COUNTY SURVEYOR**; **ENGINEERS AND LAND SURVEYORS**
  actions arising from, damages, 27-2-208, 70-28-113
  cemetery associations, required for, 35-20-212
  consumer loan charges, survey cost included, 32-5-301
  coordinate system, See **Coordinate system**

PROPERTY, REAL (Continued)
Surveying (Continued)

corner records, See **Corner records**
drainage district construction proposals, for, 85-8-321, 85-8-341
eminent domain, in action for, 70-30-110
entry upon land for, Title 25, chapter 20, M.R.Civ.P., Rule 34(a)
floodplain and floodway management, 76-5-105
heritage properties and paleontological remains, discovery, 22-3-435
highways, "construction" defined, 60-1-103
irrigation districts, See **IRRIGATION DISTRICTS**
partition, in action for, 70-29-205, 70-29-206, 70-29-219, 70-29-221
professional land surveyor
  entry on land, 70-16-111
  utilities, excavations near underground facilities, 69-4-502
railroads, authority, 69-14-532, 69-14-533, 69-14-537, 69-14-554
state lands, See **STATE LANDS, Sales; Survey**
subdivisions, Title 76, chapter 4, See **SUBDIVISIONS**
utilities, excavations near underground facilities, 69-4-502
water use, See **WATER USE**
water conservancy districts, 85-9-201 — 85-9-203, 85-9-209, 85-9-405
Taxation, See also **Encumbrances; TAXATION, PROPERTY**
death, upon, Title 72, chapter 16, See **TAXATION, ESTATES**
division or merger of property, payment prior to recording, 70-21-213
estate tax on transfer, 72-16-904
generation-skipping transfers, on, 72-16-1001 — 72-16-1007
in-kind payment of inheritance and estate taxes, 72-16-445 — 72-16-450
royalty interest in land sold for taxes, actions to recover, 15-17-326, 27-2-210, 70-19-421
Tenancy in common
husband and wife, 40-2-105
liens, construction — contracting owner, 71-3-522
partition, See **PARTITION**
trees standing on or near boundaries, 70-16-204
waste, action for, 70-16-106, 70-19-202
Tenants, See **Estates** entries; **Rents and profits**
Timber, See **FORESTS AND FORESTRY**
Timeshares, Title 37, chapter 53
Title, See also **Estates** entries; **Fee simple absolute**
actions affecting or arising from, 70-19-102, 70-19-402, See also **Actions**
after-acquired title, 70-20-302, 70-21-303
drug violations, forfeiture of property used to commit or facilitate and constituting or derived from proceeds resulting from, 44-12-102
escrow businesses, regulation, Title 32, chapter 7
fishing rights, subject to, 87-2-305
in-kind payment of inheritance and estate taxes, 72-16-450
island formed in navigable stream, 70-18-203
judgment
  acknowledgment not required, 70-21-205
  vested by, Title 25, chapter 20, M.R.Civ.P., Rule 70
married persons, transfer by, 40-2-202
name change of owner, 70-20-109
occupancy, by, 70-19-405, 70-19-406
partition proceedings, Title 70, chapter 29
possession, presumption, 70-19-404
possessory, 1-1-205, 15-37-101, 70-20-304
prescription, by, 70-19-405, 70-19-406
  exception, 23-2-322
  fences, maintenance by adjoining landowners, 70-16-205

PROPERTY, REAL (Continued)
Title (Continued)

- quieting, Title 70, chapter 28
- railroad right-of-way, leasehold along — transfer of title, 69-14-932
- recreational use, title to land unaffected, 23-2-309
- state actions concerning, statute of limitation, 70-19-302
- successors in interest, obligations enforced against, 27-1-421
- transfer certificates, Title 15, chapter 7, part 3
- unrecorded deeds, to whom belong, 70-21-103

Traffic regulations, owner's rights, 61-8-109, 61-9-108
Transfer, See also **Conveyance**; **Deeds, specific provisions**; **Grant of estate in**; **ESCROW BUSINESSES**; **TAXATION, ESTATES**; **TAXATION, PROPERTY, Transfers of real property**

- adverse possession, owner ousted of possession — effect, 70-20-309
- assignment for benefit of creditors, Title 31, chapter 2, part 2
- attorney-in-fact, execution by, 70-20-108
- coordinate systems, reliance on not required, 70-22-209
- covenants, See **Covenants** entries
- description of property, 70-20-103, 70-20-201, 70-21-101
- easements pass with property, 70-20-308
- estate tax on, 72-16-904
- fraudulent conveyances
  - instruments void, 70-20-401, 70-20-402
  - other provisions, 70-20-405; Title 31, chapter 2, part 3
  - purchaser in good faith, 70-20-404
  - revocation, power of, 70-20-403
- generation-skipping, tax on, 72-16-1001 — 72-16-1007
- highway, land bounded by, 70-20-307
- inheritance or succession, words of not required, 70-20-104, See also **ESTATES AND PROBATE, Succession**
- investments, board of — authority, 17-5-1504, 17-6-201
- irrigation districts, land — water included with, 85-7-2167
- joint tenancy
  - creation in, 70-1-307, 70-20-105
  - right of survivorship, 70-20-310
- language in contracts, plain — exception to provision, 30-14-1104
- married persons, by, 40-2-202
- minors, to, See **TRUSTS, Minors, transfers to**
- name change of owner, 70-20-109
- obligation, burden of, 28-1-1002
- occupancy will not confer title against, 70-19-406
- realty transfer certificates, Title 15, chapter 7, part 3
- retransfer, redelivery or cancellation of grant does not allow, 70-20-110
- smoke detectors for dwellings, notice requirement, 70-20-113
- specific performance, 27-1-419
- water rights transfer, See **WATER USE, Transfer of water rights**
- writing required, 70-20-101, 70-20-102

Trapping, landowner's consent required, 87-2-604
Trees

- boundaries, standing on or near, 70-16-204
- damages for taking or injury to, 70-16-107, 70-16-108
- professional land surveyor, clearing — approval, 70-16-111
- state land sales, conservation easements, 77-2-319

Trespass, See **CRIMES, Trespass, criminal**; **TRESPASS**
Trust indentures, Title 71, chapter 1, part 3
Trusts, See **TRUSTS**
Unfair trade practices, loss by, 30-14-133
University system research programs, for, 20-25-108

PROPERTY, REAL (Continued)

Unlawful detainer, 70-16-109; Title 70, chapter 27
Vandalism, See **Damage or destruction**
Warranty, lineal and collateral — abolishment, 70-20-306, See also **Covenants** entries
Waste, See **Damage or destruction**
Watercourses
  accretion, 70-18-201
  alluvion, 70-18-201
  appurtenance or incident, as, 70-15-105
  banks of river
    increase, 70-18-201
    removal, sudden, 70-18-202
  boundaries, as, 70-16-201, 70-20-201
  easements, 70-17-101, 77-2-319
  islands
    formation, ownership rights when formed, 70-18-203 — 70-18-205
    state ownership, 77-1-102 — 77-1-105, See **STATE LANDS, Islands and abandoned riverbeds**
  preservation of streambeds, Title 75, chapter 7, part 1
  recreational use, title to land unaffected, 23-2-309
  smith river management, Title 23, chapter 2, part 4
  state ownership, 70-1-202, 85-1-204, 85-16-104, See also **STATE LANDS, Islands and abandoned riverbeds**
  stream access law, Title 23, chapter 2, part 3
Wildlife preserves and refuges, Title 87, chapter 5, part 4
Wildlife restoration and management projects, cooperative agreements for, 87-1-708, 87-1-709
Zoning, Title 76, chapters 1 and 2, See **LAND USE PLANNING; ZONING**

PROPRIETARY POSTSECONDARY EDUCATIONAL ADVISORY COUNCIL
  See **POSTSECONDARY EDUCATIONAL INSTITUTIONS, Advisory Council**

PROSTHETIC DEVICES
Blind or visually disabled persons, provision for through vocational rehabilitation programs, 53-7-301
Dental, 37-4-101, 37-4-103, 37-4-301, 37-4-501, 37-4-502, See **DENTISTRY AND DENTISTS, Laboratories and technicians**
Dental hygienists, restrictions on practice, 37-4-401
Dentures, 37-29-102; Title 37, chapters 4 and 29, See **DENTURITRY AND DENTURISTS**
Hearing aids, Title 37, chapter 16
Insurance, comprehensive health association plan benefits, 33-22-1521
Medicaid, 53-6-101, See **PUBLIC ASSISTANCE**
Occupational therapists, 37-24-103, 37-24-104, See **OCCUPATIONAL THERAPY AND OCCUPATIONAL THERAPISTS**
Optometric, 37-10-101, See **OPTOMETRY AND OPTOMETRISTS**
Resort tax provisions, 7-6-4461
Vocational rehabilitation programs, provision through, 53-7-101, 53-7-301
Workers' compensation benefits for, 39-71-119, 39-71-704

PROTECTIVE SERVICES ACT FOR AGED PERSONS OR DISABLED ADULTS, Title 52, chapter 3, part 2
  See **ADULTS, Protective services for disabled** ; **AGING AND AGED PERSONS, Protective services**

PSYCHIATRY AND PSYCHIATRISTS
  See also **MEDICINE AND MEDICAL CARE; PHYSICIANS AND SURGEONS**
Child abuse and neglect, reporting of, 41-3-201, 41-3-203 — 41-3-207
Child custody proceedings, children referred to for diagnosis when, 40-4-215
Choice of practitioner, 53-20-112
Conciliation court — appointed as counselors for, when, 40-3-124, 40-3-125

PSYCHIATRY AND PSYCHIATRISTS (Continued)

Counseling
  chemical dependency, Title 53, chapter 24, part 2
  conciliation court petitioners, 40-3-124, 40-3-125
  mental illness, Title 53, chapter 21
  minors, 41-1-402, 41-1-403, 41-1-406
County interdisciplinary child information teams, 41-3-205, 41-5-603, 52-2-211
Criminal proceedings, psychiatric examination and testimony, Title 46, chapter 14, parts 2 and 3, See also **CRIMINAL PROCEDURE, Mental disease or defect of defendant**
Day care for patients following release, 53-21-185
Developmental disabilities, persons with — in residential facilities
  emergency transfers, 53-20-127
  professional persons, 53-20-102, See **DEVELOPMENTAL DISABILITIES, Professional persons**
Emergency services for minors, 41-1-405, 41-1-406
Good samaritan provisions, 41-1-405
Home arrestees, conditions, 46-18-1003
Hospitals, See also **HEALTH CARE FACILITIES**
  children's psychiatric, special education for children placed in, 20-7-403, 20-7-419, 20-7-420, 20-7-435, 20-7-436
  patients, care and treatment following release, 53-21-185
  standards, 53-21-142
Marriage counselor, appointment as, 40-3-124, 40-3-125
Mental health facilities, patient treatment plans, 53-21-162
Minors
  abuse and neglect, reporting of, 41-3-201, 41-3-203 — 41-3-207
  consent for health services, 41-1-402, 41-1-405, 41-1-406
  counseling, 41-1-402, 41-1-403, 41-1-406
  county interdisciplinary child information teams, 41-3-205, 41-5-602, 41-5-603, 52-2-211
  custody proceedings, children referred for diagnosis when, 40-4-215
  emergency services, 41-1-405, 41-1-406, 41-1-407
  "health professional" defined, 41-1-401
  information released when, 41-1-403
  treatment of, 41-1-407
Negligence in treatment of minors, liability, 41-1-407
Payments for services, Title 33, chapter 22, See **INSURANCE, DISABILITY, Payments**
Social workers
  licensing, letters of reference, 37-22-301
  psychiatric, insurance information and privacy protection act, Title 33, chapter 19, See **INSURANCE, Information and privacy protection**
Utilization reviews, Title 33, chapter 32
Vocational rehabilitation, physical restoration, 53-7-101, 53-7-301, See **BLIND OR VISUALLY DISABLED PERSONS; PUBLIC ASSISTANCE**

PSYCHOLOGY AND PSYCHOLOGISTS
Actions, as examining physician, See **CIVIL PROCEDURE, Discovery**, physical and mental examination
Board of Psychologists, 2-15-1851; Title 37, chapter 17, part 2
Chemical dependency counselors, as, Title 53, chapter 24, part 2, See **CHEMICAL DEPENDENCY, Counselors**
Child abuse and neglect
  evaluations, 41-3-403, 41-3-406
  records, access to, 41-3-303
  reporting of, 41-3-201, 41-3-203 — 41-3-207
Child custody proceedings, referral of children for diagnosis when, 40-4-215
Children's services, interdisciplinary child information teams, 41-3-205, 41-5-603, 52-2-211
Choice of practitioner, 33-22-111, 53-20-112
Complaints concerning, 37-17-202

PSYCHOLOGY AND PSYCHOLOGISTS (Continued)

Counseling
  chemical dependency, Title 53, chapter 24, part 2, See **CHEMICAL DEPENDENCY, Counselors**
  minors, 41-1-402, 41-1-403, 41-1-406
  partner or family member assault offenders, 45-5-206
  professional, applicability of provisions, 37-23-201
County interdisciplinary child information teams, 41-3-205, 41-5-603, 52-2-211
Criminal proceedings, psychological examination and testimony, Title 46, chapter 14, parts 2 and 3, See also **CRIMINAL PROCEDURE, Mental disease or defect of defendant**
Definitions, 37-17-102, 41-1-401
Developmental Disabilities Planning and Advisory Council, membership, 2-15-2204
Developmental disabilities, professional persons in residential facilities, 53-20-102, See **DEVELOPMENTAL DISABILITIES, Professional persons**
Disability insurance, insured's selection of practitioner, 33-22-111
Drugs, prescribing not permitted, 37-17-103
Education requirements, 37-17-302, 37-17-309, 37-17-310
Electroconvulsive therapy not permitted, 37-17-103
Emergency services for minors, 41-1-405, 41-1-406
Exemptions from provisions, 37-17-104
Fines, 37-17-312
Good faith reports of violations by other psychologists, 37-17-314
Good samaritan provisions, 41-1-405
Health care information, See **HEALTH CARE INFORMATION**
Health maintenance organization providers, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**
Health service corporations, See **HEALTH SERVICE CORPORATIONS**
Immunity from liability when, 37-17-314, 41-1-403, 41-1-407, 41-3-203
Injunction, 37-17-202, 37-17-313
Insurance
  disability, insured's selection of practitioner, 33-22-111
  information and privacy protection act, Title 33, chapter 19, See **INSURANCE, Information and privacy protection**
  professional liability, See **INSURANCE, CASUALTY, Professional liability**
Interns, services by, 37-17-104
Liability, immunity when, 37-17-314, 41-1-403, 41-1-407, 41-3-203
Licenses and licensing, Title 37, chapter 17, part 3
  applications, 37-17-302, 37-17-307
  authority, limitations, 37-17-103
  denial, revocation, or suspension, 37-17-202
  discrimination in issuance prohibited, 49-3-204
  examinations, 37-17-302, 37-17-303, 37-17-307
  expiration, 37-17-305, 37-17-306
  fees, 37-17-302, 37-17-306, 37-17-307
  foreign-trained applicants, 37-17-309
  issuance, 37-17-305
  limitation of authority, 37-17-103
  list of licensees, publication, 37-17-308
  nonresidents, 37-17-104, 37-17-304
  qualifications, 37-17-302
  reciprocity, 37-17-304
  renewal, 37-17-306, 37-17-307
  required, 37-17-301
  senior psychologists, 37-17-310
Lien for services, Title 71, chapter 3, part 11
Limitation on authority, 37-17-103
Local Citizen Review Board, membership requirements, 41-3-1003

PSYCHOLOGY AND PSYCHOLOGISTS (Continued)

Malpractice, See **INSURANCE, CASUALTY, Professional liability; MALPRACTICE, MEDICAL**
Medical record information, See **HEALTH CARE INFORMATION; INSURANCE, Information and privacy protection**
Mental health professional, as, 27-1-1101 — 27-1-1103
Minors
  abuse and neglect, reporting of, 41-3-201, 41-3-203 — 41-3-207
  consent for health services, 41-1-402, 41-1-405, 41-1-406
  counseling, 41-1-402, 41-1-403, 41-1-406
  county interdisciplinary child information teams, 41-3-205, 41-5-603, 52-2-211
  custody proceedings, children referred for diagnosis when, 40-4-215
  emergency services, 41-1-405, 41-1-406, 41-1-407
  "health professional" defined, 41-1-401
  information released when, 41-1-403
  treatment of, 41-1-407
Negligence in treatment of minors, liability, 41-1-407
Nonresidents, 37-17-104, 37-17-304
Payment for services
  disability insurance, Title 33, chapter 22
  lien for, Title 71, chapter 3, part 11
Peer review, See also **HEALTH CARE INFORMATION, Hospital medical staff committees; Peer review**
  nonliability, 37-2-201
  reporting of incompetence or unprofessional conduct, 37-3-401 — 37-3-405
Physician assistants-certified utilization plans, applicability, 37-20-303
Practice of psychology, 37-17-102
  injunction to restrain, 37-17-202, 37-17-313
  license required, 37-17-301
  nonresidents, by, 37-17-104
Privileged communications, 26-1-807 — 26-1-809, 27-1-1103, 41-1-403; Title 25, chapter 20, M.R.Civ.P., Rule 35(b), See also **EVIDENCE, Privileges**
Professional counseling, applicability of provisions, 37-23-201
Professional liability, See **INSURANCE, CASUALTY; MALPRACTICE, MEDICAL**
Purpose of provisions, 37-17-101
Regulation generally, See **PROFESSIONS AND OCCUPATIONS**
Residents in psychology, services by, 37-17-104
Schools
  gifted and talented children programs, 20-7-901
  privileged communications, 26-1-809
  special education, allowable costs, 20-7-431
  "specialist" defined, 20-4-131
  teachers' retirement system, membership required, 19-20-302
Senior pyschologists, licensure, 37-17-310
Shock treatments not permitted, 37-17-103
Social psychologists, 37-17-104
Social workers
  applicability of provisions, 37-22-305
  letters of reference, 37-22-301
Students, services by, 37-17-104
Surgery, performance not permitted, 37-17-103
Teachers' Retirement Board, medical examination to determine disability — order for, 19-20-901
Teachers' Retirement System, membership required when, 19-20-302
Unlawful practices
  injunction, 37-17-202, 37-17-313
  penalty, 37-17-312
  prosecution, 37-17-202

PSYCHOLOGY AND PSYCHOLOGISTS (Continued)

Utilization reviews, Title 33, chapter 32, See **INSURANCE, DISABILITY**
Violations by other psychologists, reporting, 37-17-314
Violent behavior of patients, duty to warn of and liability, 27-1-1101 — 27-1-1103
Workers' compensation managed care and preferred providers, Title 39, chapter 71, part 11

PUBLIC ACCOMMODATIONS
  See also specific accommodation
Blind or visually disabled persons, rights concerning, See **BLIND OR VISUALLY DISABLED PERSONS**
Deaf persons, rights concerning, See **DEAF PERSONS**
Defined, 49-2-101
Destructive device, possession — offense of, 45-8-334, 45-8-337
Discriminatory practices, See **DISCRIMINATION**
Execution, exemption, 25-13-613
Fire protection and safety regulations, 50-61-103, See **FIRES AND FIRE PROTECTION**, generally
Hats or bonnets, regulation or prohibition of wearing in, 7-5-4104
Health inspections, 50-1-203
Heating, rulemaking authority, 50-2-116
Inspections of facilities, joint inspections among governmental agencies, 50-8-101, 50-8-102, 50-8-105
Licensing of facilities, one-step licensing required, 50-8-101, 50-8-102
Megalandfill siting application, evaluation — considerations, 75-10-920
Nonsmoking areas, 50-40-104, 50-40-105, 50-40-107, 50-40-201
One-step licensing of facilities required, 50-8-101, 50-8-102
Sanitarians, duties, 37-40-101, See also **SANITARIANS**
Smoking areas
  citation of clean indoor air act of 1979, 50-40-101
  definitions, 50-40-103
  designation of smoking and nonsmoking areas, 50-40-104
  enforcement, 50-40-108
  exemptions, 50-40-107, 50-40-201
  fines for noncompliance, 50-40-109
  health and environmental sciences, department of — authority, 50-40-108
  health care facilities, specific requirements, 50-40-106
  local boards of health, authority, 50-40-108
  no smoking when, 50-40-105, 50-40-106
  penalties, 50-40-109
  purpose of provisions, 50-40-102
  reservation of areas, 50-40-104
  signs, 50-40-104, 50-40-105
Swimming pools or swimming areas operated in conjunction with, license fee, 50-53-203, See also **SWIMMING POOLS AND SWIMMING AREAS**
Transient retail merchants, premises for, See **TRANSIENT RETAIL MERCHANTS**, generally
Waste disposal, rulemaking authority, 50-2-116
Water supply, rulemaking authority, 50-2-116

PUBLIC ACCOUNTANTS, BOARD OF, 2-15-1866; Title 37, chapter 50, part 2
  See **ACCOUNTANTS**

PUBLIC ADMINISTRATOR
  See **ESTATES AND PROBATE**

PUBLIC ASSISTANCE
Actions
  enforcement of provisions, 53-2-501 — 53-2-504
  fraud, See **Fraud**
  medicaid, recovery of fraudulent or improper payments, 53-6-111

PUBLIC ASSISTANCE (Continued)
Actions (Continued)

  medical assistance, prosecution of action for recipients, 53-2-612
  recovery of payments, See **Recovery of payments**
  support obligations — recovery, modification, or settlement, 53-2-613
Administration
  aid to families with dependent children (AFDC), Title 53, chapter 4, part 2, See **Aid to families with dependent children (AFDC)**
  county welfare departments, by, 53-2-306, See **COUNTY WELFARE**
  FAIM project, 53-4-212
  food stamp programs, 53-2-201, 53-2-901
  medicaid, 53-6-101, 53-6-111, 53-6-113, 53-6-121
Adoption assistance, interstate, 52-2-521 — 52-2-528
Aged persons
  abuse, neglect, or exploitation — report required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
  legislative findings, 53-3-115
  medicaid, recovery of payments, 53-6-143, See also **Recovery of payments**
  medicare supplement insurance, See **INSURANCE, DISABILITY**
  reimbursement of state, 53-2-610
  supplemental income, 52-1-104, 53-6-101
Aid to families with dependent children (AFDC)
  administration, 53-2-201, 53-4-202, 53-4-211, 53-4-212, 53-4-215, 53-4-221, 53-4-222
  amount of assistance
    determination, 53-4-241
    indians, effect of tribal payments, 53-4-245
    revision, 53-4-242, 53-4-248
  appeal, right of, 53-2-606
  application for assistance, 53-2-613, 53-4-232, 53-4-233
  assignment of property and support rights, 40-5-403, 53-2-613
  at-risk child-care assistance, 53-4-249
  child care assistance for recipients, 53-4-716; Title 39, chapter 7, part 6, See **DISPLACED HOMEMAKERS, Child care assistance**
  child custody investigations, waiver of fee, 40-4-215
  confidentiality of information, 53-3-111, 53-4-233
  cooperation with federal government, 53-4-215
  copies of provisions, distribution, 53-4-214
  county share of payments, 53-2-610, 53-4-246, 53-4-247
  eligibility, 53-4-201, 53-4-231, 53-4-233, 53-4-237, 53-4-706, 53-4-707
  eligibility data, availability requirements, 53-2-211
  extent of assistance, 53-4-202, 53-4-241
  FAIM project, See **Families achieving independence in Montana (FAIM) project**
  hearings, 53-4-233
  indians, payments to, 53-4-245
  ineligibility, 53-4-717
  interested person, payments to in lieu of guardianship, 53-4-244
  investigation of eligibility, 53-4-233
  JOBS program, See **JOBS program**
  job training and employment programs, 53-2-1101 — 53-2-1110
  liability of parents, 53-4-237, 53-4-248
  local administration, 53-4-221, See **COUNTY WELFARE**
  medicaid eligibility of recipients, 53-6-131, 53-6-134
  move of recipient, continuation of payments, 53-4-247
  notice, 53-4-233, 53-4-248
  reimbursement of department of public health and human services, 53-2-610, 53-4-246, 53-4-248
  reports on, 53-4-214, 53-4-216
  reconsideration, periodic, 53-4-242

PUBLIC ASSISTANCE (Continued)
Aid to families with dependent children (AFDC) (Continued)

- stepparent's resources, effect on eligibility, 53-4-237
- supervision, 53-2-201, 53-4-202, 53-4-211, 53-4-221
- support decree, subrogation of department of social and rehabilitation services, 53-2-613, 53-4-248
- training for recipients, JOBS program, See **JOBS program**
- unemployed recipients, 53-4-231, 53-6-134

Appeal, right of, 53-2-606
Assignment of property and support rights to Department of Public Health and Human Services, 53-2-613
Assumption of county programs by state, Title 53, chapter 2, part 8, See also **Protective services; State assumption of local programs**
Attachment of assistance prohibited, 53-2-607
Attorney general, counsel for state, 53-2-202
Audits of records, 53-2-104, 53-2-305
Bankruptcy, assistance exempt, 31-2-106, 53-2-607
Blind or visually disabled persons
- cooperation with other agencies in services for, 53-2-201
- medicaid benefits, right of recovery — limitation, 53-6-170, 53-6-171, 53-6-178
- supplemental payments, 52-1-104
- vocational rehabilitation, Title 53, chapter 7, part 3, See **BLIND OR VISUALLY DISABLED PERSONS**

Burial of indigents, 35-20-209, 53-2-804, 53-6-169
Capitated health care system, 53-6-116, See also **Medicaid**
Children, Title 53, chapter 4, part 2, See **Aid to families with dependent children (AFDC); Child support; Medical assistance**
Child support, See also **CHILD SUPPORT, Enforcement**
- administrative enforcement, Title 40, chapter 5, part 2
- assignment to department of public health and human services, 53-2-613
- delinquent, collection after termination of assistance, 40-5-202
- enforcement, confidential information released for, 53-2-504, 53-3-111
- FAIM project, assistance, 53-2-904, 53-4-603
- interstate family support, Title 40, chapter 5, part 1
- medical support, receipt — effect, 40-5-805, 40-5-812

Constitutional mandate, Const., XII, 3
Consultant services of Department of Public Health and Human Services, 53-2-201
Contracts for services, 53-6-101, 53-6-115, 53-6-116, 53-6-169
Cooperation between governmental entities, 53-2-201, 53-2-502
County attorney, duties, 53-2-303, 53-2-811, See also **COUNTY ATTORNEY**
County Board of Public Welfare, Title 53, chapter 2, part 3, See **COUNTY WELFARE**
County clerk and recorder, duties, 53-2-303, 53-2-322, 53-6-174, 53-6-175, See also **COUNTY CLERK AND RECORDER**
County poor fund, Title 53, chapter 2, part 3, See **COUNTY FINANCE, County poor fund**
- boarding homes, proceeds from property leased for, 7-34-2303
- funding for programs, county discretion, 53-3-115
- public health and human services, department of — protective services employees' salaries and expenses, payment, 52-1-110
- warrants issued against, payment of outstanding, 7-7-2201

Crimes or prohibited acts, See also **Fraud**
- information
  - disclosure of, 53-2-211, 53-2-504
  - misuse of, 53-2-105, 53-2-106
- food stamps, unauthorized control or transfer, 45-6-312
- theft, 45-6-301, 53-2-107

Damages to recipient for medical care, lien of department or county, 53-2-612

PUBLIC ASSISTANCE (Continued)

Debt
  created by, 27-2-211, 40-5-221, 53-2-108, 53-4-248, See also **Fraud**; **Recovery of payments**
  restrictive endorsement ineffective, 53-2-110
Developmental disabilities, persons with, See also **DEVELOPMENTAL DISABILITIES**
  administration and supervision of programs, 53-2-201
  report of abuse, neglect, or exploitation required, 52-3-811
Disabled persons
  medicaid, eligibility when, 53-6-131, 53-6-170, 53-6-171, 53-6-178
  programs for, administration and supervision, 53-2-201
  protective services, See **Protective services**; **ADULTS**, **Protective services for disabled**
  supplemental payments, 52-1-104
  vocational rehabilitation, Title 53, chapter 7, See **Vocational rehabilitation**
Dissolution of marriage, assistance eligibility created at time of — support required to avoid, 40-2-608
Elderly persons, See **Aged persons**
Eligibility
  aid to families with dependent children (AFDC), 53-4-231, 53-4-233, 53-4-237, 53-4-706
  appeal of determination, 53-2-606
  confidentiality of information, 53-3-111
  data, availability requirements, 53-2-211
  declaration method, 53-2-603
  determination by whom, 52-1-104, 53-2-603
  FAIM project, 53-6-604, 53-6-606, 53-6-607
  income, report of additional, 53-2-109, See also **Income requirements**
  medicaid, 53-6-113, 53-6-117, 53-6-131, 53-6-133, 53-6-134
  medical care savings account, determination — not an asset, 53-6-140
  misuse of information, unlawful, 53-2-105
  review of determinations, 53-2-606
  sheltered employment services, 53-7-205, 53-7-206
  supplemental payments, for, 52-1-104
  unemployment insurance, does not qualify as wages, 39-51-201
  uniform standards, 52-1-104
  vocational rehabilitation, 53-7-102, 53-7-105, 53-7-108, 53-7-306, 53-7-310
Employment of recipient
  job training and employment programs, 53-2-1101 — 53-2-1110
  Montana conservation corps work experience projects, 23-1-303, 23-1-311
  reclamation and development grants program projects, 90-2-1113
  sheltered workshops, Title 18, chapter 5, part 1; Title 53, chapter 7, part 2
  unemployment insurance coverage exclusions, 39-51-204, See also **UNEMPLOYMENT INSURANCE**
  vocational rehabilitation, Title 53, chapter 7, See **Vocational rehabilitation**
  workers' compensation coverage, 39-71-118, See also **WORKERS' COMPENSATION**
Enforcement of laws, 53-2-501, See also **Actions**; **Investigations**
Execution, assistance exempt from, 25-13-608, 53-2-607
Families achieving independence in Montana (FAIM) project
  administration, 53-4-212
  child care assistance, 53-4-212, 53-4-608, 53-4-609
  components, 53-4-603
  definitions, 53-4-201, 53-4-602, 53-4-702
  eligibility, requirements, 53-4-604, 53-4-607
  family investment agreement, eligibility, 53-4-604, 53-4-606, 53-4-706
  food stamp program, exclusions, 53-2-904
  JOBS program, 53-2-902, 53-4-610, 53-4-602, 53-4-703
  medicaid benefits, eligibility, 53-6-101, 53-6-113, 53-6-131, 53-6-134
  medical benefits, 53-4-212, 53-4-609, 53-6-134
  other benefits, eligibility, 53-4-607
  pathways, time limitations — exemptions, 53-4-605

PUBLIC ASSISTANCE (Continued)
Families achieving independence in Montana (FAIM)... (Continued)

- purpose, 53-4-601
- rules, 53-4-241
- sanctions, 53-4-717

Federal funding
- administration of funds, 53-2-206, 53-2-207
- aid to families with dependent children (AFDC), 53-4-246, 53-4-720
- donated funds for medical assistance programs, matching federal funds, 53-6-150
- estate of medical assistance recipient, recovery from, 53-6-143, 53-6-167
- sheltered workshops, 53-7-204
- state treasurer to receive funds, 53-2-102

Federal government, cooperation with, 53-2-102
- aid to families with dependent children (AFDC), 53-4-215; Title 53, chapter 4, part 7
- compliance with, 53-2-201
- estate of medical assistance recipient, recovery from, 53-6-143, 53-6-167
- funding, 53-2-102
- investigations, determination following, 53-2-603
- medicaid, 53-6-101, See also **Medicaid**
- medical assistance, waiver — extension, 53-6-134
- public health and human services, department of — agent for, 53-2-206
- social services fees, 53-2-205
- state rules, 53-2-201
- supplemental payments, 52-1-104, 53-6-101
- vocational rehabilitation, 53-7-103

Fees, authorization for establishment and collection, 53-2-205
Fines, See **Penalties**
Food stamp programs
- administration and supervision, 53-2-201, 53-2-901
- child custody investigations, waiver of fee, 40-4-215
- confidentiality of information, 53-3-111
- definitions, 53-2-902
- eligibility data, availability requirements, 53-2-211
- employment and training program, 53-2-903
- food programs and nutrition services, 2-15-2210; Title 50, chapter 49, part 1
- income and resource exclusions, FAIM participants, 53-2-904
- right of appeal, 53-2-606
- unlawful acquisition or transfer, 45-6-312

Fraud
- audit of records, 53-2-104
- award obtained by, reconsideration and refund when, 53-9-130
- eligibility data, availability required for prevention, 53-2-211, 53-3-111
- investigations, 53-6-133, 53-6-157, 53-6-159
- medicaid, 45-6-313, 53-6-111, 53-6-155 — 53-6-160
- medicaid fraud control unit, 53-6-155
  - governmental agencies, cooperation, 53-6-158
  - investigations, records and documents
    - confidentiality, 53-6-157
    - disclosure, 53-6-159
  - powers and duties, 53-6-157
  - submissions to agencies — truthfulness, completeness, and accuracy to be represented, 53-6-160
- penalty, 45-6-301, 53-2-108, 53-9-111
- sanctions, 53-2-211, 53-6-111
- statute of limitation, 27-2-211
- theft, as, 45-6-301, 52-2-528, 53-2-107, 53-9-111

Funding, See also **Recovery of payments**
- administration of funds, 53-2-201, 53-2-205 — 53-2-207

PUBLIC ASSISTANCE (Continued)
Funding (Continued)

- administrative costs, 53-2-304
- aid to families with dependent children (AFDC), 53-4-246, 53-4-247, 53-4-720
- county discretion, 53-3-115
- county personnel salaries and expenses, 53-2-304
- county poor fund, Title 53, chapter 2, part 3, See **COUNTY FINANCE, County poor fund**
- custodian of funds, 53-2-102
- estate of medicaid recipient, recovery from, 53-6-143, 53-6-167, 53-6-168
- federal assistance, See **Federal funding**
- fees for services, authorization to charge, 53-2-205
- levies for, 15-24-102, 53-2-322, 53-2-813
- medicaid, 53-6-110, 53-6-113, 53-6-150
- medical care savings account, 53-6-140
- protective services, 53-2-322, 53-2-813
- reimbursement of funds, 53-2-304, 53-2-322, 53-2-610, 53-2-804, 53-2-813, 53-4-246
- social services fees, establishment and collection, 53-2-205
- subrogation of department of public health and human services, 53-4-248
- supervision, 53-2-201

Garnishment, assistance exempt from, 53-2-607
Gifts for, 53-2-201, 53-7-102, 53-7-302
Health care
- facilities, receivership established for, 50-5-115
- state policy and advisory council, 50-4-103, 50-4-104

Human Resource Development Councils, See **HUMAN RESOURCE DEVELOPMENT COUNCILS**
Income requirements
- aid to families with dependent children (AFDC), stepparent's income, 53-4-237
- assignment of certain sources to department of public health and human services, 53-2-613
- eligibility data, availability requirements, 53-2-211
- food stamp and FAIM participants, 53-2-904
- medicaid, 53-6-110, 53-6-113, 53-6-131

Indians, See also **INDIANS**
- aid to families with dependent children (AFDC), 53-4-245
- reimbursement to state for payments, 53-2-610

Indigents, optional county programs for, 53-2-801, 53-2-802, 53-2-804
Information
- confidentiality, 53-3-111
- eligibility data, availability requirements, 53-2-211
- medicaid fraud control, disclosure, 53-6-157, 53-6-159
- misuse unlawful, 53-2-105

Insolvency of recipient, assistance not subject to process, 53-2-607
Institutional care for recipients, 53-2-610
Integrated medicaid managed care program, See **Managed care program**
Investigations
- aid to families with dependent children (AFDC), eligibility, 53-4-233
- appeals, on, 53-2-606
- eligibility, 53-2-602, 53-2-603, 53-2-606
- enforcement, for, Title 53, chapter 2, part 5
  - authority of departments, 53-2-501, 53-2-505, 53-2-609
  - information, disclosure of and availability to, 53-2-503, 53-2-504, 53-3-111
- improper payments, 53-2-609
- medicaid
  - eligibility, 53-6-133
  - fraud, 53-6-157, 53-6-159
- vocational rehabilitation, eligibility, 53-7-105

JOBS program, 53-4-610
- definitions, 53-2-902, 53-4-602, 53-4-702

PUBLIC ASSISTANCE (Continued)
JOBS program (Continued)

    establishment, 53-4-703
    exemption, 53-4-707
    participation requirements, rules, 53-4-212
    sanctions for failure to participate, 53-4-717
Job training and employment programs
    administration of program, 53-2-1104
    aid to families with dependent children (AFDC), Title 53, chapter 4, part 7
    annual reports, 53-2-1107
    coordination of services, 53-2-1105, 53-2-1109
    definitions, 53-2-1103
    establishment of program, 53-2-1103, 53-2-1104
    FAIM participants, 53-2-903
    indigents, 53-2-804
    legislative findings and intent, 53-2-1101, 53-2-1102
    performance standards, 53-2-1107, 53-2-1108
    private industry councils, 53-2-1105, 53-2-1106
    service delivery area, 53-2-1103, 53-2-1106 — 53-2-1108
    state job training coordinating council, 53-2-1105, 53-2-1109
Kidney disease, treatment program, 50-44-101, 50-44-102
Legal counsel for state, 53-2-202
Legislative findings, 53-3-115
Lien
    recovery of payments, See **Recovery of payments**
    upon assistance, 53-2-607, 53-2-612, 53-6-143
Local Citizen Review Board, membership requirements, 41-3-1003
Local option for assumption of county programs by state, See **State assumption of local programs**
Long-term care reform, 53-6-601 — 53-6-603
Managed care program
    community network, 53-6-703
        health maintenance organizations, applicability, 33-31-115
        insurance code, nonapplicability of provisions, 33-1-102
    definitions, 53-6-702
    development and implementation, 53-6-701
    different benefit packages, 53-6-704
    enrollees, requirements, 53-6-706
    managed health care entities, requirements, 53-6-705
    mental health services, managed care contractors
        health maintenance organization provisions, nonapplicability, 33-31-202, 33-31-301
        insurance code provisions, nonapplicability, 33-1-102
    oversight, legislative auditor duties, 53-6-709
    payment reductions and adjustments, 53-6-707
    waiver, 53-6-708
Medicaid, 53-6-101, 53-6-155
    administration and supervision, 53-6-101, 53-6-111, 53-6-113, 53-6-121
    aid to families with dependent children (AFDC) recipients, eligibility, 53-6-131, 53-6-134
    appeal of eligibility determinations, 53-2-606, 53-6-133
    application and exception, 53-6-113, 53-6-132
    audits, 5-13-321
    capitated health care, 53-6-116
    cash payment for qualification, 53-6-131
    child support health insurance obligations, 40-5-824
    community-based services, 53-6-101, 53-6-401, 53-6-402
    confidentiality of information, 53-3-111, 53-6-113, 53-6-133
    contracts for payments and services, 53-6-101, 53-6-115
    copies of provisions, distribution, 53-6-112

PUBLIC ASSISTANCE (Continued)
Medicaid (Continued)

- county welfare departments, duties, Title 53, chapter 6, part 1, See **COUNTY WELFARE**
- crime victims compensation benefits, effect on, 53-9-103, 53-9-125
- definitions, 53-6-106, 53-6-113
- discrimination prohibited, 53-6-105
- eligibility, 53-6-113, 53-6-117, 53-6-131, 53-6-133, 53-6-134, 53-6-140, 53-6-166
- eligibility data, availability requirements, 53-2-211
- estate of recipient, recovery from, 53-6-167
- estimates, legislative finance committee — submission to, 53-6-110
- FAIM participants, eligibility, 53-6-101, 53-6-113, 53-6-131, 53-6-134
- federal law, applicability, 53-6-111
- federally qualified health care services, inclusion, 53-6-101, 53-6-131
- forms prescribed by department of public health and human services, 53-6-112, 53-6-132
- fraud, See **Fraud**
- freedom of provider to treat recipient and recipient to choose provider, 53-6-104
- funding, 53-6-110, 53-6-113, 53-6-150
- health care facility
  - receivership, 50-5-115
  - standards, sanctions and penalties, 53-6-106 — 53-6-108
- hearings, 53-6-108, 53-6-113, 53-6-133
- income requirements, 53-6-110, 53-6-113, 53-6-131
- institutions, payment for residents, 53-1-402, 53-1-501, 53-1-502
- legislature, reports to, 53-6-110
- lien for assistance provided, 53-2-612, 53-6-143, See also **Recovery of payments**
- long-term care services and participating facilities, 53-6-101, 53-6-401, 53-6-402
  - residents' rights, 50-5-1104, See **LONG-TERM CARE FACILITIES, Residents' rights**
  - supplemental payments prohibited, 52-1-104, 53-6-101
  - utilization review exemption, 33-32-105
- managed-care systems, See **Managed care program**
- management information system (MMIS), 18-4-313
- medical care savings account, eligibility determination — no consideration as asset, 53-6-140
- medicare premiums, deductibles, and coinsurance — program for payment, 53-6-101, 53-6-131
- mentally ill persons, crisis intervention program services, 53-21-139
- MIAMI project services, 50-19-323
- payment, 53-6-104, 53-6-107, 53-6-111, 53-6-113, 53-6-115, 53-6-116
- penalties, 53-6-107, 53-6-111
- personal assistant services, restrictions, 53-6-145
- power of attorney, authority relating to benefits, 72-31-201, 72-31-234
- recovery of payments, See **Recovery of payments**
- reimbursement of payments, 53-2-612, 53-6-113, 53-6-143, 53-6-144
- relative's liability for, 53-6-144
- residential treatment facilities, inpatient psychiatric services, 53-6-101
- review of assistance, periodic, 53-6-142
- sanctions, 53-6-111
- small employer health insurance, qualifying previous coverage, 33-22-1803
- supplemental payments prohibited, 52-1-104, 53-6-101
- services provided, amount and duration, 53-6-101, 53-6-113
- telephone low income assistance program eligibility, certification, 69-3-1002
- utilization review, 33-32-103, See also **INSURANCE, DISABILITY, Utilization reviews**
- waiver program, 53-6-401, 53-6-402
- well-child care, insurance coverage — applicability, 33-22-303, 33-22-512, 33-30-1014

Medical assistance

- adoption assistance, interstate, 52-2-522, 52-2-523, 52-2-527, 52-2-528
- aged, to — recovery of payments, 53-6-143
- aid to families with dependent children (AFDC), See **Aid to families with dependent children (AFDC)**
- application, 53-2-613

PUBLIC ASSISTANCE (Continued)
Medical assistance (Continued)

- confidential information released for third party recovery, 53-3-111
- county liability, 53-2-610
- FAIM project, 53-4-212, 53-4-609, 53-6-134
- federal law, waivers — extension, 53-6-134
- indigents, optional county program, 53-2-804
- insurance coverage, effect upon, 33-22-113, 33-30-1002
- lien of department or county upon third party recovery, 53-2-612
- medicaid, See **Medicaid**
- medicare, See **SOCIAL SECURITY**
- reimbursement of department of social and rehabilitation services, 53-2-610
- renal disease, 50-44-101, 50-44-102

Medical Support Reform Act, Title 40, chapter 5, part 8, See **CHILD SUPPORT**
Medicare, Title 19, chapter 1, See also **SOCIAL SECURITY**
Merit system, use for personnel, 53-2-103
Minors, Title 53, chapter 4, part 2, See **Aid to families with dependent children (AFDC)**; **Child support**; **Medical assistance**
Missing persons, notice to welfare agencies, 72-3-306
Native Americans, See **Indians**
Need, assistance based on, 53-2-602
Nursing facility bed day utilization fee, Title 15, chapter 60
Nutrition services and food programs, 2-15-2210; Title 50, chapter 49, part 1
Optometric services, discrimination by public agencies prohibited, 37-10-104
Overpayment, 53-2-108, See also **Recovery of payments**
Paternity proceedings, father's liability for payments — limitation, 40-6-108
Payment to recipient, Title 53, chapter 2, part 6

- duplicate warrants, exemption from bond requirements, 17-8-306
- nonsupport, criminal complaint, 45-5-621
- overpayment, 53-2-108, See also **Recovery of payments**

Penalties

- food stamps, unlawful acquisition or transfer, 45-6-312
- fraud, 45-6-301, 53-2-108
- misuse of information, 53-2-106, 53-2-504
- sanctions, 53-2-211, 53-4-717, 53-6-111

Personal assistant services, rules to govern — adoption, 53-6-145
Personal care facilities, supplemental medicaid payments prohibited, 52-1-104, 53-6-101
Poor fund, Title 53, chapter 2, part 3, See **COUNTY FINANCE, County poor fund**
Postattack emergency regulation, 10-3-505
Premarital agreements creating eligibility at time of dissolution, support required to avoid, 40-2-608
Privatization of state programs, effect — consideration, 2-8-303
Property acquisitions for services delivery, 53-2-201
Protective services

- aid to families with dependent children (AFDC), protective payees, 53-4-244
- definitions, 53-2-101, 53-2-802
- funding, 53-2-322, 53-2-813
- older Montanans provisions, 52-3-504
- ombudsman services, Title 52, chapter 3, parts 6 and 8, See **LONG-TERM CARE FACILITIES**
- payment to protective payees, 53-2-608
- state assumption of services, Title 53, chapter 2, part 8

Provision required, Const., XII, 3
Public Assistance, Board of, grievances to, 53-2-606
Records and reports

- aid to families with dependent children (AFDC), 53-4-214, 53-4-216
- audit of, 53-2-104
- availability requirements, 53-2-211
- confidentiality, 53-3-111, 53-6-157

PUBLIC ASSISTANCE (Continued)
Records and reports (Continued)

  county records, 53-2-103
  investigations, availability in, 53-2-503, 53-2-504, 53-6-159
  medicaid, 53-6-112
  unlawful disclosure, 53-2-105, 53-2-106, 53-2-504
Recovery of payments
  aid to families with dependent children (AFDC), 53-4-248
  debt, restrictive endorsement ineffective, 53-2-110
  definitions, 53-6-165
  delay, sale subject to lien, 53-6-181
  estate of recipient, from, 53-6-143, 53-6-167
  fraud, payment through, 53-2-108
  indigent assistance, optional county program, 40-6-303, 53-2-804
  lien
    conditions, 53-6-171
    contents, 53-6-173
    coordination, 53-6-188
    filing, 53-6-174
    limitations, 53-6-178
    notice of intent, 53-6-172
    spouse's limited exemption, 53-6-182
    writ of execution, 53-6-175, 53-6-177, 53-6-179, 53-6-181, 53-6-183, 53-6-187
  medicaid, 53-2-612, 53-6-111, 53-6-143, 53-6-144
  medical assistance, 53-2-612, 53-6-143
  overpayment, 53-2-108
  periodic payment, 53-6-179
  preservation of property, action, 53-6-186
  rulemaking authority, 53-6-189
  sale of property, 53-6-184, 53-6-185
  third parties, from — lien of department or county, 53-2-612, 53-6-143
  undue hardship, limitation, 53-6-166, 53-6-180
  waiver, 53-6-180
Reimbursements to Department of Public Health and Human Services, 53-2-610, See also **Funding**; **Recovery of payments**
Renal disease treatment program, 50-44-101, 50-44-102
Required, Const., XII, 3
Residence, effect
  aid to families with dependent children (AFDC), 53-4-246, 53-4-247, 53-4-707
  application, submission to county of, 53-2-613
  county responsibility based on, 53-2-610
  medicaid eligibility, 53-6-113
Review of eligibility and award, 53-2-606
Revocation of assistance, 53-2-609
Rulemaking authority, 53-2-505, 53-2-803, 53-4-241, 53-6-189
Search and seizure, 53-2-501
Senior citizens, See **Aged persons**
Sheltered workshops, Title 18, chapter 5, part 1; Title 53, chapter 7, part 2
Social service fees, 53-2-205
Standards for assistance, establishment, 52-1-104
State assumption of local programs, See also **Protective services**
  authorization and procedure, 53-2-811
  extent of transfer, 53-2-811, 53-2-812
  mill levy for transfer, 53-2-322, 53-2-813
  optional county indigent services, 53-2-804
  permanent transfer, 53-2-812
  purpose of provisions, 53-2-801

PUBLIC ASSISTANCE (Continued)
State assumption of local programs (Continued)

  reassumption of responsibility, 41-3-1122, 53-2-811
  staff, 53-2-304, 53-2-812
Statute of limitation on debt created by, 27-2-211
Subrogation of Department of Public Health and Human Services, 53-4-248
Supplemental payments, 52-1-104, 53-6-101
Support rights of recipient, assignment, 53-2-613
Theft, 45-6-301, 53-2-107, See also **Fraud**
Trusts, charitable, 72-33-502, See **TRUSTS**
Unemployment insurance, Title 39, chapter 51, See **UNEMPLOYMENT INSURANCE**
Uniformity of standards, 52-1-104
Victims of crimes, compensation, Title 53, chapter 9, part 1, See **CRIME VICTIMS AND WITNESSES**
Vocational rehabilitation
  administration of programs, 53-2-201, 53-7-102, 53-7-103, 53-7-109
  blind or visually disabled persons, Title 53, chapter 7, part 3, See **BLIND OR VISUALLY DISABLED PERSONS**
  compensation exclusions, minimum wage and overtime, 39-3-406
  confidentiality, 53-7-102, 53-7-315
  cooperation between governmental entities, 53-7-102, 53-7-103
  crime victims, 53-9-105, See **CRIME VICTIMS AND WITNESSES**
  definitions, 18-5-101, 53-7-101
  eligibility, 53-7-102, 53-7-105, 53-7-108
  financial responsibility for services, 53-7-108
  hearings, 53-7-102, 53-7-106
  services provided, 53-7-102, 53-7-105, 53-7-106, 53-7-108, 53-7-109
  sheltered workshops, Title 18, chapter 5, part 1; Title 53, chapter 6, part 4
  unemployment insurance coverage exclusions, 39-51-204, See also **UNEMPLOYMENT INSURANCE**
  vending facilities, operation by blind persons, Title 18, chapter 5, parts 4 and 5
  workers' compensation, coverage during, 39-71-118, See **WORKERS' COMPENSATION, Vocational rehabilitation of disabled workers**
Winter work committee, representation of welfare groups, 7-16-4303
Women, infants and children (WIC) food supplement program, 2-15-2210, 50-49-108, 53-6-705
Workers' compensation, See also **WORKERS' COMPENSATION**
  coverage while receiving assistance, 39-71-118
  managed care and preferred providers, Title 39, chapter 71, part 11

PUBLIC ASSISTANCE, BOARD OF, 2-15-2203
  See **PUBLIC HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

PUBLIC CEMETERIES
Public Cemetery District Act, Title 7, chapter 35, part 21
Public Cemetery District Permanent Care and Improvement Fund Act, Title 7, chapter 35, part 21

PUBLIC CONTRACTORS' FEES AND TAX, Title 15, chapter 50

PUBLIC CONTRACTS
Actions
  against state, See **Disputes with state**
  bidder, successful — action against when, 27-1-520
  breach of contract, 18-4-141
  contractors' security — on, 18-2-204 — 18-2-207
  violations, 18-2-432
  wage disputes, 18-2-407, 18-2-421, 18-2-432
Administrative rules, negotiated rulemaking committee — employment of convener or facilitator, 2-5-110
Advertising
  bids generally, 18-1-102, 18-1-202 — 18-1-204, 18-2-103, 18-2-301
  consultant services, state agency bids, 18-8-105

PUBLIC CONTRACTS (Continued)
Advertising (Continued)

legal, Title 18, chapter 7, part 2
procurement, state — small business set-asides, 18-5-304, 18-5-306
Agriculture, Department of — authority, 80-1-102
Airport authorities, powers, 67-11-201, 67-11-211
Alfalfa leaf-cutting bee samples, laboratory services, 80-6-1112
Alfalfa Seed Committee, authority, 80-11-304
Architects, Title 37, chapter 65
appointment, 18-2-112, 18-3-102, 18-8-211
certification requirements, 18-2-113
consultation with, 18-2-104
employment security commission buildings, 17-5-602, 17-5-612
inspections by, supervision, 18-2-105, 18-2-111
plans, drawings, and specifications, 18-2-103, 18-2-111, 18-2-114, 18-2-122, 18-3-102, 18-8-211
policy of state, 18-2-111
state prison, extended confinement units — exemption, 53-30-141
working drawings, 18-2-111, 18-8-211
Architectural, engineering, and land surveying services contracts
circumvention not allowed, 18-8-212
coordination with other statutes, 18-8-211
definitions, 18-8-202
emergency situations, 18-8-211
exceptions, 18-8-211, 18-8-212
negotiation, 18-8-201, 18-8-205, 18-8-212
notice of requirements, 18-8-201, 18-8-203
policy of state, 18-8-201
selection of services, procedures, 18-8-204, 18-8-205
Audit services, legislative, 5-13-411
Audits of local government entities, 2-7-503, 2-7-506
Awarding
construction contracts, 18-1-110, 18-2-103, 18-2-301, 18-2-409
highway construction, for, 60-2-112
impartiality required, 18-1-111
leases, 18-3-103
lowest bidder, to — when, 18-1-102
preferences, See **Preferences**
printing contracts, 7-5-2411, 18-7-107
procurement contracts, See **Procurement, state**
refusal, 18-1-204
Bids and bidding
action against successful bidder when, 27-1-520
advertisement, 18-1-202, 18-2-103, 18-2-301
affidavit, bidder's, 18-1-113
child support debts, sales, 40-5-255
construction of buildings, See **Construction of buildings**
consultants, private — services contracts, 18-8-105
county road and bridge contracts, applicability, 7-14-2403, 7-14-2404, 7-14-2406
county road improvement districts, applicability, 7-14-2715
definitions, 18-1-101
disqualification of bidders, 18-1-112, 18-1-113
fish, wildlife, and parks — department of, sale of lands or waters, 87-1-209
good faith requirement, 18-1-201
goods, for purchase of, 18-1-102
highway construction, requirements, 60-2-112, 60-2-113
housing authorities, municipal — powers, 7-15-4416
indemnity, covenant of, 18-1-201, 18-1-204

PUBLIC CONTRACTS (Continued)
Bids and bidding (Continued)

- lease of buildings, 18-3-103, 18-3-105
- liability of bidder, 18-1-204
- lowest bidder, award to, 18-1-102, 18-2-103, 18-7-107
- nonresidents, 18-1-101, 18-1-102, 18-1-111
- preferences, See **Preferences**
- prevailing wage rate, inclusion, 18-2-422
- printing, See **Printing**
- procurement, for, See **Procurement, state**
- reciprocal preference, 18-1-102
- "residence" defined, 18-1-103
- resident bidder, 18-1-101, 18-1-111
- security
  - advertisement specifications, 18-1-202
  - compliance, 18-1-206
  - construction contracts, 18-2-302
  - forfeiture, 18-1-204
  - form, 18-1-203, 18-2-302
  - requirement, 18-1-201
  - return, 18-1-205
  - rural special improvement districts, applicability, 7-12-2131
  - special improvement districts, applicability, 7-12-4141
  - waiver when, 18-2-302
- state construction contracts, employment preferences, 18-1-110, 18-2-409
- state prison, extended confinement units — exemption, 53-30-141
- water projects, state-owned, 85-1-219

Blind persons, vending facilities, Title 18, chapter 5, parts 4 and 5
Bonding requirements for contractors
- bid security, when, 18-1-202, 18-1-203, 18-2-302
- employment security building contracts, 17-5-603, 17-5-613
- highway construction contracts, 60-2-113
- historic properties, local management — applicability, 22-3-603
- lottery, state — contracts with, 23-7-211
- performance, labor, and materials bonds, 18-1-206, 18-2-201
  - county road and bridge contracts, 7-14-2405, 7-14-2406
  - county road improvement district contracts, 7-14-2717
  - rural special improvement districts, applicability, 7-12-2138
  - special fuel user bond requirement, waiver, 15-70-304
  - special improvement districts, applicability, 7-12-4151
- smoke abatement contracts, 7-31-104, 7-31-110
- water projects, state-owned — applicability of provisions, 85-1-219

Bonds, surety, 18-1-202 — 18-1-204, 18-2-302, 18-4-312; Title 18, chapter 2, part 2
Breach, 3-11-103, 20-6-636
Business improvement district board of trustees, authority, 7-12-1131
Centennial license plates, production, 2-89-303
Chemical dependency programs, for, 53-24-204
Children's multiagency services, request for proposals, 52-2-302, 52-2-307
Child support debts, sale, 40-5-255
Cities and towns, by, See **CITIES AND TOWNS; MUNICIPAL COMMISSION-MANAGER GOVERNMENT**
City-county consolidated governments, Title 7, chapter 3, parts 12 and 13
Commerce, Department of — economic development purposes, 90-1-102, 90-1-107
Community college district trustees, authority, 20-15-104
Community homes for persons with severe disabilities, services for, 53-19-104
Community service projects, 90-14-105

PUBLIC CONTRACTS (Continued)

Conflict of interest
  construction of buildings, 18-2-106
  drainage district commissioners, 85-8-362
  lottery, state, 23-7-110, 23-7-307, 23-7-310
  public officers or employees, 2-2-201 — 2-2-203, 20-6-636, 20-9-204
Conservation districts, authority, 76-15-320
Construction of buildings
  acts of God, effect, 18-2-312
  architects, See **Architects**
  architecture, policy, 18-2-111
  authorization, 18-2-102
  bids and bidding
    advertisement required when, 18-2-103, 18-2-301
    generally, 18-2-103
    letting, timing, 18-2-104
    negotiation, 18-2-105
    preference to Montana labor, 18-2-403, 18-2-409
    required when, 17-5-603, 17-5-613, 18-2-103
    security and waiver, 18-2-302
  bond issues, 18-2-103, 18-2-105
  capitol building land grant revenue, 18-2-107
  change orders, 18-2-103
  contractors, See **Bonding requirements for contractors**; **Contractors**
  contracts
    approval and amount withheld, 18-2-404
    awarding, 18-2-103, 18-2-105, 18-2-301
    controversies, 18-2-103
    cost-plus system invalid, 18-2-314
    discrimination, 18-2-403, 49-3-207
    federal funds, involving, 18-2-313, 18-2-403
    lease contracts, applicability, 18-3-103
    preference to Montana labor, 18-2-403, 18-2-409
    procurement provisions, effect, 18-2-315, 18-4-123, 18-4-132
  definitions, 18-2-101, 18-2-103, 18-2-401
  delays, 18-2-312
  delegation of powers, 18-2-103
  employment security commission buildings, 17-5-603, 17-5-613
  energy efficiency measures not to burden, 50-60-801
  engineers, consulting, 18-2-103, 18-2-105, 18-2-111, 18-2-112, 18-8-211
  engineers or land surveyors, 18-2-121, 18-2-122
  federal funding, 18-2-101, 18-2-102, 18-2-105
    contracts involving, 18-2-313, 18-2-403
  injunction, 18-2-432
  inspection, 18-2-103, 18-2-105, 18-2-111
  inventory of buildings, 18-2-105
  maintenance of buildings, allocation of amount for, 17-7-206
  pecuniary interest prohibited, 18-2-106
  powers and duties of department of administration, 18-2-105
  priorities, 18-2-104
  professional license, request for proof of, 37-68-315, 37-69-319
  safety codes and state laws, compliance, 18-2-108
  state program, scheduling, 18-2-104
  supervision, 18-2-103, 18-2-105, 18-2-111, 18-2-121
  university of Montana football stadium construction, applicability, 20-25-442
  university system, See **UNIVERSITY SYSTEM**, **Facilities**

PUBLIC CONTRACTS (Continued)
Construction of buildings (Continued)

- violations and penalty, 18-2-301, 18-2-432
- working drawings, 18-2-111, 18-8-211

Consultants, private — services contracts
- bids and bidding, 18-8-105
- definitions, 18-8-102
- exemptions, 18-8-103
- former employees, restrictions, 18-8-106
- lottery, state — for, 23-7-211, 23-7-310
- procurement provisions, nonapplicability, 18-4-123
- purpose of provisions, 18-8-101
- studies, information relating to, 18-8-111
- use and selection, 18-8-104, 23-7-211
- violations, 18-8-112

Contract law, applicability, 28-3-101

Contractors, 15-50-101, 18-4-123, See also **CONTRACTORS AND CONTRACTOR REGISTRATION**
- bids, See **Bids and bidding**; **Procurement, state**
- bonding requirements, See **Bonding requirements for contractors**; **Bonds, surety**
- delays in construction, 18-2-312
- discrimination, 18-2-403, 49-3-207
- disqualification when, 18-1-112
- false claims to public agencies, 45-7-210
- highway construction contracts, 60-2-111 — 60-2-113
- injunction to restrain, 18-2-432
- liens for labor and materials, Title 71, chapter 3, part 5
- notice of acceptance and completion date of projects, 18-2-421
- payroll records, 18-2-423, 18-2-424, See also **Wages paid by contractors**
- penalties, 18-2-432
- preferences, See **Preferences**
- prepayment
  - deposit of obligations, 18-1-301
  - interest or income on deposits, 18-1-303, 18-1-304
  - payments or proceeds, deduction priorities, 18-1-304
  - servicing of obligations, 18-1-302
- procurement, See **Procurement, state**, generally
- residence, 18-1-103, 18-1-106
- safety provisions, 50-71-103, See **LABOR AND EMPLOYMENT**, Safety
- security for contract performance, 18-2-201
  - action on, 18-2-204 — 18-2-207
  - amount and terms, 18-2-203
  - exceptions, 18-2-208
  - failure to require and waiver, 18-2-202
- subcontractors, 15-50-101, 15-50-206, 18-2-201, 18-2-202, 18-2-204 — 18-2-206, 18-2-208, 18-2-406, 18-2-407, 18-2-422, 18-2-424
- subpoena, 18-2-424
- unemployment insurance fund contributions, failure to make, 27-1-520
- violations, 18-2-409, 18-2-432, 18-4-241, 20-6-624, 45-7-210
- wages paid by, See **Wages paid by contractors**
- workers' compensation premiums, failure to pay, 27-1-520

Corrections
- community corrections
  - facilities and programs, 53-30-311, 53-30-314, 53-30-315, 53-30-321 — 53-30-323, 53-30-325
  - payment for services and exceptions, 53-1-501, 53-1-502
- extended confinement housing, exemptions, 53-30-141
- prisoners' confinement in other facilities when state correctional institution inadequate, 53-30-106
- prison industries program and products of, 53-1-301, 53-30-131, 53-30-133

PUBLIC CONTRACTS (Continued)
Corrections (Continued)

- regional correctional facilities, for, 53-30-504
- western interstate corrections compact, implementation, 46-19-303, 46-19-304

Cost-plus system invalid, 18-2-314, 18-2-315
Counties, by, See **COUNTIES**
County printing, Title 7, chapter 5, part 24, See **Printing**
County road improvement districts, Title 7, chapter 14, part 24
County water and/or sewer districts, Title 7, chapter 13, parts 22 and 23, See **SEWAGE DISPOSAL AND SEWER SYSTEMS**
Damages, 18-1-202, 18-1-404, 18-2-432, 18-4-224, 18-4-242, 27-1-520
Definitions, 18-1-101

- architectural, engineering, and land surveying services contract provisions, 18-8-202
- blind persons, vending facilities, 18-5-402, 18-5-501
- construction of building provisions, 18-2-101, 18-2-103, 18-2-401
- consultants, private — services contract provisions, 18-8-102
- contractors, 18-4-123
- printing provisions, 1-1-203, 7-5-2402, 18-4-123, 18-7-302
- procurement provisions, 18-4-123, 18-4-133, 18-4-226, 18-4-231, 18-4-301, 18-4-401
- public authority or obligee, 18-1-201
- residence, 18-1-103
- sheltered workshop provisions, 18-5-101, 53-7-202, 53-7-206, 53-20-102
- small businesses, purchase preference to, 18-5-303

Detention centers, See **DETENTION CENTERS, Contracts concerning services and facilities; Private party ownership**
Developmental disabilities, persons with

- community services, 53-20-205, 53-20-304
- nursing home services, 53-20-504

Discrimination, See **Preferences**
Displaced homemaker programs, 39-7-304
Disputes with state

- appeal, right to, 18-1-411
- commencement of action, 18-1-402
- costs, 18-1-404
- enforcement restrictions, 18-1-403
- judgments, payment, 18-1-414
- jurisdiction of district court, 18-1-401
- liability of state, 18-1-404
- litigation, 18-1-413
- procedure and practice in actions, 18-1-411
- service of process, 18-1-412
- statute of limitation, 18-1-402
- uniform commercial code, effect, 30-1-111

Drainage district works, 85-8-361, 85-8-362
Eastern Montana Veterans' Home, charges for care — exception, 10-2-416, 53-1-402
Educational personnel, qualification — interstate agreements, 20-4-121 — 20-4-123
Emergency hazardous material incidents response needs, emergency response commission, 10-3-1204
Employment offices, establishment and maintenance, 39-51-307
Enforcement, See **Disputes with state**
Engineers, See **Architectural, engineering, and land surveying services contracts**; **Construction of buildings**
Executive branch agencies, transfer of functions — effect, 2-15-135, 2-15-136
Federal funds, contracts involving

- construction of buildings, 18-2-101 — 18-2-103, 18-2-105, 18-2-313, 18-2-403
- consultants, private, 18-8-102, 18-8-112
- planning funds, for, 18-2-105

PUBLIC CONTRACTS (Continued)
Federal funds, contracts involving (Continued)

- preference
  - federal laws, 18-2-403
  - indian reservation residents, 18-1-110
  - Montanans, to, 18-1-102, 18-1-112, 18-2-409
- procurement contracts, 18-4-132

Federal surplus property, Title 18, chapter 5, part 2, See **Surplus property**
Fire districts, rural — protection services, 7-33-2104, 7-33-2107
Flood control projects, for, Title 76, chapter 5, part 11
Forage, noxious weed seed free agreements, 80-7-905, 80-7-908, 80-7-909
Forest fire hazard reduction or management, 76-13-405
Forest fire protection, 76-13-202
Good faith requirements, 18-1-201, 18-4-131, 18-4-242, 18-4-301
Hazardous chemical information programs, to develop and implement, 50-78-306
Hazardous or deleterious substance, remedial action contracts, 75-10-701
Health Facility Authority, authority, 90-7-202
Heritage property and paleontological remains protection, denial when, 22-3-434
Highway construction, See **HIGHWAYS, Contracts**
Historical Society, for local management of historic properties, 22-3-603
Hospital districts, authority, 7-34-2122
Housing authorities

- county, 7-15-2110, 7-15-2120
- municipal, Title 7, chapter 15, parts 44 and 45

Housing, Board of — authority, 90-6-104
Impartiality required, 18-1-111
Indians

- construction contracts, hiring preference, 18-1-110
- cooperative agreements, Title 18, chapter 11, part 1

Injunction, 18-2-432
Institutional industries, for, 53-1-301
Interlocal cooperation, Title 7, chapter 11, part 1
Interpretation, 28-3-101, See **CONTRACTS, Interpretation**
Irrigation districts, Title 85, chapter 7, part 19
Land Commissioners, Board of — exchange of land, 77-2-201
Land surveyors, See **Architectural, engineering, and land surveying services contracts**; **Construction of buildings**, engineers or land surveyors
Language, plain, Title 30, chapter 14, part 11
Law enforcement agencies, interstate mutual aid agreements, Title 44, chapter 11, part 3
Lawful product use during nonworking hours, limitation when, 39-2-313
Lease of buildings

- approval required when, 2-17-101, 18-3-105
- architect, appointment, 18-3-102
- authorization, 18-3-101
- awarding, 18-3-103
- bids, 18-3-103, 18-3-105
- consolidation of offices outside helena, 2-17-101
- contract provisions, 17-8-241 — 17-8-244, 18-3-104
- custodial care, maintenance, and security work, 2-17-111
- heritage properties, 2-17-107
- lewis and clark county, within, 18-2-105
- location of building, 18-3-105
- option to purchase, 18-3-101, 18-3-104
- rent payments, 18-3-107
- safety codes and state laws, compliance, 18-2-108
- security, 18-3-106
- warehouses, 2-17-102

PUBLIC CONTRACTS (Continued)

Liability
  bidders, 18-1-204
  disputes with state, 18-1-404
  termination of contract with nonstate entity, 18-1-118
Libraries, See **LIBRARIES, Contracts**
Local government study commissions, authority, 7-3-183
Lottery, state — requirements, 23-7-110, 23-7-211, 23-7-307, 23-7-310
Medicaid services, for, 53-6-115
Megalandfill siting
  information or departmental services, 75-10-908, 75-10-921
  reclamation work, 75-10-953
Mental health corporations, regional — for services, 53-21-203, 53-21-204
Mining land reclamation, 82-4-239, 82-4-341, 82-4-403
Mint Committee, authority, 80-11-403
Montana Arts Council, authority, 22-2-108, 22-2-406
Montana Conservation Corps, authority, 23-1-301, 23-1-303, 23-1-314
Motorist information sign program, requirements, 60-5-509, 60-5-510
Natural Heritage Program, for, 90-15-302
Nondiscrimination provision, inclusion, 49-3-207
Nonstate entities, with — access to records, 18-1-118
Offenses, See **Violations**
Open-space lands, authority of public bodies, 76-6-109
Park Commissioners, Boards of
  county, 7-16-2314, 7-16-2325 — 7-16-2327
  municipal, 7-16-4212, 7-16-4224
Parking commissions, authority, 7-14-4621, 7-14-4658, 7-14-4664
Performance bonds, See **Bonding requirements for contractors**
Port authorities, authority, 7-14-1102, 7-14-1111, 7-14-1125
Postsecondary educational institution services, enforceability, 20-30-402
Preferences
  affidavit claiming, 18-1-113
  blind persons, vending facilities, Title 18, chapter 5, part 5
  indian reservation residents, 18-1-110
  Montana-made goods, for, 18-1-101 — 18-1-103, 18-1-112
  Montanans, to
    bids and bidding, 18-1-102, 18-1-103, 18-1-112, 18-4-303, 18-4-304, 18-5-307, 18-7-107
    employment, 17-5-1526, 17-5-1527, 17-6-325, 18-1-111, 18-2-403, 18-2-409, 18-8-104, 90-5-114
  reciprocal preference, 18-1-102
  rules for, 18-1-110, 18-1-113, 18-1-114
  small businesses, 18-5-307
Printing
  affidavit, printer's or publisher's, 26-1-1011, 26-1-1012, See also **EVIDENCE, Affidavits**
  bids and bidding
    county, 7-5-2304, 7-5-2411, 7-5-2413
    state, 1-11-301, 3-2-603, 18-7-104, 18-7-107
  cities or towns, 7-5-4108
  contracts
    cities or towns, 7-5-4108
    county, 7-2-2726, 7-5-2105, 7-5-2411 — 7-5-2413
    state, 1-11-301, 3-2-603, 18-7-101, 18-7-107
  county printing and legal advertising
    bids, 7-5-2304, 7-5-2411, 7-5-2413
    contracts, 7-2-2726, 7-5-2105, 7-5-2411 — 7-5-2413
    exemption from provisions, 7-5-2414
    prices, 7-5-2401, 7-5-2404, 7-5-2411

PUBLIC CONTRACTS (Continued)
Printing (Continued)
  county printing and legal advertising (Continued)
    purpose of provisions, 7-5-2401
    standards, 7-5-2405
  definitions, 1-1-203, 7-5-2402, 18-4-123, 18-7-302
  folio measurement, 1-1-203, 18-7-203
  legal notices, publication
    affidavit, printer's, 18-7-204, 18-7-205
    claims, 18-7-204
    folio measurement, 18-7-203
    frequency, 25-3-502, 25-3-503
    newspaper requirements, 18-7-201
    prices, rates, and standards, 18-7-201, 18-7-202, 18-7-204, 18-7-205
  legislative, 5-11-202, 18-7-101, 18-7-107
  meetings, 7-5-2403
  Montana code annotated, 1-11-301, 18-7-101, 18-7-107
  preference to Montana printers, 7-5-2412, 18-7-107
  publications library distribution center, 22-1-211 — 22-1-218, See also **LIBRARIES**, **State publications library distribution center**
  publishing policy committee, 2-15-1017, 18-7-302, 18-7-303, 18-7-305, 18-7-306
  reports, 18-7-101
  state printing
    bids and bidding, 1-11-301, 18-7-104, 18-7-107
    citation of state printing control act, 18-7-301
    contracts, 1-11-301, 3-2-603, 18-7-101, 18-7-107
    costs, 18-7-306, 18-7-307
    definitions, 18-7-302
    exemptions, 18-7-302
    procurement provisions, effect, 18-4-221
    prohibitions, 18-7-305
    purchase orders, 18-7-106
    standards, 18-7-303, 18-7-304
    union label requirements, 18-7-104
  supreme court decisions, 3-2-603
  violations and penalties, 18-7-105, 18-7-204, 18-7-205
Privatization of state programs or services, 2-8-303, 2-8-304, 18-4-301, 18-4-303
Procurement, state
  accounting system of contractor, 18-4-311
  action, breach of contract, 18-4-141
  advertising, 18-5-304, 18-5-306
  affidavit, bidder's, 18-1-113
  anticompetitive practices, 18-4-314
  applicability of provisions, 18-4-131, 18-4-132
  auction of surplus supplies, 18-4-226
  audit of requirements, 18-4-221
  authority, general and delegation, 18-4-221 — 18-4-223
  bids and bidding, See also **Bids and bidding**
    bond, 18-4-312
    collusion between bidders, 18-4-141, 18-4-314
    competitive sealed bidding, 18-4-302 — 18-4-304, 18-5-103
    cooperative purchasing, public procurement units, 18-4-406
    contract clause variations, 18-4-224
    definitions, 18-4-123, 18-4-301
    disqualification of bidder, 18-1-113
    inspection, public, 18-4-303
    invitation for bids, 18-4-301, 18-4-303, 18-4-307, 18-4-312, 18-5-304, 18-5-305
    lowest bidder, to, 18-1-102, 18-4-303, 18-5-304

PUBLIC CONTRACTS (Continued)
Procurement, state (Continued)
  bids and bidding (Continued)
    nonresponsibility of bidder or offeror, 18-4-308
    notice requirements, 18-4-303
    preferences, 18-1-102, 18-1-103, 18-4-303, 18-5-307; Title 18, chapter 5, part 5
    records, 18-4-303
    rejection, 18-4-307
    required, 18-1-201, 18-4-302
    "residence" defined, 18-1-103
    security, 18-4-312
    sheltered workshops, applicability, 18-5-103
    small businesses, 18-5-304 — 18-5-308
    surplus supplies, for disposal, 18-4-226
    waterfowl stamp and artwork, exemption, 87-2-412
  blind persons, vending facilities, Title 18, chapter 5, parts 4 and 5
  buildings, See **Lease of buildings**
  catalog price, 18-4-301, 18-4-302
  central stores program, 18-4-302
  citation of Montana procurement act, 18-4-121
  communications equipment maintenance, state, 2-17-302
  construction contracts, effect, 17-8-241 — 17-8-244, 18-2-315, 18-4-132
  consultant services, Title 18, chapter 8, part 1
  contracts
    applicability of provisions, 18-4-132
    appropriations for payment, 17-8-102, 18-4-313
    assignment, 18-4-141
    awarding
      notice, by, 18-4-303
      preferences, 18-1-102; Title 18, chapter 5, part 5
      proposals, by, 18-4-304
      remedies prior to and after, 18-4-242
      requirements for, 18-4-302, 18-4-303
      small businesses, 18-5-304
      vendors' list, removal or suspension, 18-4-241
    breach, 18-4-141
    cancellation, 18-4-303, 18-4-313
    change order, 18-4-123
    clauses, 18-4-224
    cooperative purchasing, public procurement units, 18-4-402, 18-4-406
    cost-plus-percentage-of-cost contract prohibited, 18-4-310
    cost principles, 18-4-225
    cost-reimbursement contract, 18-4-301, 18-4-310
    definitions, 18-4-123
    extension, 18-4-313
    file, 18-4-126, 18-4-304, 18-4-307
    installment contracts, 87-1-209
    interest assessment on overdue payments, 17-8-241 — 17-8-244
    modification, 18-4-123, 18-4-225
    overdue payments, interest assessment, 17-8-241 — 17-8-244
    performance security, 18-4-312
    remedies, provision for, 18-4-224, 18-4-242
    renewal, 18-4-313
    rules, effect on contracts, 18-4-223
    small businesses, 18-5-304
    sole source procurement, 18-4-306
    solicitations, 18-4-241, 18-4-242, 18-4-307
    subcontracts, 18-4-141

PUBLIC CONTRACTS (Continued)
Procurement, state (Continued)
  contracts (Continued)
    term contract, 18-4-301, 18-4-302
    terms, 18-4-313
    time limits, 18-4-313
    transfers, 18-4-141
    types, 18-4-310, 18-4-311
    violations, 18-4-241, 18-4-242
    void when, 18-4-141, 18-4-242
  cooperative purchasing, public procurement units
    authorization, 18-4-402
    cooperative use of supplies or services, 18-4-404
    definitions, 18-4-401
    facilities, joint use, 18-4-405
    fees for services, 18-4-406
    information and services, availability, 18-4-406, 18-4-407
    review of requirements, 18-4-407
    sale, acquisition, or use of supplies, 18-4-403
  cost principles, 18-4-225
  data, 18-4-123, 18-4-125, 18-4-407
  data processing equipment and facilities, 2-17-501, 2-17-503, 18-4-132, 18-4-313
  definitions, 18-4-123, 18-4-133, 18-4-226, 18-4-231, 18-4-301, 18-4-401
  disposal of supplies, 18-4-132, 18-4-221, 18-4-226
  emergency purchases, 18-4-133
  exemptions from requirements, 18-4-123, 18-4-133, 18-4-302
  fish, wildlife, and parks — department of, 87-1-209
  fraud, 18-4-131, 18-4-242
  good faith, 18-4-131, 18-4-242, 18-4-301
  grants, 18-4-123, 18-4-132
  highway patrol officers' equipment, 44-1-303
  information, 18-4-126, 18-4-406, 18-4-407
  inspection of records, 18-4-126, 18-4-303, 18-4-304, 18-4-306
  inspection of supplies and services, 18-4-231, 18-4-303
  institutions, clothing exemption and fruit and vegetable purchases, 18-4-133
  leases, 18-4-132, 18-4-226, 18-4-302, 18-4-313, 18-4-405
  local government, adoption of provisions, 18-4-124
  medicaid management information system, 18-4-313
  policy, 18-4-221
  preference to
    blind persons, vending facilities, Title 18, chapter 5, part 5
    Montana-made goods, 18-1-101 — 18-1-103, 18-1-112, 18-1-113
    Montanans, 18-1-102, 18-1-103, 18-4-303, 18-4-304, 18-5-307
    small businesses, 18-5-307
  prison-made furniture, 53-1-301
  privatization of state services, 2-8-303, 2-8-304, 18-4-301, 18-4-303
  procedure generally, Title 18, chapter 4, part 3
  property, See **STATE GOVERNMENT**
  proposals
    cancellation or rejection, 18-4-307
    competitive sealed, 18-4-304
    inspection, 18-4-304
    request for, 18-4-224, 18-4-301, 18-4-304, 18-4-307, 18-4-312, 18-4-406
    source selection, methods, 18-4-302
  purchase orders, 17-7-303, 17-8-102, 18-4-125, 18-5-306
  purpose of provisions, 18-4-122
  records, 18-4-126, 18-4-303, 18-4-306
  recycled supplies and materials, specifications, 75-10-806

PUBLIC CONTRACTS (Continued)
Procurement, state (Continued)

- reports, 18-4-125
- rules for, See **Rules**
- sheltered workshops, procurement from, 18-5-101 — 18-5-103, 53-7-203, See also **Sheltered workshops**
- short title, 18-4-121
- small businesses, purchase preference to, Title 18, chapter 5, part 3, See **Small businesses, purchase preference to**
- small purchases, 18-4-305
- sole source procurement, 18-4-306, 18-8-101
- solicitation mailing lists, 18-4-309
- source selection, 18-4-302, 18-4-306, 18-4-406
- specifications for supplies and services
  - general provisions, 18-4-231 — 18-4-234
  - public procurement units, 18-4-406
  - purchase description, inclusion, 18-4-301
  - recycled supplies and materials, 75-10-806
- supervision, 18-4-221
- supplemental principles of law, applicability, 18-4-131
- suppliers, prequalification, 18-4-309, 18-4-406
- surplus supplies or property, 18-4-226, See **Surplus property**
- telecommunication systems, 18-4-132, 18-4-313
- testing of supplies and services, 18-4-231, 18-4-303, 18-4-406
- using agency, 18-4-123, 18-4-125, 18-4-233
- utilities, public — supplies or services, exemption, 18-4-302
- vendors' list, removal or suspension from, 18-4-241, 18-4-406
- violations and penalty, 18-4-141, 18-4-241, 18-4-242
- warehouses, See **CAPITOL AND OTHER STATE BUILDINGS**
- waterfowl stamp and artwork, exemption, 87-2-412
- youth correctional facility industries programs, goods and services from, 52-5-120, 52-5-121

Public assistance, See **PUBLIC ASSISTANCE, Contracts for services**
Public Employees' Retirement System, with political subdivisions, Title 19, chapter 3, part 2
Public obligations, registration — applicability of laws, 17-5-1104
Purchasing, state, See **Procurement, state**
Records of contracting entity, access to, 18-1-118
Rental of buildings, See **Lease of buildings**
Retirement homes, requirements, 50-5-214
Rules

- preferences, for, 18-1-110, 18-1-113, 18-1-114
- procurement, state, 18-4-221, 18-4-223
  - authority, for delegation, 18-4-222, 18-4-223
  - bid requirements, 18-4-303
  - contract clauses, 18-4-224
  - cost principles, 18-4-225
  - local government, adoption, 18-4-124
  - nonresponsibility of bidders and offerors, written determination, 18-4-308
  - proposals, competitive sealed, 18-4-304
  - security, bid and contract performance, 18-4-312
  - small purchases, 18-4-305
  - sole source procurement, 18-4-306
  - specifications for supplies and services, 18-4-232
  - surplus supplies, 18-4-226
  - vendors' list, removal or suspension from, 18-4-241
- sheltered workshops, 18-5-102, 53-7-206
- small businesses, purchase preference to, 18-5-303, 18-5-304, 18-5-308
- surplus property, agency for — authority, 18-5-202

PUBLIC CONTRACTS (Continued)

Rural special improvement districts, 7-12-2133, 7-12-2135, 7-12-2137, 7-12-2139, 7-12-2140
Sale of state property, 18-6-101 — 18-6-103, See also **STATE GOVERNMENT, Property**
School districts, authority, 20-6-101, See also this subject heading generally; **SCHOOLS, Sites and facilities; SCHOOL TRANSPORTATION, Contracts; Individual transportation; Private party contracts**
Security, 18-2-201, 18-3-106, 18-4-312, See also **Bids and bidding; Contractors**
Senior citizens' legislature, for, 52-3-111
Sheltered workshops, See also **DEVELOPMENTAL DISABILITIES, Community services**
  certification, 18-5-102
  definitions, 18-5-101, 53-7-202, 53-7-206, 53-20-102
  eligibility for services, 53-7-205, 53-7-206
  funding, 53-7-203, 53-7-204
  legislative findings, 53-7-201
  list of facilities, products, and services, 18-5-102
  minimum wage and overtime compensation exclusions, 39-3-406
  purchase of products and services from, 18-5-101 — 18-5-103, 53-7-203
  purpose, 18-5-101, 53-7-201
  rules, 18-5-102, 53-7-206
  technical assistance, 18-5-102
  unemployment insurance coverage exclusions, 39-51-204
Small businesses, purchase preference to
  bids and bidding, 18-5-304 — 18-5-307
  citation of Montana small business purchasing act, 18-5-301
  contracts, 18-5-304
  definitions, 18-5-303
  notice, 18-5-306
  policy of state, 18-5-302
  preference to Montana business, 18-5-307
  purchase order, 18-5-306
  purchases from, statutes governing, 18-5-308
  purpose of provisions, 18-5-302
  set-asides, 18-5-303 — 18-5-306
Solid waste management district services for cities and towns, 7-13-304
Special improvement districts, Title 7, chapter 12, parts 41 and 42
State property, sale, 18-6-101 — 18-6-103, See also **STATE GOVERNMENT, Property**
Street lighting districts, 7-12-4307, 7-12-4308, 7-12-4311, 7-12-4353
Street maintenance district services, 7-12-4404
Subcontractors, 15-50-101, 15-50-206, 18-2-201, 18-2-202, 18-2-204 — 18-2-206, 18-2-208, 18-2-406, 18-2-407, 18-2-422, 18-2-424, See also **Contractors**
Surety bonds, 18-1-202 — 18-1-204, 18-2-302, 18-4-312; Title 18, chapter 2, part 2
Surplus property
  agency for federal surplus property
    administration, 2-15-1011, 18-5-201
    authority and duties, 18-5-202
    funding, 18-5-203
    personnel, duties, 2-15-1011, 18-5-201, 18-5-204
    rules, 18-5-202
  disposal, 18-4-221, 18-4-226, 18-6-101
  federal facilities and installations, effect of acceptance by state, 77-1-212
  interagency transfers, 18-6-102
  proceeds, allocation, 18-4-226, 18-5-203, 18-6-101
  sale, 18-4-226, 18-6-101
  transfer, 18-4-226, 18-5-205, 18-6-102
Teachers, See **TEACHERS**
Telecommunications services, dual-party relay system, 53-19-308

PUBLIC CONTRACTS (Continued)

Television districts, authority, 7-13-2510
Termination of contract with nonstate entity when, 18-1-118
Transportation, Department of — authority, 67-2-101, 67-2-403
Unemployment insurance benefits, 39-51-501
University system generally, See also **UNIVERSITY SYSTEM, Facilities**
  research programs, for, 20-25-108
  students' right to privacy, waiving — prohibited, 20-25-512
Urban renewal, Title 7, chapter 15, parts 42 and 43
Vending facilities for blind persons, Title 18, chapter 5, parts 4 and 5
Violations
  construction of buildings, 18-2-301, 18-2-432
  consultant services contract provisions, 18-8-112
  contractors, by, 18-2-409, 18-2-432, 20-6-624, 45-7-210
  fines, 18-4-141, 18-7-105, 18-7-205, 20-6-624, 20-6-636, 45-7-210
  investigation, 18-2-409
  printing, 18-7-105, 18-7-204, 18-7-205
  procurement provisions, 18-4-141, 18-4-241, 18-4-242
  wages paid by contractor, 18-2-423, 18-2-432
Voidable contracts
  collusion between bidders, 18-4-141
  lottery, state — gaming suppliers, 23-7-310
  public officers, when conflict of interest in contract, 2-2-203, 7-3-1257, 7-3-4256, 7-3-4367
  smoke abatement contracts, upon voter disapproval, 7-31-110
Void contracts
  consultant services contracts not complying with statutes, 18-8-112
  cost-plus system, contracts based on, 18-2-314
  enforcement of rights, restrictions, 18-1-403
  municipal contracts not certified, 7-3-1315
  procurement contracts in violation of law, 18-4-242
  school district contracts not complying with statutes, 20-9-204
Voter information pamphlets, for, 13-27-410
Wages paid by contractors
  collective bargaining agreements, applicability and effect, 18-2-401, 18-2-402, 18-2-411, 60-2-111
  county road and bridge contracts, applicability, 7-14-2406
  definitions, 18-2-401
  districts, prevailing wage rate, 18-2-401, 18-2-403, 18-2-411
  heavy highway construction wage rates, 18-2-401, 18-2-403
  housing authorities, contract provisions, 7-15-4466
  payroll records, 18-2-423, 18-2-424
  rulemaking authority, 18-2-411, 18-2-431
  scale to be posted when, 18-2-406
  standard prevailing rate, 18-2-401, 18-2-402
    bid specification and contract to contain, 18-2-403, 18-2-422
    county commissioners, board of — set by, when, 7-14-2404, 7-14-2406
    county road improvement district committee of supervisors, set by — when, 7-14-2716
    economic development projects, 17-5-1526, 17-5-1527, 18-2-403
    failure to pay, actions for, 18-2-407, 27-1-520
    highway commission, set by — when, 60-2-111
  state prison, extended confinement units — exemption, 53-30-141
  university of Montana football stadium construction, 20-25-442
  violation and penalty, 18-2-423, 18-2-432
Water conservancy district directors, authority, 85-9-408
Water quality district board of directors, authority, 7-13-4517, 7-13-4519
Water use, See **WATER USE, Contracts**
Workers' compensation, between governmental agencies, 39-71-402

PUBLIC CONTRACTS (Continued)

Youth care facilities and services, for, 41-3-1103, 41-3-1132, 41-3-1152
Youth correctional facility industries programs, goods and services, 52-5-120, 52-5-121

PUBLIC DEFENDER, 46-8-202, 53-9-104
Appellate defender system, 2-15-1020, 3-5-901, 46-8-210 — 46-8-213

PUBLIC EDUCATION, BOARD OF, 2-15-1507, 2-15-1508, 20-1-101; Const., X, 9
    See also **EXECUTIVE BRANCH**
Bond validation, Title 17, chapter 5, part 2
Certification Standards and Practices Advisory Council, 2-15-1522, 20-4-109, 20-4-132, 20-4-133
Cooperatives, full service education — contracts, approval policy, 20-7-454
Deaf and Blind, Montana School for the — duties, Title 20, chapter 8, part 1
Education, State Board of — composition, 20-2-101; Const., X, 9
Gifted and talented children programs, policies, 20-2-121, 20-7-903, 20-7-904
Interstate Agreement on Qualification of Educational Personnel, contract approval, 20-4-122
Powers and duties, 20-2-121; Const., X, 9
Recreation programs, authority, 20-7-804
Reports required by, 20-3-324, 20-9-344
School districts and trustees
    bonds, state loans to secure — requirements, 20-9-466, 20-9-467
    financial reports by trustees, 20-9-213
    policies of board, enforcement, 20-3-323, 20-3-324
    rules with financial impact, 20-2-115
School elections ordered by, 20-20-201
School finance, 20-2-121, 20-9-344, 20-9-346
Schools generally
    accreditation, 20-2-121, 20-3-106, 20-7-101, 20-7-102, 20-7-111, 20-7-202, 20-7-401, 20-9-311
    food services, reports, 20-10-201
    instructional programs specified by, 20-7-111
    library information reports requested by, 20-7-205
    pupil instruction on saturdays, policies for, 20-1-303, 20-2-121
    pupil-instruction-related days, policies for, 20-1-304, 20-2-121
    school day, approval for reduction in hours, 20-1-302, 20-2-121
School transportation, duties, 20-2-121, 20-10-103, 20-10-104, 20-10-111, 61-9-502
Secondary education, equivalency of completion, 20-2-121, 20-7-131
Special education policies and standards, 20-2-121, 20-7-401 — 20-7-403, 20-7-414, 20-7-431
Student assessment, 20-2-121, 20-3-106
Superintendent of public instruction
    accreditation standards, recommendation, 20-3-106, 20-7-101
    duties prescribed by, 20-3-106
    fiscal notes, submission, 20-2-115
    liaison, 20-2-111
Teachers or specialists
    appeals by, 20-2-121, 20-4-110
    certificate fees, statutory appropriation, 20-4-109
    certification policies, 20-2-121, 20-4-102, 20-4-103, 20-4-106, 20-4-110, 20-7-403
    education programs, approval, 2-15-1522, 20-4-131
    emergency authorization, 20-2-121, 20-4-111
    reprimand, letters of, 20-4-110
Teachers' Retirement System, membership required when, 19-20-302
Youth correctional facilities, curriculum standards, 52-5-106

PUBLIC EMPLOYEES
    See **PUBLIC OFFICERS OR EMPLOYEES**

PUBLIC EMPLOYEES, COLLECTIVE BARGAINING
  See also **COLLECTIVE BARGAINING**
Administrative Procedure Act, applicability, 39-31-105
Agreement
  disputes, See **Disputes**
  duty to bargain collectively and in good faith, 39-31-305
  firefighters, group insurance premium payments, 7-33-4130
  local government service consolidation or transfer, effect of adoption, 7-11-309
  mediation, 39-31-307
  police officers
    disciplinary orders, appeal from — right to, 7-32-4164
    insurance premium payments, negotiation, 7-32-4117
  terms, 39-31-306
Applicability of laws
  administrative procedure, 39-31-105
  civil procedure, 39-31-107, 39-31-409
  exclusions, 39-31-103
  firefighters, 39-34-101
  legislative authority not limited, 39-31-102
  preexisting agreements, 39-31-109
  service of process, 39-31-107
  unfair labor practices, remedies, 39-31-403, 39-31-409
Appropriate bargaining unit, 39-31-103, 39-31-202
Arbitration, See also **Disputes**; **ARBITRATION**
  firefighters, for
    arbitrator, designation, 39-34-102
    bargaining during, 39-34-104
    cost, 39-34-106
    petition, 39-34-101
    procedure, 39-34-103
    strikes during, 39-34-105
  precedence over factfinding, 39-31-310
  schools, limitation, 39-31-306
  terms of agreement, provision in, 39-31-306
  training of arbitrators, 39-31-311
  voluntary submission to, 39-31-310
Cities and towns with self-government powers, power regarding, 7-1-111
Classifications of jobs subject to, 2-18-203
Coercion of employees, 39-31-201, 39-31-401, 39-31-402
Committee to determine right of nonassociation, 39-31-204
Concession by bargainers not required, 39-31-305
Confidentiality of negotiations, 39-31-302
Contempt, failure to produce evidence or testify, 39-31-106
Counsel to public employer or board of personnel appeals, 39-31-108
Counties with self-government powers, power regarding, 7-1-111
Definitions, 39-31-103, 39-31-305
Democratic procedure to be guaranteed, 39-31-206
Discrimination prohibited
  employer, in hiring, 39-31-401
  labor organization, by, 39-31-205
Disputes
  arbitration, 39-31-306, 39-31-310, 39-31-311
  factfinding, 39-31-308 — 39-31-311
  firefighters, 39-34-101

PUBLIC EMPLOYEES, COLLECTIVE BARGAINING (Continued)
Disputes (Continued)

- grievance procedure in agreement, 39-31-306
- mediation, 39-31-307, 39-31-309
- strikes, 39-31-201

Dues, 39-31-203
- political contributions, use for prohibited, 39-31-402
- religious exception, 39-31-204, 39-31-401

Duties to bargain collectively and in good faith, 39-31-305, 39-31-401, 39-31-402
Elections, 39-31-206 — 39-31-210
"Employee" defined, 39-31-103
"Employer" defined, 39-31-103, See **Public employer**
Encouragement of collective bargaining, 39-31-101, 39-31-401, 39-31-402
Evidence
- firefighters, arbitration, 39-34-103
- good faith, failure to negotiate in, 39-31-305
- production, 39-31-106
- representation questions, 39-31-207
- rules of evidence inapplicable, 39-31-207, 39-31-406
- unfair labor practices, 39-31-406, 39-31-409

Exclusions from provisions, 39-31-103
Exclusive representative, 39-31-103
- action against schools, waiver of right to, 39-31-306
- certification or recognition, 39-31-206 — 39-31-208, 39-31-211
- discrimination by, prohibited, 39-31-205
- factfinding proceedings, party to, 39-31-309
- fiduciary officers, 39-31-206
- good faith duty, 39-31-305, 39-31-402
- nonassociation with, right of, 39-31-204
- petition for, 39-31-207
- qualifications, 39-31-206, 39-31-211
- rights and safeguards to be guaranteed, 39-31-206
- unaffiliated, to be, 39-31-211
- unfair labor practices by, 39-31-402

Extent of laws, 39-31-102, See **Applicability of laws**
Factfinding
- arbitration supersedes, 39-31-310
- fact finder, 39-31-308, 39-31-311
- firefighters, for, 39-34-101
- initiation, 39-31-308
- proceedings, 39-31-309

Fees and assessments in lieu of dues, 39-31-204, 39-31-401
Firefighters
- applicability of laws, 39-34-101
- arbitration, See **Arbitration**
- group insurance premium payments, 7-33-4130
- strikes, 39-34-105

Fringe benefits subject to, 39-31-305
Good faith duty, 39-31-305, 39-31-401, 39-31-402
Grievance procedures in agreement, 7-32-107, 39-31-306, 44-1-901, See also **Unfair labor practices**
Group insurance, See **PUBLIC OFFICERS OR EMPLOYEES, Group benefits**
Hearings
- administrative procedure act, applicability, 39-31-105
- agreement disputes, 39-31-309
- firefighters, arbitration, 39-34-103
- notice of, 39-31-107

PUBLIC EMPLOYEES, COLLECTIVE BARGAINING (Continued)
Hearings (Continued)

  representation
    disputes concerning rights and safeguards, 39-31-206
    petition for, 39-31-207, 39-31-209
  unfair practices, 39-31-405, 39-31-406, 39-31-409
Highway patrol officer suspensions, demotions, or discharges — grievance procedures in agreement, 44-1-901
Hours subject to, 39-4-107, 39-31-305
Inmate labor, agreements may not prohibit, 39-31-312
Interference with right to bargain collectively, 39-31-201, 39-31-401, 39-31-402
Investigatory authority, 39-31-106, 39-31-207, 39-31-405, See also **Factfinding**
Items subject to, 39-31-305
  classification, 2-18-203
  compensation, See **PUBLIC OFFICERS OR EMPLOYEES**, **Compensation determination**
Labor organizations, 39-31-103, See also **Exclusive representative**
  nonassociation with, 39-31-204
  right of self-organization, 39-31-201
  unaffiliated, to be, 39-31-211
  unfair practices by, 39-31-402
Laws applicable, See **Applicability of laws**
Legislature
  authority not limited, 39-31-102
  state employees' agreement, submission to, 39-31-305
Local government powers, 7-1-111
Mailing list provision, nonapplicability, 2-6-109
Management
  exclusion, 39-31-103
  rights, 39-31-303
Mediation, 39-31-307, 39-31-309
  firefighters, 39-34-101
Nonassociation, right of, 39-31-204, 39-31-401
Notices
  firefighters, arbitration and agreement, 39-34-102, 39-34-103
  service, 39-31-107
  unfair practices hearings, 39-31-405, 39-31-406
Oaths, administration, 39-31-106, 39-31-309
Overtime compensation, 39-3-406
Personnel Appeals, Board of, 2-15-1705
  collective bargaining, authority, Title 39, chapter 31
  firefighters, arbitration in collective bargaining, 39-34-101 — 39-34-103
  fish, wildlife, and parks — department employees, grievance procedures, 87-1-205, 87-1-403
  nurses' collective bargaining, authority, 39-32-103 — 39-32-106, 39-32-112 — 39-32-114
  public employee classification or compensation, grievance procedures, 2-18-1011 — 2-18-1013
  transportation, department of — personnel, grievance procedures, 2-18-1001 — 2-18-1003
  wage claims, review, 39-3-216, 39-3-217
Police officers
  disciplinary orders, appeal from — right to, 7-32-4164
  grievance procedures in agreement, 7-32-107
  insurance premium payments, negotiation — agreements for, 7-32-4117
Policy of state, 39-31-101
Preexisting agreements, 39-31-109
Prisoners, collective bargaining agreements may not prohibit labor by, 39-31-312
Privatized state agencies, review, 2-8-304
Public employer, 39-31-103
  good faith duty, 39-31-305, 39-31-401
  management rights, 39-31-303

PUBLIC EMPLOYEES, COLLECTIVE BARGAINING (Continued)
Public employer (Continued)

  representation
    bargaining, 39-31-301, 39-31-402
    legal, 39-31-108
  student observer, 39-31-302
  unfair labor practices by, 39-31-401
Public officers, exclusion from provisions, 39-31-103
Public Safety, Department of — discharged employees, grievance procedures, 7-32-107
Reduction in force
  group benefits, negotiability, 2-18-703
  severance pay and retraining allowance, negotiability, 2-18-622
Regents of Higher Education, 2-15-1505, 2-15-1508; Const., X, 9, See **REGENTS OF HIGHER EDUCATION, BOARD OF**
Religious convictions against, 39-31-204, 39-31-401
Representation
  board of personnel appeals, 39-31-108
  public employees, 39-31-201, See **Exclusive representative**
  public employer, 39-31-108, 39-31-301, 39-31-402
Restraint of right of organization, 39-31-201, 39-31-401, 39-31-402
Retirement system eligibility, effect of agreement upon, 19-3-403
Right of self-organization, 39-31-201, 39-31-401, 39-31-402
  nonassociation, 39-31-204
Rulemaking authority, 39-31-104
  representation
    elections, 39-31-208, 39-31-209
    petitions for, 39-31-207
  unfair labor practices, 39-31-401
Runoff elections, 39-31-208
School districts
  agreements, party to, 39-31-306
  applicability of laws, 39-31-304
Secret ballot, 39-31-208
Service of process, 39-31-107
  unfair labor practices, 39-31-405
State Employee Group Benefits Advisory Council, representation on, 2-15-1016
State employees
  agreement, submission to legislature, 39-31-305
  incentive award based on position elimination, salary increase negotiable when, 2-18-1107
  privatization, reorganization, closure, or reduction in force — notice, 2-18-1206
Statewide classification and pay plans, Title 2, chapter 18, parts 2 and 3, See **PUBLIC OFFICERS OR EMPLOYEES, Classification; Compensation determination**
Strikes, 39-31-201
  firefighters, 39-34-105
Student observers, 39-31-302
Subpoena power, 39-31-106, 39-31-107, 39-31-309
  firefighters, arbitration, 39-34-103
Unaffiliated labor organizations, 39-31-211
Unfair labor practices, 39-31-103
  answer, 39-31-405
  budget requests, inclusion of pay schedules not to be unfair practice, 17-7-111
  complaint, 39-31-405, 39-31-407
  court enforcement, 39-31-409
  decision, 39-31-406
  enumerated, 39-31-401, 39-31-402
  evidence, 39-31-406, 39-31-409
  findings and order, 39-31-406, 39-31-408, 39-31-409

PUBLIC EMPLOYEES, COLLECTIVE BARGAINING (Continued)
Unfair labor practices (Continued)

- hearing and notice, 39-31-405, 39-31-406
- investigation, 39-31-405
- judicial review, 39-31-409
- jurisdiction, 39-31-406, 39-31-409
- labor organization, of — enumerated, 39-31-402
- modification of order, 39-31-408, 39-31-409
- public employer, of — enumerated, 39-31-401
- record, 39-31-408, 39-31-409
- remedies, 39-31-403
- review, 39-31-405
- statute of limitation, 39-31-404

Wages subject to, 2-18-110, 2-18-301, 2-18-303, 39-31-305
Witnesses, 39-31-106, 39-31-401
- firefighters, arbitration, 39-34-103

PUBLIC EMPLOYEES' RETIREMENT BOARD, 2-15-1009; Title 19, chapter 2, part 4
Administrative expenses of systems administered by, payment, 19-2-408, 19-2-505
Appeals to, 19-3-505
Compensation of members, 2-15-1009, 19-2-402, 19-2-404
Definitions, 19-2-303, 19-17-102
Firefighters' Unified Retirement System, administration, Title 19, chapter 13
Game Wardens' Retirement System, administration, Title 19, chapter 8
Highway Patrol Officers' Retirement System, administration, Title 19, chapter 6
Judges' Retirement System, administration, Title 19, chapter 5
Judicial review, jurisdiction and venue, 19-2-401
Police Officers' Retirement System, administration, Title 19, chapter 9
Powers generally, 19-2-403
Public Employees' Retirement Division, report to governor, 19-2-407
Public Employees' Retirement System
- administration, Title 19, chapter 2
- duties concerning, Title 19, chapter 3, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

Sheriffs' Retirement System, administration, Title 19, chapter 7
Social security provisions, duties regarding, See **SOCIAL SECURITY**
Vehicle Equipment Safety Commission, agreements with, 61-2-205
Volunteer firefighters' compensation, duties concerning, Title 19, chapter 17

PUBLIC EMPLOYEES' RETIREMENT SYSTEM
Actuary, 19-2-303
- employment of, 19-2-405
- investigation and valuation by, 19-2-405
- pensions, computations when, 19-3-203
- reports by, 19-2-405, 19-2-407

Ad hoc cost-of-living increase, 19-3-1604
Administration
- board, by, Title 19, chapter 2, part 4
- expenses, 19-2-408
  - postretirement adjustment, funding determination, 19-3-1602
- general provisions, Title 19, chapter 3
- records and accounts, 19-2-403
- report requirements, 19-2-407
- rules for, 19-2-403

Alternate payees, family law orders — designation, 19-2-907
Annuities, See **Pensions and annuities**
Applicability of provisions, 19-2-302
Assets and liabilities
- actuarial valuation, 19-2-405, 19-2-407

PUBLIC EMPLOYEES' RETIREMENT SYSTEM (Continued)
Assets and liabilities (Continued)

  report regarding, 19-2-407
  use and purpose of assets, 19-2-505
Beneficiaries
  accumulated contributions paid to, when, 19-3-1211
  affidavit required when, 19-2-802
  contingent annuitant, See **Contingent annuitant**
  death benefits, application, 19-3-1201
  death, effect, 19-3-1501
  designation, 19-2-801, 19-3-1501
  dissolution of marriage, effect, 19-3-1501
  estate of member, as, 19-2-802
  minor, as, 19-2-802, 19-2-803, 19-3-1204
  payments to, 19-2-803, 19-3-1210, 19-3-1211
  postretirement adjustment, 19-3-1601 — 19-3-1603
  reinstatement of member, effect, 19-2-603
  service retirement benefits, payment after retiree's death, 19-3-904
  survivorship benefits, See **Survivorship benefits**
Benefits, 19-2-303, See also **Death benefits**
  "actuarial equivalent" defined, 19-2-303
  additional service, purchase for calculation of, 19-3-513
  ad hoc cost-of-living increase, 19-3-1604
  alternate payees, 19-2-907
  bankruptcy, exemption, 31-2-106
  calculation, service credit used in, 19-2-701
  cancellation, 19-3-1015, 19-3-1103
  compensation limit, 19-2-1005
  cost-of-living increase and limitations, 19-3-1008
  determination, 19-2-403
  disability retirement, See **Disability retirement benefits**
  discrimination prohibited, 19-2-403, 49-2-309
  distributions, requirements, 19-2-1007
  duplication prohibited, 19-2-703
  early retirement, See **Service retirement benefits**
  estimates when, 19-2-901
  federally subsidized employees, 19-3-402
  fixing of, 19-3-301
  forfeitures, use prohibited, 19-2-1006
  group insurance premiums withheld, 19-2-904
  information requirements, 19-2-901
  installment payments, 19-2-902
  legal process, exempt from, 19-2-1004
  maximum, limitation, 19-2-1001
  nonforfeiture, 19-2-1002
  optional forms of benefits, 19-3-1501
  payments
    errors, adjustment, 19-2-903
    frequency, 19-2-902
    limitations when, 19-2-804, 19-2-1001
  postretirement adjustment, 19-3-1008, 19-3-1601 — 19-3-1603
  public service employment, qualification of service — use in calculation not allowed when, 19-3-512
  reduction, 19-3-1501, 19-3-1103, 19-3-1106
  reemployment, 19-3-1106
  refund of accumulated contributions, See **Employee contributions**
  second retirement, upon, 19-3-1105
  service credits to calculate, 19-2-701

PUBLIC EMPLOYEES' RETIREMENT SYSTEM (Continued)
Benefits (Continued)

 service retirement, See **Service retirement benefits**
 survivorship benefits, See **Survivorship benefits**
 tax exemption when, 19-2-1004, See also **TAXATION, INDIVIDUAL INCOME, Exemptions**
 termination of covered employment, ineligibility when, 19-3-401
 unassignable, 19-2-1004
 vesting, 19-2-303, 19-2-702, 19-2-1002, 19-3-905
Budget Act superseded, 19-2-1008
Budget amendment required when, 19-2-408
Citation of the Public Employees' Retirement System Act, 19-2-301
Committee on, Title 5, chapter 21, part 1
Community college district employees, applicability, 20-15-106
Contingent annuitant, 19-2-303
 alternate payees, participant in family law orders, 19-2-907
 death payments without designation, 19-3-1210
 membership in other systems, service credit calculation, 19-7-801
 minimum monthly benefit, 19-8-1104
 optional forms of benefits, 19-3-1501, 19-5-701, 19-7-1001, 19-8-801
 postretirement adjustment, 19-3-1603, 19-7-710, 19-8-1103
Contracting employers, 19-2-303, See also **Employer contributions**; **Employers**
 contract provisions, 19-3-201
 conversion of existing plan, 19-3-203
 employee request for employer participation, 19-3-202
 tax levy, authority for, 19-3-204
Contributions, See **Employee contributions**; **Employer contributions**
Conversion to, 19-3-203
Cost-of-living increase and limitations, 19-3-1008, 19-3-1604
Creation, 19-3-103
Credited service, See **Service credits**
Criminal investigation agents' coverage, 44-2-114
Death
 annuitant, effect on optional forms of benefits, 19-3-1501
 annuity, optional, 19-3-1203
 member
  caused by beneficiary, limitations on payment of benefits, 19-2-804
  employees' accumulated contributions, refund when, 19-3-1211
  optional forms of benefits, effect on, 19-3-1501
  retired, payments to designated beneficiary when, 19-3-1211
  teachers' retirement service credits, prior to qualification, 19-3-511
 retiree
  disability retirement benefits, effect on, 19-3-1008
  optional forms of benefits, effect on, 19-3-1501
  service retirement benefits, effect on, 19-3-904
Death benefits, See also **Benefits**
 amount, calculation, 19-3-1202
 claims, approval, 19-2-401
 distributions, requirements, 19-2-1007
 eligibility, 19-3-1201
 inheritance, order of, 19-2-802
 qualification for, 19-2-705
 survivorship benefits, See **Survivorship benefits**
 teachers' retirement service credits, death of member prior to qualification, 19-3-511
Definitions, 19-2-303, 19-3-520
Disability retirement benefits
 additional service, purchase — effect, 19-3-513, 19-3-1008
 adjustment when, 19-3-1103

PUBLIC EMPLOYEES' RETIREMENT SYSTEM (Continued)
Disability retirement benefits (Continued)

- amount, 19-3-1007, 19-3-1008
- application for, 19-3-1005
- cancellation and reinstatement, 19-3-1015, 19-3-1104
- commencement, 19-3-1006
- death benefits, applicability, 19-3-1201
- determination, 19-2-702
- determination of disability, 19-3-1002
- duty-related, 19-3-1002, 19-3-1007, 19-3-1008
- eligibility, 19-3-1002
- granting, 19-3-1005
- limitations, 19-2-906
- medical examination requirements, 19-3-1015
- one-time election for coverage, 19-3-1002, 19-3-1008
- postretirement adjustment, 19-3-1601 — 19-3-1603
- public administrators, calculation, 19-3-520
- reduction, 19-3-1103
- service retirement status
  - change to, when, 19-3-1015, 19-3-1103
  - conversion, 19-2-406
- workers' compensation, effect, 19-3-1002

Discrimination prohibited
- benefits, 19-2-403, 49-2-309
- employer contributions, retroactive, 19-3-505
- membership, 19-2-403
- sex or marital status, 49-2-309

Dissolution of marriage, effect, 19-3-1501
Early retirement incentive, window of eligibility, 19-3-908, See also **Service retirement benefits**
Eligible employees, 19-3-411
Effective date, 19-3-103
Employee contributions, See also **Employees**; **Membership**
- accumulated contributions
  - employee contributions picked up by employer, 19-3-315
  - payment, 19-2-602, 19-3-1211
  - redeposit, 19-2-603
  - refunds, 19-3-401, 19-2-601, 19-2-705, 19-3-504
- additional service, purchase, 19-3-513
- amount deductible, 19-3-315
- conversion of noncreditable service, for, 19-3-505
- credited service, See **Service credits**
- discontinuance, effect, 19-2-1002
- elected officials' compensation not subject to, when, 19-3-903
- employer, pick up and payment, 19-3-315
- federally subsidized employees, 19-3-402
- highway patrol officers, transfer to nonhighway patrol position upon injury, 44-1-518
- ill or injured employees, 19-3-504
- installment payments, 19-3-504, 19-3-505, 19-3-512, 19-3-513
- military service, during, 19-2-705, 19-3-503, 19-2-506
- normal contributions, 19-2-303, 19-3-315
- public service employment, for qualification of service in, 19-3-509, 19-3-512
- rate, 19-3-315, 19-3-513
- redeposits, 19-2-602, 19-2-603
- refunds
  - death of member, upon, 19-3-1211
  - ineligibility when, 19-3-401

PUBLIC EMPLOYEES' RETIREMENT SYSTEM (Continued)
Employee contributions (Continued)
    refunds (Continued)
        public service employment, qualified service not usable for calculation of retirement benefits, 19-3-512
        redeposit, 19-2-603
        taxation, 19-2-1004
        termination
            covered employment, of, 19-3-401
            membership, of, 19-2-601, 19-2-705, 19-3-504, 19-2-602
    remittance, 19-3-315
    service credits, See **Service credits**
    teachers' retirement board, transfers from, 19-3-511
    withdrawal, 19-2-602, 19-2-603
Employees, 19-2-303, See also **Employee contributions**; **Membership**
    contracts for membership, See **Contracting employers**
    determination, 19-2-403
    discrimination, appeals, 19-3-505
    eligible, 19-3-411
    federal, 19-3-510
    federally subsidized, 19-3-402
    other retirement systems, service in, 19-3-512
    requests by, for employer participation, 19-3-202
    school districts, 19-3-401
    seasonal, 19-3-401
Employer contributions, 19-2-303, See also **Employers**
    absence due to illness or injury, during, 19-3-504
    administrative expenses, for, 19-2-408
    appeals, employee, 19-3-505
    delinquent, action for collection, 19-2-506
    elected officials' compensation not subject to, when, 19-3-903
    highway patrol officers, transfer to nonhighway patrol position upon injury, 44-1-518
    legislative appropriations, 19-3-317
    payments, 19-2-506, 20-9-501
    public service, qualification, 19-3-509
    rates, 19-3-513, 19-3-316
    refunds, 19-2-318
    retroactive, 19-3-505
    state contributions, 19-2-506, 19-3-317
    teachers' retirement board, transfers from, 19-3-511
Employers, 19-2-303, See also **Contracting employers**; **Employer contributions**
    appeals by employees, effect, 19-3-505
    claims, employment-related, 19-2-602
    employee contributions, pick up and payment, 19-3-315
Enforcement of provisions, 19-2-403
Establishment, 19-3-103
Exemption, 19-2-1004
Family law orders, alternate payees designated by, 19-2-907
Fine, 19-2-1009
Firefighters' Unified Retirement System, Title 19, chapter 13
Fraud, 19-2-1009
Funds
    dormant nonvested member-accumulated contributions, transfer, 19-2-1003
    judges' retirement funds, commingling, 19-5-401
    pension trust fund, 19-2-303
        administrative expenses, 19-2-408, 19-3-1602
        cash and securities, report on, 19-2-407
        establishment, 19-2-501

PUBLIC EMPLOYEES' RETIREMENT SYSTEM (Continued)
Funds (Continued)
  pension trust fund (Continued)
    income, 19-2-504, 19-3-1602
    interest rates, 19-2-405
    investment, 17-6-203, 19-2-503, 19-2-504, 19-3-1602
    management, 19-2-503
    payments credited to, 19-3-509, 19-3-512
    report concerning, 19-2-407
    taxation, exempt from — when, 19-2-1004
    transfers, 19-2-704, 19-3-509, 19-3-511
    unassignable, 19-2-1004
    use, restrictions, 19-2-505
  postretirement adjustment, reserve fund, 19-3-1602
  sheriffs' retirement account, creation, 19-7-402
  transfers between, 19-2-507, 19-2-1003
Game Wardens' Retirement System, Title 19, chapter 8
Highway Patrol Officers' Retirement System, Title 19, chapter 6
Interest rates, 19-2-403, 19-2-405
Judges' retirement, Title 19, chapter 5
Judicial review, jurisdiction and venue, 19-2-401
Legal process, exemption, 19-2-1004
Legislature
  appropriations, 19-3-317
  employees
    compensation applicable, 5-2-304, 19-2-303
    eligibility, 19-3-403
    service credits, 19-3-521
Lieutenant governor, applicability, 19-2-303
Local government
  contracts with, See **Contracting employers**
  powers, 7-1-111
Marital status, discrimination based on — prohibited, 49-2-309, See also **Discrimination prohibited**
Membership, See also **Employee contributions**; **Employees**
  compulsory when, 19-3-201
  contracts for, See **Contracting employers**
  definitions, 19-2-303
  disability retirement, See **Disability retirement benefits**
  effective date, 19-3-401
  eligibility, 19-2-403, 19-3-401 — 19-3-403, 19-3-411, 19-3-412
  exclusions, 19-3-403
  exemption from, election of, 19-3-401, 19-3-403
  fees, 19-2-408
  game wardens' eligibility, 19-8-302
  highway patrol officers, transfer to nonhighway patrol position upon injury, 44-1-518
  information required, 19-3-401
  judges or justices, 19-5-301
  optional, 19-3-412
  other systems, of, 19-3-318, 19-3-403, 19-3-1211
  political subdivisions, See **Contracting employers**
  public administrators, eligibility and election, 19-3-520
  reemployment of retiree, 19-3-1106
  reinstatement, 19-3-401, 19-2-603, 19-3-1015, 19-3-1104
  service retirement, See **Service retirement benefits**
  sheriffs
    ineligibility, 19-7-302
    optional, 19-7-301
  termination, 19-2-601 — 19-2-603, 19-2-1002, 19-3-318

PUBLIC EMPLOYEES' RETIREMENT SYSTEM (Continued)
Membership (Continued)

- water masters, eligibility, 3-7-302
- workers' compensation judge, eligibility, 2-15-1707
- written requests for, 19-3-403

Mental health region employees, participation, 53-21-204
Minor as beneficiary, 19-2-802, 19-2-803, 19-3-1204
Municipal Police Officers' Retirement System, Title 19, chapter 9
Optional forms of benefits, 19-3-1501, 19-5-701, 19-7-1001, 19-8-801
- postretirement adjustment, 19-3-1603

Pensions and annuities, 19-2-303
- adjustment, 19-3-905
- contingent annuitant, See **Contingent annuitant**
- contracting employers, effect of conversion by, 19-3-203
- death annuity, optional, 19-3-1203
- disability retirement amount, 19-3-1008
- military service, effect, 19-3-403
- pension trust fund, See **Funds**
- postretirement adjustment, calculation, 19-3-1603
- service retirement, amount, 19-3-904

Political subdivisions, contracts with, See **Contracting employers**
Postretirement adjustment
- eligibility, 19-3-1601
- funding, 19-3-1603
- payment and amount, 19-3-1008, 19-3-1602, 19-3-1603

Public administrators, participation, 19-3-520
Public Employees' Retirement Board, 2-15-1009; Title 19, chapter 2, part 4
Public Employees' Retirement System Act, citation, 19-3-101
Records, 19-2-401, 19-2-403
Reemployment of retiree, 19-3-1104, 19-3-1106
Reports, annual, 19-2-407
Rules for, 19-2-403, 19-2-406, 19-2-506, 19-15-102
School districts
- employees, eligibility, 19-2-303, 19-3-401
- employer contributions, payment, 20-9-501
- special education, allowable costs, 20-7-431, 20-7-435

Second retirement, 19-3-1105, See also **Benefits**
Service credits, 19-2-701
- absence
  - due to illness or injury, during, 19-3-504
  - military service, in, 19-2-705
  - not included, when, 19-3-501
- additional, purchase, 19-2-706, 19-3-513
- conversion of noncreditable service, 19-3-505
- "credited service" defined, 19-3-104
- eligibility, 19-2-403, 19-3-401, 19-3-403, 19-3-505, 19-3-903
- federal employment, qualification, 19-3-510
- firefighters' unified retirement system, transfers to, 19-13-404
- fractional years of service, rules for, 19-2-403
- game wardens' retirement system, transfers to, 19-8-306
- highway patrol officers' retirement system, transfers to, 19-6-802
- legislative members, for, 19-3-521
- military service, 19-2-705, 19-3-503, 19-3-511
- multiple periods of service, effect, 19-2-703
- municipal police officers' retirement system, transfers to, 19-9-405
- noncreditable service, conversion, 19-3-505
- public service employment, qualification, 19-3-509, 19-3-512

PUBLIC EMPLOYEES' RETIREMENT SYSTEM (Continued)
Service credits (Continued)

  purchasing, 19-2-704
  reinstatement, 19-2-603
  requalification of service, 19-3-509, 19-3-511, 19-3-512
  school district employees, 19-3-401
  second retirement, requirements, 19-3-1105
  sheriffs' retirement system, transfers to, 19-7-309
  teachers' retirement system, transfer to or from, 19-3-511, 19-20-401, 19-20-409, 19-20-412, 19-20-804, 19-20-902
  termination of covered employment, 19-2-706, 19-3-401
Service retirement benefits
  absence due to illness or injury, qualification, 19-3-504
  additional service, purchase, 19-3-513
  adjustment, when, 19-3-905
  alternate payees, 19-2-907
  amount, 19-3-513, 19-3-904
  application and commencement, 19-3-903
  death of retiree, effect, 19-3-904
  determination, 19-2-403
  disability retirement status
    change from, when, 19-3-1015, 19-3-1103
    conversion, 19-2-406
  early retirement, 19-3-906
    additional service, purchase — effect, 19-3-513, 19-3-906
    eligibility, 19-3-902, 19-3-908
  elected officials, retirement date — election, 19-3-903
  eligibility, 19-3-401, 19-3-901, 19-3-902
    additional service, purchase — effect, 19-3-513
    waiver when, 19-3-1002
  membership service, 19-2-702
  postretirement adjustment, 19-3-1601 — 19-3-1603
  public administrators, calculation, 19-3-520
Sex, discrimination based on — prohibited, 49-2-309, See also **Discrimination prohibited**
Sheriffs' Retirement System, Title 19, chapter 7
Social security system, separateness, 19-1-101, 19-1-104
State communications systems employees transferred to Department of Administration, effect, 2-17-303
Survivorship benefits
  absence in military service, 19-2-705
  alternate payees, 19-2-907
  amount, 19-3-1205
  calculation, service credit used in, 19-2-701
  distributions, requirements, 19-2-1007
  election of, 19-3-1204
  eligibility of beneficiaries, determination, 19-2-702
  limitations, 19-2-906
  payments, frequency, 19-2-902
  postretirement adjustment, 19-3-1601 — 19-3-1603
Teachers' Retirement System, service credits transferred to or from, 19-3-511, 19-20-401, 19-20-409, 19-20-412, 19-20-804, 19-20-902
Termination, 19-2-706, 19-2-1002
Unfunded liabilities, 19-2-303, 19-9-208
  contribution rate, calculation, 19-6-709
  past service liability, actuarial investigation, 19-13-213
  prior plans, excess, 19-13-213
  supplemental benefits, amortization of, 19-6-709

PUBLIC EMPLOYEES' RETIREMENT SYSTEM (Continued)

University system employees, eligibility, 19-3-411, 19-21-201
Vested member, 19-2-303
    adjustment of benefit when, 19-3-905
    determination, 19-2-702
Workers' compensation, effect
    disability retirement and benefits, 19-3-1002, 19-3-1007
    injuries of member, payments — qualification of service for period of absence, 19-3-504
Workers' compensation judge, eligibility for membership, 2-15-1707
Youth conservation corpsmembers and corpsmember leaders, exemption, 76-21-206

PUBLIC HEALTH AND HUMAN SERVICES, DEPARTMENT OF, Title 2, chapter 15, part 22
    See also **EXECUTIVE BRANCH**
Abortion, authority, Title 50, chapter 20, part 1
Adoption, duties, Title 52, chapter 2, parts 4 and 5
Agricultural chemical ground water protection, duties, Title 80, chapter 15
Aid to families with dependent children (AFDC), supervision, Title 53, chapter 4
Alcoholic beverage taxes, allocation, 16-1-404, 16-1-408, 16-1-411
AIDS testing and counseling, duties, Title 50, chapter 16, part 10
Anatomical gifts, duties, Title 72, chapter 17
Artificial insemination, filing of husband's consent — confidentiality, 40-6-106
Authority, 50-1-202
Barbershops and schools or colleges, duties, 37-30-307, 37-30-412, 37-30-422
Birth certificates, duties, Title 50, chapter 15, parts 1 — 3
Birth date, judicial determination — judgment filed with, 27-32-302
Blind persons, services for, Title 18, chapter 5, part 4; Title 53, chapter 7, part 3
Blood tests
    employment, regulations for, 39-2-304
    marriage, Title 40, chapter 1, part 2
    newborn infants, Title 50, chapter 19, part 2
    paternity proceedings, 40-5-201, 40-5-232 — 40-5-234, 40-5-236, 40-5-237, 40-6-112 — 40-6-115
    pregnancy, Title 50, chapter 19, part 1
Bottled water, regulation, 50-31-103, 50-31-236 — 50-31-238
Campgrounds, authority, Title 50, chapter 52
Child abuse, neglect, and dependency case records — confidentiality, 41-3-205
Child-care programs, responsibilities, 52-2-704, 52-3-504, See **DAY CARE**
Children's services, multiagency, Title 52, chapter 2, parts 2 and 3
Child support duties, Title 40, chapter 5, parts 2 — 4, 7, and 8
Child welfare services, administration, 52-2-111, See also **Infants**
Cities and towns, powers regarding undertakings, 7-7-4407
Commerce, Department of — cooperation with, 81-23-103
Community homes for persons with severe disabilities
    inspections, 52-4-204
    licensing requirements, advice, 52-4-205
Community homes, supervision, Title 53, chapter 20, parts 2 and 3
Community mental health centers, responsibilities, 53-21-201, 53-21-211 — 53-21-214
Consumer product safety, authority, Title 50, chapter 30
Cosmetics, standards and quality control, Title 50, chapter 31
Cosmetology, sanitary rules regarding, 37-31-204, 37-31-331
Counsel to, 50-1-102
Crime victims, rehabilitation, 53-9-105
Dairy products and producers, duties concerning, 81-22-208, 81-22-209, 81-22-301, 81-22-414, 81-22-421
Day-care facilities and programs, duties, 52-2-704, 52-2-731, 52-2-733, 52-2-735
Deaf and Blind, Montana School for the — assistance by employment placement officer when, 20-8-116
Death, list of deaths to county clerk and recorder, 72-16-217, 72-16-218; Title 50, chapter 15, part 4
Dentistry, authority, 50-1-202

PUBLIC HEALTH AND HUMAN SERVICES, DEPARTMENT... (Continued)

Developmental disabilities, persons with
  authority, 53-20-213, 53-20-305, 53-20-307
  report of abuse, neglect, or exploitation to, 52-3-811, 52-3-815
Dietitians, registration, Title 37, chapter 21
Disabled persons
  training for, 37-30-307, 37-31-308
  community homes, Title 53, chapter 19, part 1
  employment preference, certification, 39-30-103, 39-30-106, 39-30-107
  sheltered workshops, Title 53, chapter 7, part 2
  vocational rehabilitation, Title 53, chapter 7
Director, 2-15-111, 2-15-2201; Const., VI, 8
  compact administrator, 53-22-102
  small business regulation and licensing system plan, board of review — duties, 30-16-103, 30-16-302
Disease control, See **DISEASES**
Do not resuscitate
  order, form prescribed by, 50-10-103
  rules, 50-10-101, 50-10-105
Drug standards and quality control, Title 50, chapter 31
Elderly persons — report of abuse, neglect, or exploitation to, 52-3-811, 52-3-815
Emergency medical services, authority, Title 50, chapter 6
Enforcement authority, 50-1-103, 50-1-104, 50-1-202, 50-2-120, 50-2-123
Examiners, Board of — agreement with, 17-5-432, 17-5-433
Family planning
  clinics, contraceptive dispensation provisions, 37-2-104, 37-7-103, 50-31-307
  MIAMI project services, 50-19-311
  services, programs for, 50-1-202
Family practice training program, supervision, 50-5-603
Food and Nutrition, State Advisory Council on — allocation to and representation on, 2-15-2210
Food establishments, licensing and inspection, Title 50, chapter 50
Food programs and nutrition services, 2-15-2210; Title 50, chapter 49, part 1
Funding, 50-1-202
Genetics program, voluntary statewide, 50-19-211
Government Health Care Information Act, Title 50, chapter 16, part 6
Group homes, supervision, Title 53, chapter 20, parts 2 and 3
Handicapped children, program for, 50-1-202
Health care
  advisory council, Title 50, chapter 4
  facilities, authority, Title 50, chapter 5
  information, 50-5-106, 50-16-101, 50-70-107, 50-70-109; Title 50, chapter 16, part 6
HIV-related testing and counseling, duties, Title 50, chapter 16, part 10
Home weatherization programs, authority, Title 90, chapter 4, part 2
Hospices, 50-5-210, 50-5-211
Hotels and lodging establishments, authority, Title 50, chapter 51
Infants
  administration of services, 52-2-111
  genetics program, 50-19-211
  maternal child health programs, 50-1-202
  metabolic tests, Title 50, chapter 19, part 2
  mortality and morbidity information to, 37-27-320, 50-16-102
Information to department, on request, 50-16-101, See also **DISEASES, Report requirements**
Injunction by, 50-1-103, 52-3-605
Inspection authority, 50-1-202, 50-1-203, See also specific main category for type of establishment
  joint inspections with other agencies, 50-8-101, 50-8-102, 50-8-105
Institutions
  facility, disposition, 53-20-505

PUBLIC HEALTH AND HUMAN SERVICES, DEPARTMENT... (Continued)
Institutions (Continued)

  lands for use by, purchase or lease, 53-1-603
  superintendents, responsibility, 53-1-604
  teachers employed by, state classification and pay plans, 2-18-103, 2-18-303
Interpreters for deaf persons, list to be maintained, 49-4-507
Interstate Compact on Mental Health, duties, 53-22-102, 53-22-104
Law enforcement officers, assistance by, 50-2-120
Licensing of facilities, one-step licensing required, 50-8-101, 50-8-102
Livestock, Department of — cooperation with, 81-2-106
Living will protocol, development, 50-9-102, 50-9-110
Local boards of health
  consultation, 50-1-202
  federal funds, acceptance for, 50-2-103
  local board inspection fund account, 50-2-108, 50-50-205, 50-50-305, 50-51-204, 50-51-303, 50-52-202, 50-52-302, 50-53-203
Local health officers, appointment and duties, 50-2-116 — 50-2-118
Long-term care facilities, enforcement of ombudsman's access to facility provisions, 52-3-605
Manicuring, sanitary rules regarding, 37-31-331
Maternal and child health programs, authority, 50-1-202, 50-19-211; Title 50, chapter 19, part 3
Meat establishment licensing provisions, exceptions, 81-9-202
Meat from wild animals donated to, when, 87-1-226
Meat inspector, chief — consultations, 81-9-233
Medicaid
  administration, Title 53, chapter 6
  certification of health care facilities, 53-6-106 — 53-6-108
  management information system (MMIS), 18-4-313
Medical record information, 50-5-106, 50-16-101, 50-70-107, 50-70-109; Title 50, chapter 16, part 6
Medical schools, statements concerning use of dead bodies, 50-21-102
Medical support reform, enforcement, 40-5-824, 40-5-825, See also **CHILD SUPPORT**
Mental Disabilities, Board of Visitors — composition and allocation, 2-15-211
Mentally ill persons
  crisis intervention programs, 53-21-139
  self-sufficiency trusts, 53-18-101 — 53-18-105
Metabolic testing of newborns, Title 50, chapter 19, part 2
MIAMI project, Title 50, chapter 19, part 3
Minors
  day-care facilities and programs, duties, 52-2-704, 52-2-731, 52-2-733, 52-2-735
  infants, See **Infants**
  services, multiagency, 52-2-201 — 52-2-203
Mobile homes and mobile home parks, authority, Title 50, chapter 52
Montana Conservation Corps program, Title 23, chapter 1, part 3
Motels, authority, Title 50, chapter 51
Nursing facility utilization fee, 15-60-101, 15-60-201
Nutrition services and food programs, 2-15-2210; Title 50, chapter 49, part 1
One-step licensing of facilities required, 50-8-101, 50-8-102
Paternity, Title 40, chapter 6, part 1, See **PARENT AND CHILD**
Peace officers, assistance by, 50-2-120
Penalty for violations of rules of, 50-1-104
Personal care facilities, authority, Title 50, chapter 5, part 2
Plumbers, Board of — representation on, 2-15-1875
Powers and duties generally,
Product safety, authority, Title 50, chapter 30
Public assistance
  buildings, standards prescribed by, 53-2-322
  duties, Title 52, chapter 2, part 1
  eligibility data, availability requirements, 53-2-211

PUBLIC HEALTH AND HUMAN SERVICES, DEPARTMENT... (Continued)
Public assistance (Continued)

  state assumption of local programs, Title 53, chapter 2, part 8
Public Assistance, Board of — allocation, 2-15-2203
Public health
  nutritionist, appointment, 50-49-107
  standards, federal regulations or guidelines — comparable stringency requirement, 50-2-130
Quarantine authority, 50-1-204, 50-2-118
Rabies in wild animals, control, Title 50, chapter 23, part 1
Radiologic technologists, inspections for compliance with provisions, 37-14-322
Records and Statistics Bureau, procedures respecting paternity claims, 40-6-126, 40-6-128
Recreational use of lands and waters, adoption of rules for, 87-1-303
Revenue, Department of — furnishing information pertaining to public assistance applicants, 15-30-303
Rulemaking authority generally, 50-1-104, 50-1-202, 81-21-103
Schools
  building plans and specifications, 20-6-624
  health education, 50-1-202
  immunization requirements, 20-5-402 — 20-5-410
  inspections, 50-1-203
  sites, requirements, 20-6-621
  regulation of health matters, 50-1-206
Serological tests, authority, See **Blood tests**
Sexually transmitted disease control, duties, Title 50, chapter 18
Sheltered workshops, Title 18, chapter 5, part 1; Title 53, chapter 7, part 2
Small business stationary source technical and environmental compliance assistance program, 75-2-107
Small business regulation and licensing system plan, cooperation in implementation, 30-16-303
Smoking in public areas, authority, 50-40-108
Social services buildings, standards prescribed by, 53-2-322
Special education, children requiring — cooperation in discovering, 20-7-404
State medical facility plan, Title 50, chapter 5, part 4
State prevention programs, interagency coordinating council, 2-15-225
State procurement provisions, exemption when, 18-4-133
Supervision, Const., VI, 8
Swimming pools and swimming areas, authority, Title 50, chapter 53
Telecommunications Services for the Handicapped, Committee on — allocation to and representation on, 2-15-2212
Telephone low income assistance program
  eligible subscribers, certification and verification, 69-3-1002
  federal requirements, compliance, 69-3-1005
Tobacco education fees and materials, duties, 16-11-308
Trailers and trailer parks, authority, Title 50, chapter 52
Trauma care system, duties, 50-6-402, 50-6-410
Tuberculosis control, duties, Title 50, chapter 17
University system
  drug and alcohol abuse courses, advice and consultation when, 20-25-604
  inspection and custodial authority, 50-1-202
Violations, enforcement generally, 50-1-103, 50-1-104, 50-1-202, 50-2-123, 50-2-124
Visual Services, Division of, 2-15-2205
Vital statistics, authority, Title 50, chapter 15
Vocational rehabilitation, supervision, Title 39, chapter 71, part 10; Title 53, chapter 7, parts 1 and 3
Warrants issued for services funded with federal money, presentation for payment, 17-8-303
Women, infants and children (WIC) food supplement program, plan for providing services, 50-49-108

PUBLIC HEALTH NUTRITIONIST, 50-49-107

PUBLIC MARKETS, Title 7, chapter 21, part 33
  See also **PRODUCE**
Agricultural activities, zoning restrictions — protection, 76-2-901 — 76-2-903
City establishment and supervision, 7-21-4209
Classification of products, 30-9-109
Days of operation, 7-21-3304, 7-21-3305
Establishment, 7-21-3301, 7-21-3306
Execution, exemption, 25-13-613
Expenses, 7-21-3306
Gross proceeds charge, 7-21-3307, 7-21-3308
Market master, 7-21-3321
  gross proceeds charges paid to, 7-21-3307
  role, 7-21-3322
Opening, 7-21-3303
Property for, 7-21-3301, 7-21-3302
Public works, director of — authority, 7-3-1331
Resale or speculative purchases prohibited, 7-21-3309
Rules governing, 7-21-3305, 7-21-3322
Supervision and operation, 7-21-3322
Violations, 7-21-3308

PUBLIC MEETINGS, Const., II, 9; Title 2, chapter 3, part 2
  See **OPEN OR PUBLIC MEETINGS**

PUBLIC NUISANCES
  See **NUISANCES**

PUBLIC OBLIGATIONS REGISTRATION ACT OF MONTANA, Title 17, chapter 5, part 11
  See **BONDS AND BOND ISSUES**, **Registration of public obligations**

PUBLIC OFFICERS OR EMPLOYEES
  See also specific office
Absence, 2-16-112, 2-16-501, 10-2-228; Const., VI, 14
Abuse of authority, Title 27, chapter 28
Accession to office
  appointments
    de jure officer, when, 2-16-213, 2-16-506
    manner of, 2-16-203, 2-16-213; Const., VI, 6
  commissions, 2-16-204, 2-16-205
  oaths, See **Oaths**
  presumption of regularity of appointment, 26-1-602
  state officers, manner of election, 2-16-201
  title contested, 2-16-202, 2-16-501, 2-16-503
  usurping or unlawfully holding, no stay of proceedings, Title 25, chapter 21, M.R.App.P., Rule 7
Actions involving, 2-9-305
  appeal, substitution of successor, Title 25, chapter 21, M.R.App.P., Rule 37
  costs and damages, not personally liable, 25-10-701
  substitution of successor, Title 25, chapter 20, M.R.Civ.P., Rule 25(d); Title 25, chapter 21, M.R.App.P., Rule 37; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 11A
  ursurpation of office, 27-28-101, 27-28-301, 27-28-308
  venue, 25-2-125
  witness fee, 26-2-501
Aeronautics, duty to assist in enforcing laws, 67-2-501
Affidavits, warrants and other claims
  auditing officers, requirements, 2-2-205
  settlements withheld when, 2-2-207

PUBLIC OFFICERS OR EMPLOYEES (Continued)

Annual leave, See **Leave time**
Appointments, See **Accession to office**
Appointment to other office, 5-2-104; Const., V, 9
Appropriations, mishandling, 17-8-103, 17-8-104
Arbitration laws, applicability, 2-18-621
Assistants, 2-16-301 — 2-16-303
Attorney general opinions, 2-15-501
Audits
  local government entities, audits and financial reports, Title 2, chapter 7, part 5
  responsibilities generally, 2-2-205, 2-2-207
Bond payment funds, liability, 20-9-445, 20-9-446
Bonds, Title 2, chapter 9, part 5, See **SURETY BONDS, Official bonds**
"Bribe" defined, 1-1-207
Bribery of, 45-7-101, 45-7-103, 45-7-104, 85-1-622, 90-2-1121
Budget hearings, right to appear, 17-7-132
Candidacy for office, eligibility, 49-1-202, 49-1-203; Const., IV, 4
Candidacy for other office, 5-2-104; Const., V, 9; VI, 5
Child abuse investigations, representation of child by — prohibited, 40-4-205, 40-6-110, 41-3-303
Child support enforcement, cooperation, 40-5-206
Citizenship, 2-16-102; Const., VI, 3
City, See also **CITIES AND TOWNS**; **CITY-COUNTY CONSOLIDATION, OPTION TWO**; **CITY OFFICERS**; **MUNICIPAL COMMISSION GOVERNMENT, Officers and employees**; **MUNICIPAL COMMISSION-MANAGER GOVERNMENT, Officers and employees**; specific officer
  commission-chairman form of government, 7-3-517
  commission-executive form of government, 7-3-224
  commission form of government, 7-3-401, 7-3-418, 7-3-431
  commission-manager form of government, 7-3-114, 7-3-318
  town meeting form of government, 7-3-606
Claims, See **Warrants and other claims**
Classification, See also **Compensation determination**
  administrative rules, nonapplicability, 2-4-102, 2-5-103
  appeals, 2-18-203
  collective bargaining, exceptions for, 2-18-203, See also **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
  exceptions, 2-18-103
  guidelines, 2-18-202
  plan, development, 2-18-201
  positions, 2-18-101
    number and classes, 2-18-101
      change, 2-18-205
      determination, 2-18-204
      list, maintenance, 2-18-206
      salary and wage increase, authorization, 2-18-207
    personal staff, exemption and limitation, 2-18-104
    review, 2-18-203, 2-18-1011
  teachers, institutional, 2-18-103, 2-18-203
Collective bargaining
  employees, Title 39, chapter 31, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
  officers, prohibited, 39-31-103
Commissions, 2-16-204, 2-16-205
Comparable worth, 2-18-208, 2-18-209, 39-3-104
Compensation, See also **Travel expenses**
  past official behavior, for, 45-7-103
  rules of conduct concerning, 2-2-104, 2-2-121, 2-2-131

PUBLIC OFFICERS OR EMPLOYEES (Continued)
Compensation (Continued)

- salary increase based on position elimination, 2-18-1107

Compensation determination, Title 2, chapter 18, part 3, See also **Classification**
- administrative rules, nonapplicability, 2-4-102, 2-5-103
- appellate defender and staff, 46-8-213
- base salary, 2-18-101, 2-18-303, 2-18-304
- budget
  - inclusion of salary upgrades and schedules, 17-7-111, 17-7-112, 17-7-124
  - operating budget, 17-7-138
- budget bill, amendment to — effect, 17-7-131
- collective bargaining, 39-31-305, See also **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
- comparable worth, 2-18-208, 2-18-209, 39-3-104
- deductions, assignment not to affect, 17-8-212
- definitions, 2-18-101
- entry salary, 2-18-101, 2-18-303, 2-18-312
- grade, 2-18-101
  - class, assigned to, 2-18-203
  - electronic information, copying fee — applicability, 2-6-110
  - executive branch reorganization, rights following, 2-15-131
  - executive budget, inclusion of changes, 17-7-124
  - legislators, 5-2-301
  - pay schedules, 2-18-303, 2-18-312 — 2-18-315
- grievance procedures, 2-18-1011 — 2-18-1013
- hazardous duty pay, 2-18-110
- job sharing, 2-18-107
- legislative authority, 2-18-106
- longevity allowance, 2-18-304
- market salary, 2-18-101, 2-18-301, 2-18-303, 2-18-312, 2-18-1107
- medical doctors at institutions, 2-18-303
- overtime compensation exclusions, 39-3-406
- pay schedules, 2-18-312
  - appropriated funds, unexpended — transfer, 2-18-106
  - blue-collar occupations, 2-18-315
  - budget, inclusion, 17-7-111, 17-7-112, 17-7-124
  - liquor store occupations, 2-18-314
  - maintenance of schedules, 2-18-302
  - procedures for utilizing, 2-18-303
  - teachers, 2-18-313
- purpose and intent, 2-18-301
- rate, determination, 2-18-306
- shift differential pay, 2-18-110
- termination, pay due when, 39-3-205
- withholding of salary when, 17-2-109

Conciliation court referrals made, when, 40-3-122
Conflict of interest
- alcoholic beverages, 16-1-304
- contracts, 2-2-201 — 2-2-203, 20-6-636
- reclamation and development grants program, 90-2-1121
- state lands, affecting, See **STATE LANDS**, **Public officers, employees, or representatives**
- violation, 7-3-4256

Continuity in government, Title 10, chapter 3, part 6, See **EMERGENCIES AND EMERGENCY POWERS**, **Continuity in government**; **GOVERNOR**, **Succession**
Contracts
- conflict of interest provisions, 2-2-201 — 2-2-203, 20-6-636
- public, liability for bonding requirements, 18-2-202
- purchase, deceptive practices, 7-3-4256, 18-4-141

PUBLIC OFFICERS OR EMPLOYEES (Continued)
Contracts (Continued)

school district architectural service, contingent fees prohibited, 20-6-636
Conventions, travel expenses restricted, 2-18-512
Corporate credit unions, membership in, 32-3-802
Corrections and Human Services, Department of — cooperation with, 53-24-202
Counseling activities or services, applicability of professional counseling provisions, 37-23-201
County, See also **CITY-COUNTY CONSOLIDATION, OPTION TWO**; **COUNTIES**; **COUNTY OFFICERS**; specific officer
  commission form of government, 7-3-401, 7-3-418, 7-3-431
County detention center work program participants, restrictions, 7-32-2226
County livestock protective committees, cooperation and assistance, 81-6-103
Credit unions, Title 32, chapter 3
Criminal conviction, 2-16-501, 2-16-503, 2-16-603, 46-18-202
  impeachment for, Title 5, chapter 5, part 4
Death, 2-16-501, 2-16-513; Const., VI, 6; VI, 14; Title 25, chapter 20, M.R.Civ.P., Rule 25(d); Title 25, chapter 21, M.R.App.P., Rule 37
  missing persons, findings by officer, 26-1-622, 26-1-623
Deferred compensation plans, Title 19, chapter 50, See **DEFERRED COMPENSATION**
Definitions, 2-2-102, 2-18-101, 2-18-111, 2-18-601, 2-18-603, 2-18-606, 2-18-701, 2-18-809, 2-18-1101, 2-18-1202, 13-1-101
Deputies, 2-16-301 — 2-16-303
Disabled persons
  as, 49-4-202
  employment preference
    employees, Title 39, chapter 30, See **LABOR AND EMPLOYMENT, Preference to handicapped persons**
    officers, nonapplicability, 39-30-103
Disability, Const., VI, 6, See **Vacancy in office**; **GOVERNOR, Succession**
Disclosure statements, 2-2-106, 2-2-131
Discriminatory practices, See **DISCRIMINATION**
Displacement, 2-8-301, 18-4-301, 18-4-303
District weed board members, 7-22-2103
Drainage district commissioners as, 85-8-315, See also **DRAINAGE DISTRICTS, Commissioners**
  malfeasance in office, 85-8-314
Drugs
  manufacturer, distributor, or dispenser registration requirements — exemption from, 50-32-302
  violations, seizure of property by employee, 44-12-206
Duties
  presumption of performance, 26-1-602
  violation, 2-16-501, 2-16-503, 2-16-603
Economic development bonds, investment, 17-5-1525
Elections, See **Accession to office**; **Political activity**; **ELECTIONS**
Emergency succession, Title 10, chapter 3, part 6, See **EMERGENCIES AND EMERGENCY POWERS, Continuity of government**
Employee-owned enterprise seminars for officials dealing with, 90-5-305
Employee Protection Act, State, Title 2, chapter 18, part 12
Employment, See also **LABOR AND EMPLOYMENT**
  person regulated by employee, notification concerning employment with, 2-2-121
  preference, 2-18-111
    handicapped, to, Title 39, chapter 30
    veterans, to, Title 39, chapter 29
Energy saving equipment and energy conserving practices, training, 90-2-141
English, official and primary language, 1-1-510
Ethical requirements, 2-2-105
  commission, 2-2-138
    administrative appeal, 2-2-137

PUBLIC OFFICERS OR EMPLOYEES (Continued)
Ethical requirements (Continued)
  commission (Continued)
    lobbying activity prohibited, 2-2-138, 2-2-143
    meetings, 2-2-139
    members' political activity prohibited, 2-2-142
  enforcement, 2-2-136
  rules of conduct, 2-2-125
Ethics, Code of, Title 2, chapter 2, part 1; Const., XIII, 4
Execution against, 25-13-504
Executive branch reorganization, rights, 2-15-131
Expenses, See **Travel expenses**
Facility siting requirements or rules, failure to enforce, 75-20-404
Facsimile Signatures of Public Officials Act, Uniform, 2-16-114
Fair Practices, Code of, Title 49, chapter 3, See **DISCRIMINATION, Government, state and local**
False swearing to, 45-7-202, 75-10-940
Financial disclosure statements, 2-2-106, 2-2-131
Fire prevention and protection information to, 50-3-102
Fiscal affairs, reports concerning, 17-2-109
Gambling, illegal devices — exempt from criminal provisions prohibiting possession when, 23-5-152
Garnishment, 27-18-406
  applicability of laws, 25-13-504
Geophysical exploration permitholders, exhibition of permit upon demand, 82-1-105
Gifts
  acceptance prohibited, 2-2-104
  lobbyists, gifts from, 5-7-102, 5-7-210
  to public servants by persons subject to their jurisdiction unlawful, 45-7-104
Governor-elect, assistance for, 2-15-221
Grievance procedures, 2-18-1011 — 2-18-1013
  classification appeals, nonapplicability, 2-18-203
Group benefits
  advisory council, 2-18-809, 19-50-101
    alternatives to conventional insurance, 2-18-812
    creation and composition, 2-15-1016
    deferred compensation plans, functions, 19-50-206
    functions, 2-18-618, 2-18-810
  definitions, 2-18-701, 2-18-809
  disability, See **INSURANCE, DISABILITY, Policies, group**
  employer contributions, 2-18-703
  firefighters, applicability of provisions, 7-33-4130
  health service corporations, 2-18-702
  ineligibility, 2-18-703
  job sharing, 2-18-107
  legislators, participation, 2-18-703, 2-18-704, 5-2-303
  life, See **INSURANCE, LIFE, Group life; Groups and group requirements**
  mandatory provisions, 2-18-704
  premiums, 2-18-702 — 2-18-704
  regents of higher education, board of, 2-18-702, 2-18-815
  retirement benefits, premiums withheld from
    police officers, 19-19-505
    public employees, 19-2-904
  small employer health insurance, nonapplicability, 33-22-1803
  spouses, provisions regarding, 2-18-704, 33-22-508
  state employees, 2-18-809, 2-18-811
    alternatives, authorization and requirements, 2-18-812
    combined groups, 2-18-813
    costs of administration and negotiation, 2-18-814
    employer contributions, 2-18-703, 2-18-1205

PUBLIC OFFICERS OR EMPLOYEES (Continued)
Group benefits (Continued)
  state employees (Continued)
    job sharing, 2-18-107
    legislators, former — continuation, 2-18-704
    Montana insurance code, nonapplicability, 33-1-102
    plans, 2-18-811, 2-18-814, 2-18-816
    purpose of provisions, 2-18-808
    reduction in force, continuation, 2-18-703, 2-18-1205
    regents of higher education, board of — authority transferred when, 2-18-815
    self insurance, 2-18-812
      genetics program charge, 33-2-712, 33-2-713
  subrogation, 2-18-901, 2-18-902
  unused employer contributions, 2-18-703
Gubernatorial commissions, 2-16-204
Hazardous duty pay, 2-18-110
Health information, requests for — Department of Health and Environmental Sciences, 50-16-101
Holidays, 2-18-601, See also **HOLIDAYS**
  employee's day off, observance when occurring on, 2-18-603
  job sharing, 2-18-107
  legal, enumeration, 1-1-216
Hours of work, employees, 39-4-102, 39-4-107
Housing authority bonds, investment in, 7-15-4505
Immunity from liability, Title 2, chapter 9, part 1, See **GOVERNMENT LIABILITY**
Impeachment, officers subject to, Const., V, 13; Title 5, chapter 5, part 4, See **IMPEACHMENT OF PUBLIC OFFICERS**
Impersonation of a public servant unlawful, 45-7-209
Inability to perform duties, Const., VI, 6, See **Vacancy in office**; **GOVERNOR**, **Succession**
Incentive program for local government employees, Title 7, chapter 4, part 5, See **LOCAL GOVERNMENT**
Incentive program for state employees, 2-18-1101
  awards, 2-18-1103, 2-18-1105, 2-18-1106
  creation, 2-18-1102
  implementation, 2-18-1103
  position elimination, salary increase based on, 2-18-1107
Incompetence, 2-16-603
Indian reservations, state jobs — hiring preference for residents, 2-18-111, 18-1-110, 49-2-303, 49-2-403
Injunctions against, 27-19-103
Insurance, See **Group benefits**; See also **INSURANCE, LIFE, Group life**; **Groups and group requirements**
Involuntary transfer, 2-8-301
Job sharing, 2-18-101, 2-18-102, 2-18-107
Joint authority, words giving, 1-1-218
Jury duty, 2-18-604, 2-18-619
Labor organizations
  employees, Title 39, chapter 31, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
  officers, prohibited, 39-31-103
Law Library, State — use of, 22-1-505
Layoff, 2-8-301, 2-18-1201 — 2-18-1206, 39-2-1001 — 39-2-1004
Leave of absence, 2-18-304, 2-18-601, 2-18-606, 2-18-612, 2-18-620, 10-1-604, 10-2-224, 10-2-225
Leave time, Title 2, chapter 18, part 6
  absence without pay
    longevity allowance, 2-18-304
    vacation leave credits, 2-18-611, 2-18-612
  definitions, 2-18-601
  incentive award as, 2-18-1107
  job sharing, 2-18-107
  jury duty, 2-18-604, 2-18-619

PUBLIC OFFICERS OR EMPLOYEES (Continued)
Leave time (Continued)

- leave of absence, mandatory, 2-18-620
- military, 2-18-604, 2-18-614, 2-18-621, 10-1-604
- parental leave, 2-18-606
- rules, 2-18-603, 2-18-604
- sick, 2-18-601, 2-18-618
- unlawful termination of employee concerning, 2-18-621
- vacation, 2-18-601, 2-18-617
  - annual leave, 2-18-611
  - dates, determination, 2-18-616
  - illness, absence due to — chargeable against, when, 2-18-615
  - rate earned, 2-18-612
  - state employees, transfer to different position — effect, 2-18-1204
- witness, service as, 2-18-619

Legal advertising, publication requirements, Title 18, chapter 7, part 2
Legislative audits concerning, 5-13-304
Liability, Title 2, chapter 9, part 1, See **GOVERNMENT LIABILITY**
Library services for, 22-1-103
Livestock protective committees, cooperation and assistance, 81-6-103
Lobbying and lobbyists, Title 5, chapter 7, See **LOBBYING AND LOBBYISTS**
Local government, See also **CITIES AND TOWNS; CITY-COUNTY CONSOLIDATION, OPTION TWO; CITY OFFICERS; COUNTIES; COUNTY OFFICERS; MUNICIPAL COMMISSION GOVERNMENT, Officers and employees; MUNICIPAL COMMISSION-MANAGER GOVERNMENT, Officers and employees**; specific officer

- powers, 7-1-111
- sick leave fund, establishment, 2-18-618
- study commissions, consultants for — leave time, 7-3-183

Lodging expenses, See **Travel expenses**
Longevity allowance, 2-18-304
Lottery, state — tickets or chances, names not to appear on, 23-7-302
Malfeasance, misfeasance, or nonfeasance in office

- abuse of authority, Title 27, chapter 28
- appropriations, mishandling, 17-8-103, 17-8-104
- arrest, prejudgment, 27-16-102
- city-county officers or employees, conflict of interest, 7-3-1257
- conservation districts
  - board of adjustment members, 76-15-721
  - supervisors, 76-15-314
- drainage district commissioners, 85-8-314
- election law violations, 13-35-106
- general provision, 2-16-501, 2-16-503
- impeachment for, Const., V, 13; Title 5, chapter 5, part 4
- jurors, conviction bar to competency for service, 3-15-303
- law enforcement officers, 7-32-2129, 7-32-4105, 7-32-4155, 61-3-106
- legislative auditor
  - removal for, 5-13-303
  - report, duty to, 5-13-304
- political practices, commissioner of, 13-37-102
- quo warranto, Title 27, chapter 28
- state lands, violations affecting, See **STATE LANDS, Public officers, employees, or representatives**
- urban renewal projects, conflict of interest, 7-15-4239, 7-15-4240

Mandamus, no personal liability, 27-26-403
Meals and mileage allowances, See **Travel expenses**
Megalandfill siting requirements or rules, failure to enforce, 75-10-940
Mental illness, 2-16-501, 2-16-503, 2-16-603; Const., VI, 14
Military officers as, 10-1-208

PUBLIC OFFICERS OR EMPLOYEES (Continued)

Military service, 2-18-604, 2-18-614, 2-18-621, 10-1-604, 10-2-224, 10-2-225, 39-31-404, See also **VETERANS, Reemployment**
  appointment of "acting" officers, 10-2-227
Mines and mining
  debarment from mine, certain officers not subject to, 50-72-204, 50-72-205, 50-73-412, 50-73-413
  failure to enforce requirements or rules, 82-4-142, 82-4-252, 82-4-354
Misconduct, official, 45-7-401
Misfeasance in office, See **Malfeasance, misfeasance, or nonfeasance in office**
Misuse of public funds, See also **CRIMES, Theft**
  appropriations, overspending, 17-8-103, 17-8-104
  prosecution, 5-13-310
  time limitations on prosecution, 45-1-206
Motor vehicle equipment and traffic regulations, responsibilities, 61-8-106, 61-9-106
Motor vehicles, state-owned
  use, 2-17-421, 2-17-423
  violations and penalty, 2-17-423, 2-17-432
Municipal officers, See **CITY OFFICERS; MUNICIPAL COMMISSION GOVERNMENT, Officers and employees; MUNICIPAL COMMISSION-MANAGER GOVERNMENT, Officers and employees**
Neglect of duty, 2-6-107, 2-16-501, 15-1-202, 17-2-109, 27-16-102, 75-20-404, 82-4-142, 82-4-252, 82-4-354
Negotiable instruments payable to, 30-3-126
Nepotism, Title 2, chapter 2, part 3, See **NEPOTISM**
Nonfeasance in office, See **Malfeasance, misfeasance, or nonfeasance in office**
Notarial acts, Title 1, chapter 5, part 6, See **NOTARIES PUBLIC**
Oaths, 2-16-211; Const., III, 3
  administering, 2-16-116
  deputies, 2-16-302
  failure to file, 2-16-501
  filing, 2-9-506, 2-16-212, 2-16-507
  violation, 2-16-603
Obstructing a peace officer or public servant unlawful, 45-7-302
Office hours, 2-16-117
Offices, location, 2-16-111; Const., VI, 1
Official misconduct, 2-16-603, 45-7-401
"Official proceeding" defined, 45-2-101
Official records, certification by, Title 25, chapter 20, M.R.Civ.P., Rule 44(a), See also **PUBLIC RECORDS**
Other public office, may not hold, Const., VI, 5
Overspending, penalty, 17-8-103, 17-8-104
Overtime compensation exclusions, 39-3-406
Parental leave, 2-18-606
Pay, See **Compensation** entries
Payroll system, Title 2, chapter 18, part 4
Per diem, See **Travel expenses**
Performance bonds, Title 2, chapter 9, part 5, See **SURETY BONDS, Official bonds**
Perjury, 45-7-201
Personnel administration, 2-18-102
Political activity
  community service corps personnel, political contributions prohibited when, 90-14-106
  discrimination, 49-2-308, 49-3-201 — 49-3-207, 49-3-209
    justifiable when, 49-2-308
  leave of absence, mandatory, 2-18-620
  libel by, 13-35-234
  Montana conservation corps program, political contributions prohibited when, 23-1-314

PUBLIC OFFICERS OR EMPLOYEES (Continued)
Political activity (Continued)

  right of expression, 13-35-226
  unlawful practices, 7-3-1254, 7-3-4256, 7-3-4265, 13-35-226
Preference in employment, 2-18-111, See also **LABOR AND EMPLOYMENT**
  handicapped persons, to, Title 39, chapter 30
  veterans, to, Title 39, chapter 29
Printing, state — violations, 18-7-105
Prison inmates are not public employees, 53-30-132, 53-30-152
Privatization of state programs
  bids and proposals, public inspection, 18-4-301, 18-4-303
  effect, consideration, 2-8-301, 2-8-303, 2-8-304
  employees, protection, 2-18-1201 — 2-18-1206
  state liquor stores, conversion to agency liquor stores — exemption, 16-2-408
Privileged communications to, 26-1-810, See also **EVIDENCE, Privileges**
Public Employees' Retirement System Act, Title 19, chapter 3
"Public office" defined, 13-1-101
Public records, Title 2, chapter 6, See **PUBLIC RECORDS**
"Public servant" defined, 45-2-101
Purchases
  contracts, state — collusion or transfer unlawful, 18-4-141
  goods and services, Title 18, chapters 4 and 5
Qualifications generally, 2-16-102; Const., VI, 3
Quo warranto, Title 27, chapter 28
Real estate broker and salesman provisions, exemption from — when, 37-51-103
Reapportionment Commission members not to be, 5-1-101; Const., V, 14
Recall Act, Title 2, chapter 16, part 6, See **RECALL**
Reclamation and development grants program, bribery on, 90-2-1121
Records
  employee, 2-18-102
  entries, prima facie evidence, 26-1-605, 26-1-606
  management, Title 2, chapter 6, part 2, See **PUBLIC RECORDS**
  official, certification by, Title 25, chapter 20, M.R.Civ.P., Rule 44(a), See also **PUBLIC RECORDS**
Recycling, informational programs, 75-10-806
Reduction or retrenchment
  governmental facilities or agencies, 2-18-1201 — 2-18-1206, 39-2-1001 — 39-2-1004
  group benefits, continuation — negotiability, 2-18-703
  severance pay and retraining allowance, negotiability, 2-18-622
Removal from office, 2-16-501, 2-16-503, 2-17-421, 13-35-106, 13-35-234, 15-30-303, 15-31-511, 17-8-104, 27-2-212; Const., VI, 14, See also **IMPEACHMENT OF PUBLIC OFFICERS; RECALL**
Renewable resource grant and loan projects, bribery, 85-1-622
Residence, 2-16-111, 2-16-501; Const., VI, 1; VI, 3
Resignations, 2-16-501, 2-16-502; Const., VI, 6; VI, 14; Title 25, chapter 20, M.R.Civ.P., Rule 25(d), See also **Vacancy in office**
Retirement, Title 19, chapter 3, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM**
Revenue, Department of — cooperation with, 2-7-105
Salaries, See **Compensation** entries; **WAGES AND SALARIES**
Sanitarian licensing provisions, exemption when, 37-40-102
School district architectural service contracts, contingent fees prohibited, 20-6-636
Seals
  affixation, 1-4-202
  authentication of records, Title 25, chapter 20, M.R.Civ.P., Rule 44(a)
  defined, 1-4-201
  executive and state officers, 2-15-401, 2-16-113
  facsimile, 2-16-114, 17-5-1114, 39-71-2355, 90-4-612
  wills, self-proved — certification, 72-2-524
Self insurance, See **Group benefits**, state employees, generally

PUBLIC OFFICERS OR EMPLOYEES (Continued)

Session laws, copies to, 5-11-203
Shift differential pay, 2-18-110
Sick leave, 2-18-601, 2-18-618, See also **Leave time**
Sick-pay plan, 2-18-601, 2-18-605
Signatures
    authentication of documents, Title 26, chapter 10, M.R.Ev., Rule 902
    ex officio officers, 2-16-115
    facsimile, 2-16-114, 5-2-105, 7-1-4140, 17-5-1102, 20-9-221, 33-15-306, 35-1-1311, 35-2-1111, 37-54-302, 39-71-2355, 75-10-623, 90-4-612
Slanderous statements about, 27-1-803
Social security system, Title 19, chapter 1
State Employee Group Benefits Advisory Council, 2-18-618
State employee protection when positions eliminated, 2-18-1203
    citation of state employee protection act, 2-18-1201
    definitions, 2-18-1202
    group insurance and employer contributions, 2-18-1205
    notice, 2-18-1206
    protection when positions eliminated, 2-18-1203
    register of jobs, 2-18-1203
    salary and benefits, subsequent employee transfer, 2-18-1204
    severance pay, acceptance — effect, 2-18-622
    state liquor store employees and liquor division central office employees, 16-2-406
State funds and accounts, reports concerning, 17-2-109
State lands, See **STATE LANDS**
State self insurance, See **Group benefits**, state employees, generally
State Tax Appeal Board, ineligible as member, 15-2-102
Statewide classification and pay plans, See **Classification; Compensation determination**
Strikes by employees, 39-31-201, See also **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Student loan program, guaranteed — information concerning delinquent loans, 20-26-1111
Subdivision reviewing authority, cooperation, 76-4-106
Subpoenas answered by state employees, compensation for time spent, 26-2-515
Supreme court decisions, reports to, 3-2-604
Surety bonds, Title 2, chapter 9, part 5, See **SURETY BONDS**, **Official bonds**
Surplus property transfers by, 18-5-205
Tax information
    disclosure, 15-30-303, 15-31-511
    furnished by, 15-1-201, 15-1-301
Termination
    closure or retrenchment of governmental facilities, notification, 39-2-1003
    contracts, interest in — allowed when, 2-2-201
    health care information, for disclosure of patient identity — employees of board or department of health and environmental sciences, 50-5-106
    motor vehicles, state-owned — use violations, 2-17-421
    pay due when, 39-3-205
    severance pay, 2-18-622
    unlawful when, 2-18-621
Term of office, 2-16-213; Const., VI, 1; VI, 6
Threats and other improper influence unlawful, 45-7-102
Torts, See **GOVERNMENT LIABILITY**, **Actions** entries; **Claims**; **TORTS**
Traffic regulations and motor vehicle equipment, responsibilities, 61-8-106, 61-9-106
Transportation, free or reduced rates when, 7-3-4256, 7-3-4367, 69-11-109, 69-11-208
Travel expenses
    claims for, 2-18-511
    conventions, restrictions, 2-18-512
    lodging, 2-18-501, 15-65-121, 15-65-131

PUBLIC OFFICERS OR EMPLOYEES (Continued)
Travel expenses (Continued)

- meal allowance, 2-18-501, 2-18-502
- mileage, 2-18-503, 2-18-504, 69-11-109
- quasi-judicial board members, 2-15-124

Trust duties, 2-2-103
Unclaimed property held by, 70-9-207, See **PROPERTY, PERSONAL, Unclaimed property**
Unemployment insurance coverage exclusions, 39-51-204, See also **UNEMPLOYMENT INSURANCE, Governmental entities**
Uniform Facsimile Signatures of Public Officials Act, 2-16-114
Union organization, 39-31-201, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Urban renewal project powers and responsibilities

- conflict of interest, 7-15-4239
- misconduct in office, 7-15-4240

Usurpation of office, 27-28-101, 27-28-301, 27-28-308
Vacancy in office, See also **GOVERNOR, Succession**

- created how, 2-16-213, 2-16-501; Const., VI, 14
- filling
  - elective offices, in, 2-16-504, 2-16-505; Const., VI, 6
  - recess appointments, 2-16-506
- notice of removal, 2-16-503
- officer filling unexpired term, 2-16-507
- recall, by, 2-16-635
- resignations, Const., VI, 6
  - procedures, 2-16-502
  - recall, by, 2-16-622, 2-16-635
- unexpired term, powers of officer filling, 2-16-507

Vacation leave, 2-18-611, 2-18-612, 2-18-615 — 2-18-617, See also **Leave time**
Veterans

- employment preference, Title 39, chapter 29, See **LABOR AND EMPLOYMENT, Preference to veterans**
  - officers, nonapplicability, 39-29-101
- reinstatement to public office, Title 10, chapter 2, part 2, See **VETERANS**

Violation of official duties, 2-16-501, 2-16-503, 2-16-603
Wages, See **Compensation** entries
Warrants and other claims

- auditing officers, affidavit requirement, 2-2-205
- dealings in, prohibited, 2-2-204
- illegal, not to pay, 2-2-206
- settlements withheld when, 2-2-207

Waters of state

- appropriation or use contrary to provisions, unlawful, 85-2-311
- appropriation right, aiding or assisting in unauthorized change unlawful, 85-2-402

Witnesses

- employees, service as, 2-18-619
- officers as, See **Actions involving**

Workers' compensation, Title 39, chapter 71, See **WORKERS' COMPENSATION, Public employers**

PUBLIC PARTICIPATION IN GOVERNMENT, Const., II, 8; Title 2, chapter 3
See **OPEN OR PUBLIC MEETINGS**

PUBLIC RECORDS
Access to public records, 2-6-101 — 2-6-110, 2-6-211, 2-6-302, 2-6-304, 2-15-113, 7-1-4144, 7-3-4323, 18-4-126, 30-9-403, 69-3-105; Const., II, 9

- exception, 2-6-304, 7-1-4144, 22-1-1103, 22-3-802, 22-3-807, 40-8-126, 44-5-104, 53-9-107

Administrative proceedings

- administrative rules, policy statements, and notices — inspection, 2-4-103, 2-4-306
- contested case decisions and orders, inspection, 2-4-623

PUBLIC RECORDS (Continued)
Administrative proceedings (Continued)

  rulemaking, negotiated — convener's report and recommendations, 2-5-104
Adoption proceedings and records
  confidentiality, 40-8-126, 52-2-505
  hard-to-place children, 52-2-505
Agricultural lien centralized computer filing system, financing statement information, 30-9-403
Air contaminant sources, records and information, 75-2-105
Air pollution advisory council, record of proceedings, 75-2-123
Archives, 10-1-102, 22-3-202, 22-3-203, 22-3-221, See also **State archives**
Athletics, Board of — records of proceedings, inspection, 23-3-401
Attachment of property, complaint in cases of, 27-18-111
Attorney general's register, inspection, 2-15-501
Auctions, book of sales — inspection, 30-11-505
Audit and financial reports of local government entities, 2-7-514, 2-7-521
Authentication, 26-1-623; Title 25, chapter 20, M.R.Civ.P., Rule 44(a); Title 26, chapter 10, M.R.Ev., Rules 901, 902
Banks and trust companies
  banking corporation bylaws, inspection, 32-1-308
  reports to department of commerce, confidentiality, 32-1-234
  holding companies, acquisition of financial institutions — applications and statement, 32-1-384
Birth certificates, confidentiality when, 40-6-123
Building and loan associations, reports to and examinations by department of commerce — confidentiality, 32-2-307
Burial site records, nondisclosure, 2-6-101, 22-3-802, 22-3-807
Capitol, records to be kept at, Const., VI, 1
Cataloging, 2-6-203, 2-6-302
Categorization, 2-6-212
Cemeteries and cemetery districts
  permanent care and improvement fund trustees' annual reports, 7-35-2150
  register of interments, 7-35-4109
Certified copies, 2-6-111, 2-6-207, 2-6-307, 7-4-2222, 15-7-101, 33-1-312, 39-71-205, 39-71-223; Title 25, chapter 20, M.R.Civ.P., Rule 44(a); Title 26, chapter 10, M.R.Ev., Rules 902, 1005, See also **Copies**
Child abuse and neglect, records confidential when, 41-3-205
Child custody, records of proceedings, 40-4-216
Chiropractic Legal Panel records, 27-12-702
Chiropractors, board of — record of proceedings, 37-12-201
Cigarette tax hearings, inspection of findings and order, 16-11-103
Cities and towns, 7-1-4144, See also **Local government**
  boundary alterations, transcripts, 7-2-101
  codes, statement of intent to adopt or amend by reference, 7-5-108
  confidential when, 7-1-4144
  councils, journals of proceedings — inspection, 7-5-4123
  inspection, records open to, 7-1-4141, 7-1-4144, 7-5-108, 7-11-305, 7-31-103
  winter work committee minutes, 7-16-4309
  zoning board of adjustment records, 76-2-325
Citizens' rights, 2-6-102, 2-6-207, 2-6-307, 7-3-4323
City-county government appointees — removal, suspension, or layoff — reasons and decisions, 7-3-1244
Civil rights laws, records maintained for — availability when, 49-2-102
Classes of public writings, 2-6-101
Collective bargaining dispute, fact finder's report, 39-31-309
Condominiums, notice of intention to sell — inspection, 70-23-203
Conservation district board of adjustment records, 76-15-722
Conciliation court hearings and files, 40-3-116
Confidentiality, 2-6-102, See specific subject
Consumer loan business licenses, order granting or denying, 32-5-202
Consumer reports, inclusion of information in, 31-3-115, 31-3-126

PUBLIC RECORDS (Continued)

Contractor registration, application, 39-9-202
Copies
    certified, 2-6-111, 2-6-207, 2-6-307, 7-4-2222, 15-7-101, 33-1-312, 39-71-205, 39-71-223; Title 25, chapter 20, M.R.Civ.P., Rule 44(a); Title 26, chapter 10, M.R.Ev., Rules 902, 1005
    citizens' right to, 2-6-102, 2-6-207, 2-6-307
    coal mines, maps for department of labor and industry — restrictions, 50-73-205
    electronic information, 2-6-103, 2-6-110
    fees, 2-6-103, 2-6-110, 7-1-4144, 13-37-119, 39-71-205, 39-71-223
    production, 2-6-111, 7-1-4144, 7-4-2222, 7-4-2223
    public obligations, ownership or pledge — registration records not subject to, 17-5-1106
    securities registration register, 30-10-107
Counties, See also **Local government**
    boundary alterations, transcripts, 7-2-101
    codes, statement of intent to adopt or amend by reference, 7-5-108
    inspection, records open to, 7-5-108, 7-6-2316, 7-11-305, 7-21-3426, 7-31-103
    manner of keeping, 7-4-2221
    name change, effect, 7-2-2508, 7-2-2509
    reproductions, substitution for original, 7-4-2222, 7-4-2223
    zoning
        board of adjustment records, 76-2-225
        proposed regulations, 76-2-205
County clerk and recorder, books of record and indexes, 7-4-2622, See also **COUNTY CLERK AND RECORDER**, **Recording documents**
County Commissioners, Board of — records, 7-5-2131
Court proceedings, inspection, 2-6-105
Credit reports, inclusion of information in, 31-3-115, 31-3-126
Crime victims compensation records, 53-9-107
Criminal justice information, See **CRIMINAL JUSTICE INFORMATION**
Criminal proceedings
    indictments, record of concurrence — access limited, 46-11-303
    pretrial, confidentiality, 46-11-701
Custody, 2-6-106, 2-6-110, 2-6-111, 2-6-211, 2-6-302, 2-6-401, 7-2-102; Const., VI, 4
Dairies and dairy products, pasteurization records — inspection, 81-22-414
Death, when presumed, 26-1-622, 26-1-623
Definitions, 2-6-101, 2-6-110, 2-6-202, 2-6-301, 2-6-401, 39-71-221
Delivery
    attachment to enforce, 2-6-108
    proceedings to compel, 2-6-107
Dentistry, board of — proceedings, 37-4-202
Destruction, 2-6-205, 2-6-302, 2-6-303, 2-6-402, 7-4-2222, See also **Preservation**
    approval required when, 2-6-212
    election records, 13-1-303
        ballot issue petitions, 13-27-305
        campaign finance reports, 13-37-231
    lien records, 71-3-705, 71-3-810
    missing persons, dental records files, 44-2-401
    motor vehicle registration records, 61-3-101
    secured transaction financing statements when, 30-9-403
    tax records, 15-1-103, 15-1-104, 15-30-303
Detention centers, proposals for private party contracts — inspection, 7-32-2233
Disposal, 2-6-111, 2-6-204, 2-6-205, 2-6-212, 2-6-213, 2-6-303, 2-6-304, 2-6-402, 7-4-2222, 18-4-126
Economic development bonds, prospectus and disclosure documents — inspection, 17-5-1506
Election records, 13-1-109, See also **ELECTIONS**, **Records**
    ballot issue petitions
        retention and destruction, 13-27-305

PUBLIC RECORDS (Continued)
Election records (Continued)
  ballot issue petitions (Continued)
    tampering or falsification, 13-27-106
  campaign reports, 13-37-119, 13-37-231
  campaign treasurer's accounts, 13-37-208
  destruction, 13-1-303, 13-27-305, 13-37-231
  falsification, unsworn, 13-27-106, 13-35-207
  retention, 13-1-303, 13-27-305, 13-37-119, 13-37-208, 13-37-231
  secretary of state's records, 13-1-204
  social security number as voter registration number, confidentiality, 13-2-114
  tampering with, 13-35-205 — 13-35-207
Electronic information, 2-6-103, 2-6-110
Emergency, essential records — protection, 2-6-206
Employment records
  apprenticeship, reports on, 39-6-101
  collective bargaining dispute, fact finder's report, 39-31-309
  unemployment insurance records, inspection — open to, 39-51-603
  workers' compensation records, See **Workers' compensation**
Energy
  renewable sources and conservation research, 90-4-106
  supply information, access limited, 90-4-305
Evidence, public records as, See **EVIDENCE**
Execution book, inspection, 25-13-405
Executive branch agencies, records management, See **Management**
Executive branch officers, See also **Public officers or employees**
  definitions, 2-6-301
  department heads, rights prior to assumption of office, 2-15-113
  essential records, designation, 2-6-206
  official records, 2-6-301
    certified copies, 2-6-307
    kept where, Const., VI, 1
    management, 2-6-302 — 2-6-304; Const., VI, 1; VI, 4
    ownership, 2-6-303
  outgoing officials, duties, 2-6-107, 2-6-303, 2-6-304
  personal papers, 2-6-304
  transfer of records, 2-6-211, 2-6-303, 2-6-304
Facility siting
  environmental impact studies, 75-20-211
  long-range plans, 75-20-501
Fairs and fair districts
  fairs and civic center commission, joint — inspection of records, 7-21-3452
  fair district records, inspection, 7-21-3426
Falsification, unsworn — involving records, 2-16-612, 13-27-106, 13-35-207, 45-7-203
Family law, See **Minors**; **Parent and child**
Filing
  fees, 2-6-103
  systems, 2-6-203
Fire insurance reports to state agencies, 50-3-102, 50-63-403
Forest lands, ownership, 76-13-108
Governmental entities, claims against — compromise or settlement agreements, 2-9-303, 2-9-304
Grain inspectors, samplers, and weighers — inspection of records, 80-4-722
Grazing district record of sale of trespassing livestock, inspection, 76-16-317
Health care records
  health care facilities — records, reports, and certificate of need applications, 50-5-106
  medical records, 7-1-4144, 39-71-224, 41-5-603, 53-9-107, See also **HEALTH CARE INFORMATION**
  occupational safety records and reports, 50-71-315, 50-71-321

PUBLIC RECORDS (Continued)
Health care records (Continued)

  tumor registry, 50-15-704
Health facility authority, prospectus and disclosure documents — inspection, 90-7-112
Health maintenance organizations, filings and reports, 33-31-112
Hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
Historical Society
  certified copies, production, 2-6-207, 2-6-307
  duties, 2-6-302, 22-3-107
  local government records committee, membership, 2-6-402
  official records
    certified copies, 2-6-307
    management, 2-6-302
    outgoing officials, 2-6-303, 2-6-304
    transfer to state archives when, 2-6-303
  state archives, See **State archives**
  war memorabilia, 22-3-221
Historic records network, 22-3-102, 22-3-107, 22-3-211, 22-3-212, See also **HISTORICAL SOCIETY**
Horseracing, Board of — records, 23-4-103
Inspection, open to, 2-6-102; Const., II, 9, See specific subject
Insurance, commissioner of
  records and insurance filings, inspection, 33-1-312
  rules or amendments to, 33-1-313
Insurance guaranty association
  examination reports, inspection when, 33-10-218
  records of meetings and negotiations when, 33-10-206
Insurance information and privacy protection, 33-19-102, 33-19-103, 33-19-202, See also **INSURANCE, Information and privacy protection**
Insurance joint underwriting associations, annual reports, 33-22-815
Insurance producers, surplus lines — affidavits, inspection, 33-2-310
Insurer's examination reports, confidentiality when, 33-1-409
Inventorying, 2-6-203, 2-6-213, 2-6-302
Irrigation district records, inspection, 85-7-1913, 85-7-2109
Jury lists and computerized random selection process, 3-15-503, 3-15-601
Justices' courts, youth matters cited in, 3-10-518
Justices of the peace, dockets and records, 3-10-511
Labor disputes, fact finder's report, 39-31-309
Land use planning, natural areas preservation — files, 76-12-116
Law enforcement records, 7-1-4144
  child abuse and neglect, 41-3-205
  license plates and certificates of registration for law enforcement agencies, confidential, 44-4-201, 44-4-203
  missing persons' dental records, 44-2-401, 44-2-402
  youth, concerning, 3-10-518, 41-5-605
Legislative auditor, examination, 5-13-309
Legislative fiscal analyst, examination and obtaining, 5-12-303
Legislature
  journals, inspection or copying — open to, 5-11-203
  maintenance of records, Const., VI, 4
  voting record, Const., V, 11
Library records, confidentiality and exceptions, 22-1-1103
Liens
  construction, notice of right to claim, 71-3-531
  secured transaction financing statements, 30-9-403
Livestock records
  abandoned horse fund, inspection, 81-4-512
  county livestock protective committee, minutes of meetings, 81-6-102

PUBLIC RECORDS (Continued)
Livestock records (Continued)

- horse herd district fund, inspection, 81-4-327
- marks and brands, 81-3-103

Lobbyists' dockets, 5-7-202
Local government
- audit and financial reports, 2-7-514, 2-7-521
- definitions, 2-6-401
- inspection, records open to, 7-3-105, 7-3-147, 7-3-153, 7-3-181
- "records administrator" defined, 7-3-122
- records committee, 2-6-402 — 2-6-404
  - destruction or disposal of records, 2-6-403, 30-9-403, 71-3-705, 71-3-810
  - official records, guidelines for, 2-6-302
- weighers, public — inspection of records, 7-21-3106

Machine guns, registration with department of justice — inspection not permitted, 45-8-309
Mailing lists
- distribution and sale prohibited when, 2-6-109
- secured transaction financing statements, compilation from — prohibited, 30-9-403

Management
- administration, department of — technological compatibility standards, 2-6-214
- agency responsibilities, 2-6-213
- cataloging, filing, and inventorying records, 2-6-203, 2-6-213
- committees, See **Local government**; **State Records Committee**
- definitions, 2-6-202
- destruction or disposal, 2-6-204, 2-6-205, 2-6-212, 2-6-213, 18-4-126
- essential records, designation and protection, 2-6-206
- microfilm, 2-6-202, 2-6-203, 2-6-206, See also **Microfilm**
- official records, 2-6-302 — 2-6-304; Const., VI, 1; VI, 4
- policy of state, 22-3-201
- procurement records, state, 18-4-126, 18-4-306
- purpose of program, 2-6-201
- retention of records, 2-6-203, 2-6-212, 2-6-213, 18-4-126, 18-4-306
  - schedules, 2-6-204, 2-6-211, 2-6-213
- state archives, for, 22-3-202
- state archivist, assistance by, 22-3-203
- storage and preservation of records, 2-6-205
- technological compatibility standards, 2-6-214
- transfer of records, 2-6-203, 2-6-205, 2-6-211, 2-6-213

Medical Legal Panel records, 27-6-703
Microfilm
- administration, department of — duties, 2-6-203
- agricultural lien centralized computer filing system, 30-9-403, 30-9-404, 30-9-407
- counties, manner of keeping, 7-4-2221 — 7-4-2223
- essential records, reproduction, 2-6-206
- executive branch officers, official records, 2-6-301
- historical society, duties, 22-3-107
- historic records network, 22-3-211
- "public records" defined, 2-6-202
- secured transaction financing statements, 30-9-403, 30-9-404

Military affairs, maintenance, 10-1-102, 22-3-221
Mining
- coal mines, maps for department of labor and industry — inspection when, 50-73-205
- opencut, reclamation — contract, reclamation plan, and amendments — inspection, 82-4-434
- strip and underground, permit application — inspection, 82-4-222

Minors
- child abuse and neglect records, 41-3-205
- law enforcement records, 3-10-518, 41-5-605

PUBLIC RECORDS (Continued)

Missing persons
  dental records, 44-2-401, 44-2-402
  presumption, 26-1-622, 26-1-623
Motor vehicles
  license plates and certificates of registration for law enforcement agencies, confidential, 44-4-201, 44-4-203
  registration or driver's license records, 2-6-109, 61-3-101, 61-3-105
Municipal commission government ordinances, inspection, 7-3-4222
Municipal commission-manager government, inspection of records
  estimates of expenditures and revenues, 7-3-4371
  minutes and records of meetings, 7-3-4323
  public places, ordinances or resolutions regarding, 7-3-4449
Natural areas preservation, files and proceedings, 76-12-116
Natural resource information system data, 90-15-304
Nursing, board of — inspection of records and files, 37-8-201
Occupational health information
  disease reports, exclusion as, 50-70-107
  records confidential when, 50-70-109
Official records, 2-6-301 — 2-6-304, 2-6-307; Const., VI, 1; VI, 4, See also **Executive branch officers**; **Public officers or employees**
Oil and Gas Conservation, Board of — information furnished to, 82-11-117
Oil and gas determinations, inspection, 82-11-116
Open meetings, minutes or records — inspection, 2-3-212, 7-1-4141, 7-3-4323
Optometrists, board of — record of proceedings, 37-10-201
Pardons and Parole, Board of — record of acts and decisions, 46-23-108
Parent and child, confidentiality of information concerning
  adoption proceedings, 40-8-126, 52-2-505
  birth certificate, original, 40-6-123
  child custody proceedings, 40-4-216
  paternity proceedings, 40-6-106, 40-6-111, 40-6-120
Pawnbrokers, register, 7-21-4207, 31-1-402
Personal records, confidentiality, 7-1-4144, 39-71-224, 53-9-107
Pesticide orders and rules, 80-8-105
Pipeline carriers, confidentiality of reports when, 69-13-301
Port authority, rules — open to inspection, 7-14-1112
Preservation, 2-6-205, 2-6-302, 2-6-303, See also **Destruction**; **Management**; **State archives**
  election records, 13-1-303, 13-37-119, 13-37-208, 13-37-231
  noncurrent records of permanent value, 22-3-201 — 22-3-203
  tax records, 15-30-303
Private security patrol officers and investigators, board of — records, 37-60-201
Probation and parole reports and records, confidentiality when, 46-23-108
Procurement records, state — public access, 18-4-126, 18-4-303, 18-4-304, 18-4-306
Proof, Title 25, chapter 20, M.R.Civ.P., Rule 44; Title 26, chapter 10, M.R.Ev., Rules 901, 902
Property of state, 2-6-205, 2-6-303
Property, personal — unclaimed
  claim of ownership, decision by state tax appeal board, 70-9-311
  sale records, 70-9-309
Property, real
  corner records, public availability, 70-22-109
  partition sales, record of investments and securities, 70-29-330
  transfer certificates, confidentiality, 15-7-308
Protection
  essential records, 2-6-206
  noncurrent records of permanent value, 22-3-201 — 22-3-203
  workers' compensation records, 39-71-222

PUBLIC RECORDS (Continued)

Public assistance, confidentiality of records
  aid to families with dependent children (AFDC), information, 53-4-233
  child support enforcement, disclosure for, 53-2-504
  medicaid information, 53-6-113, 53-6-133
  vocational rehabilitation information, 53-7-102, 53-7-315
  unlawful disclosure, 53-2-105, 53-2-106, 53-2-504
Public contractors, licensing records — inspection, 37-71-104
Public contracts, performance bonds — notice of claim against, 18-2-204
Public obligations, ownership or pledge — registration records not subject to inspection or copying, 17-5-1106
Public officers or employees
  copies, to furnish, 2-6-102
  entries in records, prima facie evidence of facts stated in, 26-1-605
  inspection, records open to, 2-6-104
  outgoing officers, delivery of records, 2-6-205, 2-6-303
    attachment to enforce, 2-6-108
    proceedings to compel, 2-6-107
  possession, 2-6-106
  removal of records from office, 2-6-105
  state archives, transfer to, 2-6-303
Public Safety Commission, proceedings regarding discharged employees, 7-32-108, 7-32-109
Public scales, record of weighing — inspection, 7-21-3106
Public Service Commission
  records and reports, access to, 69-3-105
  use of public records, 69-3-109
Realty regulation, board of — inspection of records, 37-51-201
Removal, 2-6-105, 2-6-302
Reproduction, 2-6-111, 2-6-206, 2-6-207, 7-1-4144, 7-4-2222, 7-4-2223
Retention, 2-6-203, 2-6-204, 2-6-211 — 2-6-213, 2-6-302, 13-1-303, 13-27-305, 13-37-119, 13-37-208, 13-37-231, 18-4-126, 18-4-306
Right to know, 2-6-101 — 2-6-110, 2-15-113, 7-1-4144, 18-4-126, 39-71-221 — 39-71-224; Const., II, 9
School finance, records open to inspection
  budgets, preliminary, 20-9-115
  funds, accounting records, 20-9-213
Secretary of state, See also **Executive branch officers**; **Public officers or employees**
  custodian, as, 2-6-111; Const., VI, 4
  election records, 13-1-204, 13-1-303
  fees, filing and copying, 2-6-103
  reproduction, 2-6-103, 2-6-111
  rules, 2-6-111, 30-9-403
  state lands, ownership — transfer, 77-1-702
Secured transaction financing statements, 30-9-403
Securities registration register, inspection, 30-10-107
State archives
  archivist, 22-3-202, 22-3-203
    local government records committee and subcommittee, membership, 2-6-402, 2-6-403
  creation, 2-6-302, 22-3-202
  essential records, storage, 2-6-206
  noncurrent records of permanent value, preservation, 22-3-201 — 22-3-203
  official records, 2-6-211, 2-6-302 — 2-6-304, See also **Executive branch officers**
  transfer of records to, 2-6-211, 2-6-302 — 2-6-304
State land
  lessees and permittees, geologic information — open to inspection when, 77-3-130, 77-3-211, 77-3-308, 77-3-451
  ownership records, transfer, 77-1-702

PUBLIC RECORDS (Continued)

State Library, agency deposits, 22-1-213
State records center
  establishment and operation, 2-6-203
  transfer of records to, 2-6-211
State Records Committee, 2-6-202
  appointments to, 2-15-1013
  categories of records, establishment, 2-6-212
  destruction of records, 2-6-212, 13-1-303
  disposal of records, approval, 2-6-111, 2-6-204, 2-6-212, 2-6-213
  election records, plan for retention and destruction, 13-1-303
  inventory procedures, 2-6-213
  official records, 2-6-302, 2-6-304
  reproduction, rules for — consultation, 2-6-111
  retention of records
    agency recommendations, 2-6-213
    election records, 13-1-303
    schedules, approval, 2-6-204
State records manager, 2-6-402
Storage, 2-6-205, 2-6-206, 2-6-211, 2-6-302 — 2-6-304, 7-4-2223
Subpoenas for, 2-6-211
Table wine distributors and suppliers, agreements of distributorship, 16-3-420
Tampering with records, 2-16-612, 13-27-106, 13-35-205 — 13-35-207, 45-7-208
Tax records
  appraisal and classification, 15-7-101, 15-7-102
  assessment revision review conference minutes, 15-8-601
  confidentiality, 5-12-303, 15-7-308, 15-30-303, 15-31-511, 15-38-109, 53-2-503, 72-16-201, 72-16-208
  corporation taxes, delinquency — suspension of corporate powers and certificate of reviver, 15-31-523
  delinquency lists, 15-16-702, 15-17-122, 15-17-211
  destruction, 15-1-103, 15-1-104, 15-30-303
  inspection, open to, 15-7-102, 15-17-122, 15-17-211, 15-30-303, 15-31-511, 15-35-205, 15-38-109
  new coal production incentive tax credit returns and information and exceptions, 15-35-205
  real property transfer certificates, confidentiality, 15-7-308
Teachers' retirement board proceedings, inspection, 19-20-201
Timber — records of converting factors, units of measure, and scale of logs, 77-5-206
Tort actions
  attorneys' fees, 2-9-314
  governmental entities, against — compromise or settlement agreements, 2-9-303, 2-9-304
Trademark and service mark records, inspection, 30-13-317
Transfer, 2-6-111, 2-6-203, 2-6-205, 2-6-211, 2-6-213, 2-6-302 — 2-6-304
Unemployment insurance records, 39-51-603
Unfair trade practices, investigation records, 30-14-114
Union disputes, fact finder's report, 39-31-309
Urban renewal agency, annual report — inspection, 7-15-4237
Utility rates, tolls, and charges — schedule, inspection, 69-3-301
Veterinarians, Board of — records, 37-18-203
Vital statistics, 50-15-102, 50-15-103, 50-15-108, 50-15-114
  disclosure of information from, 50-15-114, 50-15-122
  fees for searches, 50-15-111
  substitute, 50-15-207
Volunteer firefighters' pension, certificates of eligibility, 19-17-402
War records, storage and safekeeping, 10-1-102, 22-3-221
Water pollution sources, records and information, 75-5-105
Water use records, 85-2-112, See also **WATER USE, Records**
  ground water, 85-2-515
  inspection, open to, 85-1-215

PUBLIC RECORDS (Continued)

Water wells, public — data open to inspection, 75-6-105
Weather modification records and reports, inspection, 85-3-303
Welfare records, See **Public assistance**
Winter work committee minutes, 7-16-4309
Workers' compensation, 39-71-221, 39-71-2314
  certified copies, 39-71-223, 39-71-205
  confidentiality, 39-71-224, 39-71-2410
  inspection, open to, 39-71-221 — 39-71-224, 39-71-2503
Youth court, records, 3-10-518, 41-5-603, 41-5-605, 53-9-107
Zoning
  boards of adjustment, records, 76-2-225, 76-2-325
  county regulations, proposed, 76-2-205

PUBLIC SAFETY COMMISSION OR DEPARTMENT OF
  See **COUNTIES**

PUBLIC SCALES
Capacity and design, 7-21-3103
Establishment, 7-21-3101
Ownership, 7-21-3102
Weigher
  appointment, 7-21-3104
  bond, 7-21-3105
  fee for weighing, 7-21-3107
  misconduct, 7-21-3108
  record of weighing, 7-21-3106

PUBLIC SERVICE COMMISSION, 2-15-2602, 69-1-101
Carriers, duties, 69-1-102; Title 69, chapter 11, part 4
Chairman, 2-16-405, 69-1-107
Cities and towns
  revenue bond rates, fees, and charges — approval, 7-7-4428
  utilities, 69-7-112
Composition, 69-1-103
Conduct of business, 69-1-110
Consumer counsel, See **CONSUMER COUNSEL**
Creation, 69-1-102
Definitions, 69-1-101, 69-3-601, 69-3-701, 69-3-803, 69-3-901
Districts, 69-1-104
Election of, 13-12-207, 13-37-216, 69-1-103 — 69-1-106
Energy improvement loans, rules for computation of tax credit, 15-32-107
Energy, state policy — development process, 90-4-1003
Evidence
  fee of department, nonpayment, 69-2-205
  hearings, 69-2-201
  rate cases, 69-2-102
Expenses of members, 69-1-111
Fees charged by, 69-1-114
Fleet vehicles, intrastate authority, 61-3-722
Freight carriers, duties, 69-1-102; Title 69, chapter 11, part 4
Hearings, 69-1-110, 69-2-102, 69-2-201, 69-2-211, 69-2-212; Const., XIII, 2
Hydroelectric power generation facility rate determinations, 85-1-510 — 85-1-512
Injunction pending action by, 27-19-203, 69-2-202
Investigations, 69-1-110, 69-2-101, 69-2-102, 69-2-202, See also **MOTOR CARRIERS**; **RAILROADS**; **UTILITIES**
Irrigation district undertakings, fees — approval, 85-7-1419

PUBLIC SERVICE COMMISSION (Continued)

Meetings, 69-1-110
Motor carriers, supervision and regulation, Title 69, chapter 12
Personal staff of members, exemption from statewide classification and pay plans, 2-18-104
Pipeline carriers, authority, Title 69, chapter 13
Proceedings, 69-2-202
  consumer counsel, role, 27-19-203, 69-2-102, 69-3-303, 69-3-321, 69-3-904, 69-3-907; Const., XIII, 2; Title 69, chapter 2, part 2
  injunctions, 27-19-203, 69-2-202
  records, 69-1-108
  rules to govern, 69-1-110
Public Service Regulation, Department of, 2-15-2601; Title 69, chapter 1, part 4, See also **EXECUTIVE BRANCH**
  environmental policy provisions, exemption, 75-1-201
  facility siting, responsibilities, 75-20-211, 75-20-216, 75-20-221, 75-20-225, 75-20-226, 75-20-501
  hazardous material transportation, cooperation with other agencies, 75-10-404
  house movers or household goods carriers defined by, 69-12-302
  regulated companies, See **Regulated companies**
  solid waste contractors defined by, 69-12-302
Railroads
  favors from, acceptance prohibited, 69-1-112
  supervision and regulation, 69-1-102; Title 69, chapter 14
Rate cases generally, 69-2-101, 69-2-102
Records, 69-1-108
Regulated companies, 69-1-201, 69-1-401, See also **CONSUMER COUNSEL**
  corporation license tax, deductible contributions not allowed in rate base, 15-31-114
  fee charged by
    consumer counsel, recovery in rates and charges — authorization, 69-1-224
    department, 69-1-402, 69-1-403, 69-2-205
  gross operating revenues, statement — filing, 69-1-223, 69-1-402
  penalties, action to recover, 69-2-205
  proceedings involving, 69-2-202
Removal or suspension of member, 69-1-113
Role generally, 69-2-101, 69-2-102
Rules, 69-1-110, 69-2-101, 69-3-108, 69-4-201
Rural cooperatives, exclusion from jurisdiction, 35-18-104
Salaries of members, 2-16-405
Secretary, 69-1-108, 69-1-111, 69-1-112
Small business regulation and licensing system plan, cooperation in implementation, 30-16-303
Staff, 69-1-109, 69-1-111, 69-1-112, 69-2-102
State Tax Appeal Board decisions, venue for review, 15-2-303
Telecommunications services, duties, Title 69, chapter 3, parts 8 and 9
Telephone low income assistance program, duties, Title 69, chapter 3, part 10
Term of members, 69-1-105
Utilities, supervision and regulation, 69-1-102; Title 69, chapters 3 — 5 and 7
Vacancies, 69-1-106
Witnesses, 69-2-201

PUBLIC SERVICE REGULATION, DEPARTMENT OF, 2-15-2601; Title 69, chapter 1, part 4
  See **PUBLIC SERVICE COMMISSION**

PUBLIC WELFARE, COUNTY BOARD OF, Title 53, chapter 2, part 3
  See **COUNTY WELFARE**

PUBLISHING POLICY COMMITTEE
  See **PUBLIC CONTRACTS, Printing**

PURCHASE MONEY LEASES, 30-2A-103, 30-2A-309

PURCHASE MONEY MORTGAGES, 71-1-232, 71-3-114

PURCHASE MONEY SECURITY INTEREST, 30-9-105, 30-9-107, 30-9-206, 30-9-301, 30-9-302, 30-9-312, 30-9-505
  See **SECURED TRANSACTIONS**

PURCHASING, STATE, Title 18, chapters 4 and 5
  See **PUBLIC CONTRACTS**, **Procurement, state**

Q

QUARANTINES
Alfalfa leaf-cutting bees and equipment, 80-6-1103, 80-6-1108
Apiaries, 80-6-201, 80-6-202, 80-6-303
Cities and towns
  enforcement, 7-3-4463, 7-4-4306
  establishment, 7-1-4124
  ordinances, 7-4-4306
Communicable diseases
  fine for noncompliance, 50-1-204
  health and environmental sciences, department of — authority, 50-1-204, 50-2-118
  health boards, local — authority, 50-2-116
  health officers, local — authority, 50-2-118, 50-18-107, 50-23-103
  prisoners with, 50-2-121
  sexually transmitted disease, infected persons, 50-18-107
Dogs, vicious, 7-23-2109
Fish hatcheries and culture facilities, 87-3-225
Insect pests, against, 80-7-121, 80-7-135
Livestock, See **LIVESTOCK**
Noxious plants, 80-7-711
Nursery stock, 80-7-121, 80-7-135
Orchards, 80-7-121, 80-7-135
Potatoes, seed, 80-5-403
Poultry or premises containing, 81-9-220, 81-20-101
Prisoners with communicable disease, 50-2-121
Public welfare, director of — enforcement, 7-3-4463
Rabies, wild animals capable of transmitting, 50-23-103
Salmonid and nonsalmonid fish or eggs, 87-3-224
Sexually transmitted disease, infected persons, 50-18-107
Violation of quarantine, 7-23-2109, 50-1-204, 50-2-122

QUIET TITLE
Actions
  personal property, 70-2-201
  real property, 70-2-201, 70-28-101, 70-28-201
  tax deed property, 15-18-411, 15-18-412
Adverse claims, 70-28-112, 70-28-201
Affidavits
  entrymen, by heirs of — complaint, to accompany, 70-28-206, 70-28-207, 70-28-209
  summons, for service, 70-28-105, 70-28-208
Answer, 70-28-102, 70-28-112, 70-28-212
Authorization of action, 70-2-201, 70-28-101, 70-28-201

QUIET TITLE (Continued)

Complaint, 70-28-104, 70-28-105, 70-28-205 — 70-28-209, 70-28-213, 70-28-214
Costs, 70-28-112
Damages, 70-28-110, 70-28-111, 70-28-113
Entrymen, by heirs of
  answer, 70-28-212
  appearance of defendant, 70-28-212
  authorization of action, 70-28-201
  complaint, 70-28-205 — 70-28-209, 70-28-213, 70-28-214
  depositions, 70-28-211
  judgment, 70-28-210, 70-28-214 — 70-28-216
  jurisdiction, 70-28-201, 70-28-210
  notice, 70-28-211, 70-28-213
  parties, 70-28-204, 70-28-205, 70-28-212
  procedural provisions applicable, 70-28-202
  proof of complaint and pleadings, 70-28-214
  remedies cumulative, 70-28-203
  subsequent actions, 70-28-216
  summons, 70-28-207 — 70-28-210, 70-28-216
Entry townsite land, 70-28-301
  issuance of deed, 70-28-304
  notice requirements, 70-28-303
  petition for deed, 70-28-302
Evidence, 70-28-108, 70-28-202
Improvements, effect on damages, 70-28-110
Irrigation districts, tax-deed lands, 85-7-2161, 85-7-2162
Judgment, 27-1-431, 70-28-107 — 70-28-109, 70-28-112
  entrymen, actions by heirs of, 70-28-210, 70-28-214 — 70-28-216
  termination of right during action, effect, 70-28-111
  transmittal when property situated in more than one county, 70-28-103
Jurisdiction
  entrymen, actions by heirs of, 70-28-201, 70-28-210
  entry townsite land, 70-28-302, 70-28-304
  extent, 70-28-107
  personal property, 70-2-201
Measurement of property, order for, 70-28-113
Notice, 70-28-106, 70-28-213
  depositions in actions by heirs of entrymen, 70-28-211
  entry townsite land, requirements, 70-28-303
  survey or measurement of property, 70-28-113
Oil and gas leases, joinder of plaintiffs, 82-1-204
Parties, 70-28-101, 70-28-104, 70-28-107
  entrymen, actions by heirs of, 70-28-204, 70-28-205, 70-28-212
  unknown parties defendant, 70-28-101, 70-28-104, 70-28-105
Personal property, 70-2-201, 70-2-202
Pleadings, 70-28-102, 70-28-202, 70-28-214
Service of process, 70-28-102, 70-28-107, 70-28-109; Title 25, chapter 20, M.R.Civ.P., Rule 4D
Summons, 70-28-102, 70-28-105 — 70-28-107; Title 25, chapter 20, M.R.Civ.P., Rule 4C
  entrymen, actions by heirs of, 70-28-207 — 70-28-210, 70-28-216
Survey of property, order for, 70-28-113
Tax deed, 15-18-411 — 15-18-413
Termination of right during action, 70-28-111
Venue, 25-2-123, 70-2-201, 70-28-103

QUO WARRANTO, WRIT OF
    See also **WRITS**
Advancement on calendar, 27-28-106
Appeal, 27-28-206; Title 25, chapter 21, M.R.App.P., Rule 7
Attorney general to commence action, 27-28-103
Availability generally, 27-28-101, 27-28-102
Commencement of action, 27-28-103
Complaint, 27-28-103, 27-28-201, 27-28-202
Contempt when, 27-28-307, 27-28-506
Corporate abuses, special provisions
    availability in, 27-28-102
    contempt, 27-28-506
    costs, 27-28-503
    dissolution, 27-28-502
    judgment, 27-28-501, 27-28-502
    trustees, 27-28-504 — 27-28-506
Corporate directors, irregular election — special provisions, 27-28-101, 27-28-401, 27-28-402
Costs, 25-10-101, 25-10-102, 27-28-104, 27-28-205
Court calendar precedence, 27-28-106
Fines for noncompliance, 27-28-307, 27-28-506
Fraternal benefit society violations, actions, 33-7-120
Hearing, 27-28-201
Judgment, 27-28-205; Title 25, chapter 21, M.R.App.P., Rule 7
Jurisdiction
    district court, 3-5-302, 3-5-311, 27-28-105; Const., VII, 4
    supreme court, 27-28-105; Title 25, chapter 21, M.R.App.P., Rule 17
Jury trial, 27-28-207
Military office, usurpation — availability when, 27-28-101
Notice to defendant, 27-28-201
Pleadings, 27-28-204, 27-28-207
Precedence, 27-28-106
Public office, usurpation or abuses — special provisions, 27-28-101, 27-28-301 — 27-28-308
Security for costs, 27-28-104
Service of process, 27-28-203, 27-28-207
Stay of proceedings not allowed when, Title 25, chapter 21, M.R.App.P., Rule 7
Summons, 27-28-202, 27-28-207
Supreme court, proceedings in, 27-28-207; Title 25, chapter 21, M.R.App.P., Rule 17, See also
    SUPREME COURT, Original proceedings in; Writs
Trial, 27-28-207
Unfair trade practices, 30-14-223
Venue, 27-28-105

R

RABBITS, 50-30-205, 81-2-702, 81-8-401, 81-9-217, 81-9-232
    See also **MEAT AND MEAT PRODUCTS**

RABIES CONTROL, Title 50, chapter 23, part 1
    See **FISH AND WILDLIFE**

RACIAL BALANCE LAW, 2-15-108, 53-30-312

RADIOACTIVE SUBSTANCES
  See also **HAZARDOUS SUBSTANCES**; **HAZARDOUS WASTES**
Accidents, 10-3-103, 75-3-201, See also **Nuclear Compact, Western Interstate**; **EMERGENCIES AND EMERGENCY POWERS**
Actions upon violation of provisions, rules, or orders
  injunction, 75-3-406
  penalties, recovery, 75-3-407
Administrative hearings, 75-3-401
Applicability of laws, 50-30-201, 50-30-204, 50-30-210
Areas, rules concerning, 75-3-201
Byproduct materials, 75-3-103
  conflicting laws, 75-3-105
  disposal provisions, exception when, 75-3-302
  regulation, 75-3-102
CERCLA, release provisions — exclusions, 75-10-602
Confidentiality, 75-3-604
Conflicting laws, 50-30-106, 75-3-105
Disposal of wastes, 75-3-103
  approval for, 75-3-404
  definitions, 75-3-103, 75-3-301
  exceptions, 75-3-302
  facilities for, Title 75, chapter 20, part 12
  hazardous, Title 75, chapter 10, part 4, See **HAZARDOUS WASTES**
  interstate compact, low-level radioactive waste management, 75-3-501, 75-3-502
  low-level radioactive waste management, 75-3-501, 75-3-502
  methods, rules, 75-3-201
  policy of state, 75-3-304
  prohibited when, 75-3-302, 75-3-304
  rules, 75-3-404
  violation and penalty, 75-3-303
Emergency, 75-3-402, 75-3-403
Emergency hazardous material incidents response, Title 10, chapter 3, part 12, See **EMERGENCIES AND EMERGENCY POWERS, Response to hazardous material incidents**
Enforcement of provisions, 75-3-407
Environmental standards, federal regulations or guidelines — comparable stringency requirement, 75-3-201, 75-3-410
Exemptions from provisions, 75-3-104
Exposure to, 75-3-201, 75-3-204
Facility Siting Act, Title 75, chapter 20, See **FACILITY SITING**
Federal-state agreements, 75-3-108, 75-3-203
Fines for violations, 75-3-303, 75-3-405
Food additive, applicability of laws, 50-31-103
Foods, organic — applicability, 50-31-222
Hazardous substance, applicability of laws, 50-30-201, 50-30-204, 50-30-210, See also **HAZARDOUS SUBSTANCES**
Impoundment, 75-3-402
Information
  collection and dissemination, 75-3-201
  radon control
    public education, 75-3-605
    technical and training, 75-3-605
    real estate documents, disclosure statement, 75-10-606
    voluntary disclosure, 75-3-604
Injunction, 75-3-406, 75-3-407

RADIOACTIVE SUBSTANCES (Continued)

Inspections, 75-3-107
    agreements for, 75-3-108
    confidentiality of reports, 75-3-106
    licensing, prior to, 75-3-202
    low-level radioactive waste facilities, 75-3-502
Intergovernmental cooperation, 75-3-102, 75-3-108, 75-3-201
Interstate Compacts
    low-level radioactive waste management, 75-3-501, 75-3-502
    nuclear compact, western interstate, Title 90, chapter 5, part 2
Investigations, 75-3-201
    confidentiality of reports, 75-3-106
Ionizing radiation sources, 75-3-103
    control, agreements for, 75-3-108
    development and utilization, 75-3-101, 75-3-102
    files concerning, 75-3-201
    hazardous chemical provisions, nonapplicability, 50-78-103
    impoundment, 75-3-402
    information concerning, 75-3-201
    record requirements, 75-3-204
    regulation, 75-3-101, 75-3-102
    rules, 75-3-201, 75-3-204
Licenses, 75-3-103
    federal-state agreements, effect, 75-3-203
    files concerning, 75-3-201
    general provisions, 75-3-202
    hearings, 75-3-401
    required, 75-3-404
    rules for, 75-3-103, 75-3-201, 75-3-202, 75-3-404
    written applications and statements, 75-3-202
Local regulations, 75-3-105
Meat or meat product additive, applicability of laws, 81-9-217
Medical purposes, radiation therapy for, 37-12-104, 75-3-104
Naturopathic physicians, administration prohibited, 37-26-301
Northwest Interstate Compact on Low-Level Radioactive Waste Management, 75-3-501, 75-3-502
Nuclear Compact, Western Interstate
    board member, 90-5-202
    bylaws and amendments, filing, 90-5-203
    reports to legislature, 5-11-210
    text, 90-5-201
Nuclear materials, See **Special nuclear materials**
Organic foods, applicability, 50-31-222
Penalties, 75-3-405, 75-3-407
Policy of state, 75-3-101
Prohibited activities, 75-3-404
Public information, 75-3-605
Purpose of provisions, 75-3-102
Radiation Control Agency, 75-3-201
Radiation therapy for medical purposes, 37-12-104, 75-3-104
Radon control
    account, 75-3-607
    citation of Montana radon control act, 75-3-601
    confidentiality, 75-3-604
    definitions, 75-3-602
    disclosure statement required when, 75-3-606
    information, voluntary disclosure, 75-3-604

RADIOACTIVE SUBSTANCES (Continued)
Radon control (Continued)

- liability, immunity, 75-3-606
- measurement and mitigation
  - proficiency listing requirements, 75-3-603
  - technical and training information, 75-3-605
- testing and mitigation proficiency listing requirements, 75-3-603
- public information and education, 75-10-605
- "radon progeny" defined, 75-3-602
- real estate documents, disclosure statement, 75-3-606
- scientific studies, exception, 75-3-604

Records, 75-3-204, 75-3-201
Registration, 75-3-103
- general provisions, 75-3-201, 75-3-202
- required, 75-3-404
- rules, 75-3-103, 75-3-404

Regulation generally, 75-3-201, 75-3-502
Reports
- confidentiality, 75-3-106
- exposure to radiation, rules, 75-3-204

Scientific studies, exception, 75-3-604
Source materials, 75-3-103
- conflicting laws, 75-3-105
- prohibited activities, 75-3-404
- regulation, 75-3-102, 75-3-201

Special nuclear materials, 75-3-103
- conflicting laws, 75-3-105
- disposal of wastes, 75-3-302, 75-3-303
- hazardous chemical provisions, nonapplicability, 50-78-103
- hazardous substance provisions, nonapplicability, 50-30-201
- prohibited activities, 75-3-404
- regulation, 75-3-102

State radiation control agency, 75-3-201
Testing and mitigation
- disclosure statement, 75-3-606
- "radon-related occupation" defined, 75-3-602
- proficiency listing requirements, 75-3-603

Trade secrets, 75-3-106
Training programs, 75-3-108, 75-3-201
Transportation
- byproduct materials, 75-3-302
- exemption from provisions, 75-3-104
- unlawful when, 75-3-404

Violations, 75-3-404
- disposal provisions, 75-3-303
- injunction, 75-3-406, 75-3-407
- penalties, 75-3-405, 75-3-407

Waste disposal, See **Disposal of wastes**; See also **HAZARDOUS WASTES**

RADIO BROADCASTING
- See also generally **NEWS MEDIA**; **TELECOMMUNICATIONS**

Advertising
- false, misleading, or deceptive — nonapplicability of consumer protection provisions, 30-14-105
- salespersons, minimum wage and overtime compensation exclusions, 39-3-406

Amateur operators, license plates for, 61-3-313, 61-3-421 — 61-3-425
Citizen's band radios, tax classification, 15-6-138
Comprehensive health association plan, information regarding existence and enrollment, 33-22-1515

RADIO BROADCASTING (Continued)

Controlled substances, advertisement — liability when, 50-31-507
Defamation on, See **DEFAMATION, Media**
Dentists, advertising, 37-4-101, 37-4-502
Elections
    election materials not to be anonymous, 13-35-225
    notices, See **Notices**
Emergencies or disasters
    communications systems or networks, 10-3-106
    public service messages, 10-3-102
Fire protection and safety regulations in studios, 50-61-103, See **FIRES AND FIRE PROTECTION**, generally
Freedom of speech, press, and expression, Const., II, 7
Ham operators, license plates for, 61-3-313, 61-3-421 — 61-3-425
Health service corporations, false or deceptive advertising prohibited, 33-30-305
Insurance
    entertainments, See **INSURANCE, CASUALTY**, generally
    equipment, coverage, See **INSURANCE, MARINE**, generally
Insurers
    advertising, false or deceptive — prohibited, 33-18-203
    domestic stock and mutual, advertising in other states, 33-3-502
Land mobile public safety radio frequencies, 2-17-311 — 2-17-313
Legislative proceedings, fee exemption when, 5-11-213
Libel on, See **DEFAMATION, Media**
Medicare supplement insurance advertising, 33-22-910
Motor vehicles
    haystack movers, pilot car's contact with, 61-10-123
    speed measurement by radio microwaves, 61-8-702 — 61-8-704
Notices, 7-1-4128
    corporate, communication, 35-1-116
    counties, publication by, 7-1-2121, See also **COUNTIES**
    election notices
        constitutional amendments, proposal, 13-27-311
        local elections, of, 13-1-401
        political subdivisions, of, 13-1-401
        polling places, location, 13-3-105
        special elections, 13-1-108
        voter registration, close or cancellation, 13-2-301, 13-2-401
        voting machine information, 13-17-203
    governmental, 2-3-105 — 2-3-107
    nonprofit corporations, communication, 35-2-115
Piracy of sound recordings, 30-13-141 — 30-13-147
Privileged communications, 26-1-901 — 26-1-903, See also **EVIDENCE, Privileges**
Public participation in government, notice for, 2-3-105 — 2-3-107, 7-1-4128
Railroads, rear-end telemetry systems, 69-14-116
Real estate brokers and salespersons
    false advertising, 37-51-321
    nonapplicability of provisions, 37-51-103
Recordings, unauthorized use provisions, 30-13-141 — 30-13-147
Rural cooperatives, See **UTILITIES, RURAL COOPERATIVE**
Schools
    buses, two-way radios, 20-10-107, 20-10-108, 20-10-147
    election notices, 20-20-108, 20-20-204
Securities, offer to sell or to buy not made when, 30-10-110
Slander on, See **DEFAMATION, Media**
State lands, easements for construction of radio systems on, 77-2-102

RADIO BROADCASTING (Continued)

Telecommunications charges, aiding the avoidance of — offense of, 45-6-307
"Telegram" defined, 30-1-201, See **TELEPHONE AND TELEGRAPH**, generally
Timeshare offerings, advertisements, 37-53-214
Transmitting equipment, tax classification, 15-6-138
Underground communication lines, See **UTILITIES, Underground conversion**
Utilities, See **UTILITIES, RURAL COOPERATIVE**

RADIOLOGY AND RADIOLOGIC TECHNOLOGISTS
Alcohol abuse, effect, 37-14-302, 37-14-306
Abuse or neglect of the elderly or persons with developmental disabilities, evidence, 52-3-815
Board of Radiologic Technologists, 2-15-1848; Title 37, chapter 14, part 2
Child abuse and neglect, x-rays required to be taken when, 41-3-204
Drug abuse, effect, 37-14-302, 37-14-306
Equipment, 37-14-102
  tax classification, 15-6-138
Fines, 37-14-323
Fraudulent practices, 37-1-131, 39-71-316
Inspections for compliance, 37-14-322
Licenses and licensing, Title 37, chapter 14, part 3
  applicants, qualifications, 37-14-302, 37-14-306
  application fee, 37-14-303, 37-14-310
  authority, limitations, 37-14-301
  carrying and display, 37-14-307
  discrimination in issuance prohibited, 49-3-204
  documents, other, 37-14-308, 37-14-309
  duplicate, 37-14-309
  examinations, 37-14-303, 37-14-306
  exemptions, 37-14-102, 37-14-301
  expiration and renewal, 37-14-306, 37-14-310
  fees, 37-14-303, 37-14-305, 37-14-306, 37-14-309 — 37-14-311
  issuance, 37-14-305, 37-14-306
  limitation of authority, 37-14-301
  permits, 37-14-102, 37-14-306
  qualifications, 37-14-302, 37-14-306
  reissuance and replacement, 37-14-309, 37-14-310
  revocation or suspension, 37-1-131, 39-71-316
  temporary permits, 37-14-306
Limited permit technicians, 37-14-102
  authority limited, 37-14-301
  permits, 37-14-306
Managed care entities, education services, 53-6-705
Medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Mental incompetence, 37-14-321
Payment for services, medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Peer review, See **HEALTH CARE INFORMATION, Hospital medical staff committees; Peer review**
  nonliability, 37-2-201
  reporting of incompetence or unprofessional conduct, 37-3-401 — 37-3-405
Permits, 37-14-102, 37-14-306, See also **Licenses and licensing**
Physician assistants-certified utilization plans, applicability, 37-20-303
Purpose of provisions, 37-14-101
Regulation generally, See **PROFESSIONS AND OCCUPATIONS**
Restrictions, 37-14-301
Students, 37-14-301
Violations and penalty, 37-14-323, 39-71-316
  workers' compensation claims, fraud or deception in, 37-1-131, 39-71-316

RADON CONTROL ACT, Title 75, chapter 3, part 6
    See **RADIOACTIVE SUBSTANCES**

RAFFLES, Title 23, chapter 5, part 4
    See **GAMBLING**

RAIL AUTHORITIES
    See also **RAILROADS**
Abandoned railroad right-of-way, preservation, 7-14-1602
Bonds and obligations, 7-14-1636
Contracts, facilities — operation and use, 7-14-1635
County Commissioners, Board of, powers, 7-14-1611, 7-14-1612, 7-14-1632
Counties
    cooperation, 7-14-1623
    rail authority, creation, 7-14-1613
Creation
    resolution of intention, 7-14-1611
        notice and hearing, 7-14-1612, 7-14-1639
        text, publication, 7-1-2121, 7-14-1612
Debt service fund, creation, 7-14-1637
Definitions, 7-14-1601
Directors, 7-14-1601
    appointment, 7-14-1613
    debt service fund, sum accumulation determination, 7-14-1637
    enlargement procedure, 7-14-1639
    expenses, 7-14-1622
    officers elected from, 7-14-1622
    powers, 7-14-1622
    regional rail authorities, 7-14-1621
Elections
    levy imposition, notice, 7-14-1633
    officers, 7-14-1622
Eminent domain, 7-14-1625
Employees, hiring, 7-14-1622
Enlargement, procedure, 7-14-1639
Functions, public and governmental, 7-14-1602
Funds and funding
    bonds and obligations, 7-14-1636
    debt service fund, creation, 7-14-1637
    investments, 7-14-1635
    levies
        authorization and limitation, 7-14-1632
        collection and distribution, 7-14-1634
        election required for, 7-14-1633
    receipt and disbursement, powers, 7-14-1624
Officers, election, 7-14-1622
Powers, 7-14-1624
Purpose, 7-14-1602
Railroads or railroad facilities
    abandoned right-of-way, preservation, 7-14-1602
    acquisition and operation, permits, 7-14-1625
    charges, rentals, or fees — establishment, 7-14-1635
    contracts for operation and use, 7-14-1635
    debt service fund, covering expenses of, 7-14-1637
    revenue, payment of bonds from, 7-14-1636

RAIL AUTHORITIES (Continued)
Railroads or railroad facilities (Continued)

    rules governance, 7-14-1631
Regional rail authority, 7-14-1621
Resolutions
    adopt, amend, and repeal, 7-14-1631
    bonds, issued by, 7-14-1636
    creation of authorities, 7-14-1611, 7-14-1612, 7-14-1621
    enlargement, procedure, 7-14-1639
    joint, regional authority created by, 7-14-1621
    text, publication, 7-1-2121, 7-14-1612, 7-14-1621
Rules, orders, or standards — copies, 7-14-1631
Tax levy, 7-14-1632, 7-14-1634, 15-10-412
    bonds, payment, 7-14-1636
    exemption, 7-14-1638

RAILROADS
    See also **CARRIERS**; **RAIL AUTHORITIES**
Abandonment, 60-11-110, 60-11-111, 60-11-121, 69-14-909
Accidents, 69-11-208, 69-14-112, 69-14-252, 69-14-708
Accommodations, to provide, 69-14-117, 69-14-201, 69-14-202, 69-14-205, 69-14-532, 69-14-562
Actions, 69-14-132
    appeals from, 69-14-134, 69-14-135
    baggage checks refused on demand, damages for, 69-14-210
    boxcar repairs, recovery of expenses for, 69-14-924
    drains and ditches, noncompliance with construction provisions, 69-14-240
    employees' death or injury, recovery of damages, 69-14-1006
    enforcement, for, 69-14-131, 69-14-134
    fireguard maintenance violations, 69-14-722
    fuel, confiscation — recovery of penalty and damages for, 69-11-108
    grain elevators and warehouses
        location, determination, 69-14-901
        compensation for right, privilege, and easement — pertaining to, 69-14-903 — 69-14-906
    highway crossing orders
        noncompliance, recovery of penalty, 69-14-611
        reasonableness, to determine, 69-14-608
    livestock
        fences, failure to repair — recovery of fine, 69-14-701
        killed or injured, recovery of damages, 69-14-708 — 69-14-711
    peace officers, special — arising from actions by, 44-4-904
    penalties or forfeitures, recovery, 69-14-103, 69-14-120, 69-14-131, 69-14-133, 69-14-611, 69-14-814
    public service commission actions, 69-14-134, 69-14-135, 69-14-401, 69-14-402
    rates, charges, and classifications
        excess charges, recovery, 69-14-322
        reasonableness, to determine, 69-14-402
    rights, penalties, or forfeitures — effect of provisions on, 69-14-103
    schedules, posting violations, 69-14-203
    sidetrack, spur, or stock facility provisions — recovery of fines from violations, 69-14-814
    witnesses, testimony, 69-14-113
Alcoholic beverages, See **ALCOHOLIC BEVERAGES, Carriers**
Amtrak, agreements to expand service, 60-11-201
Animals, abandoning on, 45-8-211, See also **Livestock protection**
Appeals, 69-14-134, 69-14-135, 69-14-402, 69-14-905
Application of laws, 69-14-102
Baggage, See **Passengers**
Baggage agents — transportation, free or reduced rates when, 69-11-208
Bills of lading, 69-11-421, 69-11-427, 69-14-215, 69-14-216

RAILROADS (Continued)

Blind or visually disabled persons, rights as passengers, 49-4-211, See **BLIND OR VISUALLY DISABLED PERSONS**, generally
Board of directors, See **Directors, board of**
Bonds, 69-14-507, 69-14-556
  interrailroad agreements, 69-14-514
  rehabilitation, for, Title 60, chapter 11, part 11
  rolling stock, for, Title 60, chapter 11, part 12
Borrowing money, authorization, 69-14-556
Boxcars, 69-14-921 — 69-14-925
Brake equipment, 69-14-116, 69-14-231
Branches, 69-14-531
  accidents involving animals, records, 69-14-708
  completion requirements, 69-14-537
  consolidation of corporations, effect, 69-14-512
  drains and ditches, construction, 69-14-240
  extension or continuation of lines, on, 69-14-536
  lease, purchase, or sale, 69-14-513
  local freight transportation service, 60-11-111, 60-11-120 — 60-11-123
Bridges, unsafe — running train over, unlawful, 69-14-562
Cabooses, 69-14-116, 69-14-232 — 69-14-235
Charges, See **Rates, charges, and classifications**
Charter, 69-14-511, 69-14-514, 69-14-536 — 69-14-538
Cities and towns
  crossings, 7-14-4301, 7-14-4302
  lighting for tracks within, 7-14-4302
  officers and employees, conflict of interest, 7-3-4256
  speed within, 7-14-4301, 69-14-562
  street railroads, See **Street railroads**
Classifications, See **Rates, charges, and classifications**
Coal, confiscation by — unlawful when, 69-11-108
Complaints
  livestock fences in disrepair, 69-14-701
  locomotive engines, lack of identifying numbers, 69-14-237
  rates, pertaining to, 69-14-114, 69-14-312, 69-14-321, 69-14-401
  rules generally, 69-14-114
  safety laws, 69-14-115
Completion of roads, requirements, 69-14-537
Concealed weapons, carrying — exemption from criminal provisions, 45-8-317
Consolidation of corporations, 69-14-511, 69-14-512, 69-14-514, 69-14-1001
Corporations, Title 69, chapter 14, part 5, See this heading generally
County coroner, authority, 7-4-2911, 46-4-111
County roads crossing railroads, 7-14-2612
County water and/or sewer district projects, construction across, 7-13-2219
Damages
  baggage checks refused on demand, 69-14-210
  canyons, passage through — from disuse or change of road location, 69-14-554
  confiscation of coal or fuel, for, 69-11-108
  death or injury of employee, 69-14-1006
  division points or terminals, removal — compensation of employees, 69-14-1002
  fireguard maintenance, noncompliance, 69-14-722
  fires emanating from operation, 69-14-721
  injuries to passengers, 69-14-206
  livestock killed or maimed, 69-14-701, 69-14-707 — 69-14-712
  refusal to accept passengers or freight, for, 69-14-204

RAILROADS (Continued)

Definitions, 69-14-101, 69-14-931, 69-14-1101
  abandonment, 60-11-110
  railbed, 60-11-112
  railroad, 61-1-317, 69-12-101, 69-14-101
  railroad company, 69-14-601
  railroad train, 61-1-124
  recreational interest, 60-11-112
  rehabilitation revenue bonds, 60-11-1102
  rolling stock revenue bonds, 60-11-1202
  telemetry system, 69-14-116
Depots, See **Passenger facilities**
Derailment, deposit of substance to cause, 45-8-113
Destructive device, possession — offense of, 45-8-334, 45-8-337
Dinkey engines, 50-74-104, See also **BOILERS AND STEAM ENGINES**, **Traction engines**
Directors, board of, 69-14-501, 69-14-502
  branches, building, 69-14-536
  capital stock, 69-14-504, 69-14-506
  certificate of incorporation, amendment, 69-14-508 — 69-14-510
  consolidation of corporations, 69-14-512
  extension or continuation of lines, route, 69-14-536
  interrailroad agreements, 69-14-514
  lines, change, 69-14-532
  rate, charge, and classification changes filed with — suspension, 69-14-312
  securities, authorization, 69-14-507
Ditches, construction, 69-14-240, 85-1-208, 85-2-414, 85-8-366
Division of Rail and Transit, 2-15-2501
Division points or terminals, removal, 69-14-1002
Drainage districts, construction over railroad lands, 85-8-341, 85-8-342, 85-8-366
Drains and ditches, 69-14-240, 85-1-208, 85-2-414, 85-8-366
Drugs, dangerous — carrying on, unlawful, 45-9-127
Easements
  abandoned, acquisition, 60-11-111
  grain elevators or warehouses, for, 69-14-901 — 69-14-911
  state lands, for right-of-way on, See **STATE LANDS**, **Easements**
Electric motors used in hauling trains, 69-14-237
Eminent domain, 70-30-102, 70-30-304
  cattle guards or fences, 70-30-301, 70-30-307
  connections and crossings, determination, 70-30-206
  power of, 69-14-513, 69-14-536, 69-14-539, 69-14-552
Employees, See **Officers and employees**
Enforcement
  actions of public service commission, 69-14-134
  boxcar provisions, 69-14-925
  duties of public service commission, 69-14-131
  safety laws and health standards, 69-14-115, 69-14-116
Engines, See **Locomotive engines**
Equipment, 69-14-561
  caboose, 69-14-232 — 69-14-235
  locomotive engines, 69-14-236, 69-14-561
  track motor cars, 69-14-238
Evidence
  confiscating fuel, proof of necessity for preservation of life or property, 69-11-108
  facilities, public convenience and necessity — determination, 69-14-202
  highway crossings
    expenditures, hearing on prioritization, 60-2-121

RAILROADS (Continued)
Evidence (Continued)
    highway crossings (Continued)
        orders, prima facie evidence of reasonableness, 69-14-608
        overhead or underground, hearings for, 69-14-607
    investigations, 69-14-112, 69-14-113
    livestock, killing or injury as prima facie evidence of negligence, 69-14-707
    rates, charges, and classification
        changes or revisions, testimony and exhibits, 69-14-311, 69-14-312
        excess, recovery actions — contracts or agreements inadmissible when, 69-14-322
        reasonableness, prima facie evidence of, 69-14-402
    rates, rules, or orders — enforcement, burden on defendant to prove unjust and unreasonable, 69-14-134
Explosives, transportation unlawful when, 69-14-562
Favors and gratuities prohibited when, 69-1-112
Federal
    acceptance of federal laws, 69-14-515
    brake equipment, conformity to federal laws, 69-14-231
    caboose requirements, rules, 69-14-232
    rehabilitation revenue bonds, financial administration — requirements, 60-11-1108
    rolling stock revenue bonds, financial administration — requirements, 60-11-1208
    safety regulations, 69-14-115, 69-14-116
    telemetry system requirements, 69-14-116
Firearms, carrying on — unlawful, 45-8-339
Fireworks, applicability of laws, 50-37-102
Forfeitures, See **Penalties and forfeitures**
Franchises
    consolidation of corporations, 69-14-511, 69-14-512
    lease or purchase, 69-14-513
    lines, 69-14-536
    mortgages or deeds of trust, execution upon, 69-14-507
Freight, See **Shipping**
Fuel, confiscation by — unlawful when, 69-11-108
Grade, 7-14-4302, 7-14-4303, 69-14-534
Grade crossings, operation at, 61-8-349, 69-14-239, See also **Highway crossings**
Grain elevators or warehouses
    application for erection and maintenance, 69-14-901, 69-14-902
    compensation for right, privilege, and easement — actions pertaining to, 69-14-903 — 69-14-906
    connection of tracks to, 69-14-910
    construction, time limit, 69-14-909
    location, 69-14-911
    public, considered to be, 69-14-907
    rental, payment, 69-14-908
Grain, transportation, 69-14-801, 69-14-803 — 69-14-805, 69-14-921 — 69-14-925, See **Rolling stock revenue bonds**; See also **AGRICULTURAL COMMODITIES**, **Grain**
Gratuities and favors prohibited when, 69-1-112
Hand cars, equipment for, 69-14-238
Hazardous or deleterious substances
    release, 75-10-701, 75-10-715
    transporting unlawful, when, 69-14-562
Health standards and regulation, 69-14-116, 69-14-562
Highway crossings, 69-14-601, See also **Highways**
    actions pertaining to, 69-14-608, 69-14-611
    approach of train, obedience to signal indicating, 61-8-209, 61-8-347
    bell and whistle on locomotive, sounding, 69-14-562
    compliance with order for, time extension, 69-14-609
    crossing gates or barriers, driving around or under, 61-8-347
    expenditures, prioritization, 60-2-121
    funding, 15-70-102, 60-2-121

RAILROADS (Continued)
Highway crossings (Continued)

- heavy equipment, moving at, 61-8-350
- "highway" defined, 60-1-103
- liability of railroad, effect of provisions on, 69-14-610
- obstruction, extended — prohibited, 69-14-626
- outside of incorporated cities and towns, construction and maintenance, 69-14-602
- overhead or underground, 69-14-607
- overtaking vehicles when approaching, 61-8-325
- reflectorized material on signs required, 69-14-612
- signaling devices, See **Signaling devices**
- speed of vehicle, reduction, 61-8-303
- stopping at, 61-8-347 — 61-8-349
- stopping, standing, or parking vehicles prohibited when, 61-8-354
- unincorporated towns and villages, in, 69-14-603 — 69-14-606

Highways, See also **Highway crossings**
- construction along, 69-14-532
- crossing railroads, 60-4-110
- locomotive approaching, sounding of bell and whistle, 69-14-562
- obstruction, extended — prohibited, 69-14-626
- signaling devices, See **Signaling devices**

Hotels and inns, maintenance, 69-14-559
Incorporation
- articles of, 69-14-501, 69-14-511, 69-14-514, 69-14-531, 69-14-536, 69-14-537
- certificate of, amendments, 69-14-508 — 69-14-510

Indian reservations, on, 69-14-538
Injunction, 69-14-134
Injuries
- employees, 69-14-1006
- judgment liens for, 69-14-555
- livestock, 69-14-216
- passengers, 69-14-206
- reports of accidents, 69-14-252
- trainmen, 69-14-1005

Inspections
- accident records regarding livestock, 69-14-708
- brake equipment, 69-14-231
- dead animal hides, 69-14-712
- health and safety appliances, 69-14-116
- highway crossings, conditions at place of, 69-14-607
- records, 69-14-112

Intermodal transfer facilities, 60-11-120 — 60-11-123
Intermodal transportation programs, 60-2-110, 60-2-129
Interpretation of provisions, 69-14-103
Interrailroad business agreements, 69-14-514
Interstate Commerce Commission, 44-4-902, 69-14-231, 69-14-321, 69-14-1102
Investigations
- authority for, 69-14-112
- highway crossings, conditions at place of, 69-14-607
- legal assistance for, 69-14-132
- rates or rules, of, 69-1-110, 69-14-114, 69-14-303, 69-14-321
- safety laws, concerning, 69-14-115
- witnesses, 69-14-113

Irrigation works crossing, 85-1-208, 85-7-1909
Judgment liens, 69-14-555
Leases
- acquisition or transfer by, 69-14-1101

RAILROADS (Continued)
Leases (Continued)

- leaseholder of land along right-of-way, first right to purchase or match offer, 69-14-931, 69-14-932
- other railroads, of, 69-14-513, 69-14-514
- rolling stock, 60-11-1202
- state-owned railroads, 60-11-123

Legal assistance for Public Service Commission, 69-14-132
Liability
- boxcar repairs, 69-14-924
- employees, to — when, 39-2-703, 69-14-1002, 69-14-1006
- fireguard maintenance, noncompliance, 69-14-722
- fire hazards, for, 69-14-721
- highway crossing provisions, effect on, 69-14-610
- livestock killed or injured, 69-14-707, 69-14-708
- peace officers, special — to, 44-4-904

Lighting requirements
- cabooses, 69-14-232
- cities and towns, tracks within, 7-14-4302
- headlight, identifying number next to, 69-14-237
- locomotive engines, 69-14-236
- oil used for, unlawful, 69-14-562
- track motor cars, 69-14-238

Lines, See also **Tracks**
- abandonment, proposed for — identification, 60-11-111
- authority to plan, lay out, and construct, 69-14-532
- branches, See **Branches**
- change of location or grade, 69-14-534
- completion requirements, 69-14-537
- connection, 69-14-119, 69-14-120, 69-14-539
- extension into Montana, 69-14-536, 69-14-537
- intersections, 69-14-539
- sale or transfer, 69-14-1101 — 69-14-1103
- station maintenance where lines come together, 69-14-118, 69-14-120

Livestock protection
- accident records, 69-14-708
- applicability of crossing provisions, 69-14-705
- cattle guards, 69-14-701, 69-14-703, 70-30-301, 70-30-307
- crossings, maintenance, 69-14-702
- fences, 69-14-701, 69-14-702, 69-14-714
- herding upon tracks, unlawful, 81-5-102
- killing or injuring, 27-2-207, 69-14-216, 69-14-701, 69-14-707 — 69-14-714
- loading platforms, 69-14-801, 69-14-803 — 69-14-805
- stockyards, chutes, and pens, 69-14-812 — 69-14-814
- trestles, openings under, 69-14-704
- violations, 69-14-706, 69-14-713

Loading platforms, 69-14-801, 69-14-803 — 69-14-805
Local freight transportation service, 60-11-111, 60-11-120 — 60-11-123
Locomotive engines, 7-14-4301, 69-14-236, 69-14-237, 69-14-561, 69-14-562
- dinkey engines, 50-74-104, See also **BOILERS AND STEAM ENGINES**, **Traction engines**
- telemetry system, 69-14-116

Machine shops, 69-14-531
Mausoleum-columbarium property, prohibited through when, 35-21-409
Military reservations, on, 69-14-538
Minors' employment prohibited, 41-2-106
Mortgages, 69-14-507, 69-14-555, 69-14-556
Motor carriers
- administrative procedure generally, applicability, 69-12-204

RAILROADS (Continued)
Motor carriers (Continued)

    agreements between carriers, limitations, 69-12-602
    certificate applications, considerations, 69-12-323
    competition, avoidance, 69-12-205
    definitions, 69-12-101
Negligence
    fellow servant liability, 39-2-703, 69-14-1006
    livestock, liability for destruction, 69-14-701, 69-14-707, 69-14-711
Newsboys and newsgirls, transportation free or at reduced rates, 69-11-208
Notices, fee for publication, 69-14-313
Obligations of corporations, state not liable, 69-14-557
Officers and employees
    affidavits, 44-4-902, 69-14-813
    badges, 69-14-208
    bills of lading, requirements, 69-14-215
    cabooses, employee to be on, 69-14-232
    death or injury, liability, 39-2-703, 39-71-401, 69-14-1006
    directors, board of, 69-14-502
    division points or terminals, compensation upon removal, 69-14-1002
    driver's license, display — exemption, 61-5-104
    entry upon lands, authority for, 69-14-533
    favors by, prohibited when, 69-1-112
    health standards, 69-14-116
    highway crossings, service of order for, 69-14-604
    injured trainmen, medical aid, 69-14-1005
    intoxication, penalty, 69-14-1004
    lines coming together, noncompliance with provisions relating to, 69-14-120
    loading platforms, service of notices pertaining to, 69-14-801
    minors as employees prohibited, 41-2-106
    passengers
        expulsion when, 69-14-207
        fares returned when, 69-14-210
    peace officers, as, 44-4-901 — 44-4-904, 69-14-1003
    reports, annual, 69-14-251
    residence requirements, 44-4-902, 69-14-1002, 69-14-1003
    safety appliances for, 69-14-116
    sidetracks, spurs, or stock facilities — affidavit regarding nonuse, 69-14-813
    station closure, consolidation, or centralization — protection of employees, 69-14-1001
    transportation, free or reduced rates when, 69-11-208
    unemployment insurance coverage, 39-51-503, 39-51-2106, 39-51-2203, 39-51-2306, See also
        UNEMPLOYMENT INSURANCE
    workers' compensation coverage exclusions, 39-71-401
Offices, 69-14-513, 69-14-531, 69-14-536, 69-14-551
    public telephones, maintenance, 69-6-103
Oil and natural gas shipments, report to department of revenue, 15-36-312
Operation, authorization, 69-14-531
Organization of corporation or board of directors, 69-14-501, 69-14-502
Out-of-state operations, 69-14-514
Park hotels and restaurants, maintenance, 69-14-559
Passenger facilities, 69-14-202, 69-14-531, 69-14-532, See also **Stations**
    alcoholic beverage restrictions, 16-3-305
    closure, consolidation, or centralization, 69-14-202
    fire protection and safety regulations, 50-61-103
    insurance
        ticket agents, 33-17-212
        vending machines, licensing, 33-2-708, 33-17-221

RAILROADS (Continued)
Passenger facilities (Continued)

- property for, 69-14-552
- rate schedule notices, posting, 69-14-308, 69-14-560
- stations and platforms, maintenance, 69-14-118
- time schedules, posting of information, 69-14-203
- waiting rooms, 69-14-117

Passengers, See also **CARRIERS**, **Passenger carriers**
- accommodation generally, 69-14-201, 69-14-202, 69-14-205, 69-14-558, 69-14-562
- baggage, 69-11-204, 69-14-205 — 69-14-208, 69-14-210, 69-14-560, See also **CARRIERS**, **Passenger carriers**
  - facilities for, 69-14-117, 69-14-118, 69-14-562
- care of, 69-14-205
- conduct, 69-14-206
- expulsion when, 69-14-207
- facilities, See **Passenger facilities; Stations**
- fare, 69-14-201, 69-14-206, 69-14-207, 69-14-209, 69-14-210
- injury, 69-14-206
- rates or tariffs, See **Rates, charges, and classifications**
- refusal to accept, 69-14-204
- tickets, 69-14-205, 69-14-207, 69-14-209, 69-14-212 — 69-14-214

Passenger service applications, agreements for, 60-11-201
Passes prohibited when, 69-1-112
Penalties and forfeitures, See also **Violations**, specific violation
- charter, forfeiture when, 69-14-537
- collection and disposition, 69-14-133
- contempt, for, 69-14-134
- grain elevator or warehouse rights, privileges, and easements forfeited when, 69-14-908
- highway crossing orders, noncompliance, 69-14-611
- livestock fences, failure to repair, 69-14-701, 69-14-714
- rates
  - joint, division — noncompliance with orders and rules, 69-11-412
  - schedules, noncompliance with provisions for, 69-14-310
- recovery, actions for, 69-14-103, 69-14-120, 69-14-131, 69-14-133, 69-14-611
- reports, annual — failure to make or file, 69-14-251

Personnel, See **Officers and employees**
Petroleum storage tank releases, ineligibility for reimbursement for expenses caused by, 75-11-308
Pipeline carriers, applicability of provisions, 69-13-104
Pledges, 69-14-556
Plumbing installations, exemption from certain provisions, 37-69-102, 50-60-503
Property, 69-14-552, 69-14-553
- abandonment, 60-11-110
- consolidation of corporations, 69-14-511
- interrailroad agreements, 69-14-514
- judgment liens, 69-14-555
- leaseholder of land along right-of-way, first right to purchase or match offer, 69-14-931, 69-14-932

Purchase of other railroads or railroad lines, 69-14-513, 69-14-514, 69-14-1101 — 69-14-1103
Railbeds, 60-11-112
- abandoned, acquisition of ownership or easement, 60-11-111

Rail planning, administration, 60-11-101
Rates, charges, and classifications, 69-2-101, 69-2-102, 69-14-301
- changes, 69-2-101, 69-14-311, 69-14-312
- determination, court review, 69-14-401
- discrimination, 69-14-301, 69-14-303, 69-14-321, 69-14-560
- effective date, 69-14-307, 69-14-311
- enforcement, 69-14-134, 69-14-301
- excess, 69-14-303, 69-14-322, 69-14-560

RAILROADS (Continued)
Rates, charges, and classifications (Continued)

- hearings, 69-1-110, 69-2-101, 69-11-412
- investigation, 69-1-110, 69-2-101, 69-14-114, 69-14-303, 69-14-321
- joint rates, 69-11-412, 69-14-301
- proposed, notice and hearing, 69-14-305, 69-14-306
- reasonableness, action to determine, 69-14-402
- regulation, 69-14-558, 69-14-560
- schedule
  - noncompliance, 69-14-310
  - notice, publication and posting, 69-14-308
  - posting, 69-14-309, 69-14-560
- tunnel charges prohibited, 69-14-304
- unclassified charges, treatment, 69-14-302

Rear-end telemetry system, requirements, 69-14-116
Records, 69-14-112, 69-14-233, 69-14-536, 69-14-708
Regulation, 69-1-102
Rehabilitation revenue bonds, 60-11-1103

- accounting procedures, 60-11-1108
- accounts, 60-11-1107
- covenants, 60-11-1106
- definitions, 60-11-1102
- details, 60-11-1104
- legislative intent, 60-11-1101
- limitations, 60-11-1105
- loans, 60-11-1107, 60-11-1111 — 60-11-1113
- proceeds, 60-11-1107, 60-11-1109, 60-11-1111
- refunding bonds, 60-11-1102, 60-11-1109, 60-11-1110
- tax exemption, 60-11-1110

Reports

- accident, 69-14-252
- annual, 69-14-115, 69-14-251
- caboose equipment or maintenance standards, of failures, 69-14-233
- failure to make, 69-14-562
- safety laws, pertaining to, 69-14-115

Restaurants, maintenance, 69-14-559
Rights-of-way

- abandoned, identification and acquisition, 60-11-111
- canyons, through, 69-14-554
- cattle guards, 69-14-703
- cities and towns, within, 7-14-4301, 7-14-4302
- drainage districts, 85-8-366
- drains and ditches upon, 69-14-240, 85-2-414, 85-8-366
- fireguards, maintenance, 69-14-722
- fire hazard reduction, 69-14-721, 76-13-401, 76-13-403, 76-13-407, 76-13-410
- flood control or water conservation projects, Title 76, chapter 5, part 11, See **FLOODS**, **Control projects**
- grain elevators or warehouses along, 69-14-901 — 69-14-907
- indian reservations, on, 69-14-538
- insect pest control, 7-22-2304
- irrigation district, 85-7-1909
- leaseholder of land along, first right to purchase or match offer, 69-14-931, 69-14-932
- livestock crossings, 69-14-702
- military reservations, on, 69-14-538
- pipelines, applicability, 69-13-104
- property for, 69-14-553
- state lands, easements for, See **STATE LANDS**, **Easements**

RAILROADS (Continued)
Rights-of-way (Continued)

- tax exemption when, 15-24-1203
- water conduction over, 85-1-208, 85-2-414, 85-7-1909, 85-8-366

Roads
- construction along or crossing, 69-14-532, 69-14-535
- locomotive approaching, sounding of bell and whistle, 69-14-562

Rodent control, 7-22-2222
Rolling stock revenue bonds, 60-11-1203
- accounting procedures, 60-11-1208
- accounts, 60-11-1207
- covenants, 60-11-1206
- definitions, 60-11-1202
- details, 60-11-1204
- legislative intent, 60-11-1201
- limitations, 60-11-1205
- loans, 60-11-1207, 60-11-1211 — 60-11-1213
- proceeds, 60-11-1207, 60-11-1209, 60-11-1211
- refunding bonds, 60-11-1202, 60-11-1209, 60-11-1210
- tax exemption, 60-11-1210

Rules, 69-2-101, 69-14-113, 69-14-114, 69-14-116, 69-14-120, 69-14-134, 69-14-206, 69-14-231, 69-14-311, 69-14-561, 69-14-814
Rural special improvement districts, costs for improvements close to, 7-12-2156
Safety, 69-14-115, 69-14-116, 69-14-232, 69-14-562, 69-14-1006
Sale, 69-14-513, 69-14-514, 69-14-1101 — 69-14-1103
Sanitation, 69-14-116
Schedules, 69-11-202, 69-14-201, 69-14-203, See also **Rates, charges, and classifications**
Secured transactions, 30-9-103, See **SECURED TRANSACTIONS**, **General intangibles**; **Railroads**
Securities, 69-14-507, 69-14-514
Services, 60-11-110, 69-14-117, 69-14-301, See also **Rates, charges, and classifications**
Shippers
- actions by, 69-14-133, 69-14-322, 69-14-402
- boxcars, 69-14-921, 69-14-922
- complaints, 69-14-114, 69-14-133, 69-14-321
- livestock injuries, notification, 69-14-216
- sidetracks, spurs, or stock facilities
  - grain elevators or warehouses, 69-14-910
  - removal requested by, 69-14-813

Shipping
- accommodation generally, 69-14-201, 69-14-532, 69-14-558, 69-14-562
- bills of lading, 69-14-215, 69-14-216
- branch lines, local service, 60-11-111, 60-11-120 — 60-11-123
- facilities, 69-14-117, 69-14-118, 69-14-202
- freight offices, posting of rate schedule notices, 69-14-308
- livestock, time limitations on notification of injuries, 69-14-216
- rates and classification, See **Rates, charges, and classifications**
- refusal to accept freight, 69-14-204
- scales, 69-14-804
- tariffs, rates, or charges, See **Rates, charges, and classifications**
- unclaimed property, Title 70, chapter 9, part 4

Sidetracks, 69-14-531, 69-14-812 — 69-14-814, 69-14-910
Sidings, 69-14-539, 69-14-811, See also **Grain elevators or warehouses**
Signaling devices, 61-1-404, See also **Highway crossings**
- fireworks, applicability of laws, 50-37-102
- grade crossings, 61-8-349, 69-14-239
- locomotive engines, bell or whistle requirements, 69-14-562
- reflectorized material required, 69-14-612

RAILROADS (Continued)
Signaling devices (Continued)

  unauthorized, display prohibited, 61-8-210
Special improvement districts, repairs due to operation of railway, 7-12-4135
Spurs, 69-14-811, 69-14-813, 69-14-814
State-owned, 60-11-123
Stations, See also **Passenger facilities**
  accident records regarding livestock, designation for keeping and service of plaintiff's demand for indemnity, 69-14-708
  closure, consolidation, or centralization, 69-14-1001
  dead animal hides deposited with, when, 69-14-712
  fire protection and safety regulations, 50-61-103
  grain elevators or warehouses, See **Grain elevators or warehouses**
  loading or unloading tracks, 69-14-812 — 69-14-814, 69-14-910
  loading platforms, 69-14-801, 69-14-803 — 69-14-805
  maintenance, 69-14-118, 69-14-532
  property for, 69-14-552
  rate schedules, posting, 69-14-309, 69-14-560
  spurs, location, 69-14-811
  time schedules, posting of information, 69-14-203
Stock, capital, 69-14-503
  borrowing money, limitation, 69-14-556
  consolidation of corporations, 69-14-511, 69-14-512
  increase, 69-14-506
  installment payments, 69-14-504, 69-14-505
  interrailroad agreements, 69-14-514
  subscriptions, 69-14-501, 69-14-514
Stockholders
  certificate of incorporation, amendment, 69-14-508 — 69-14-510
  consolidation of corporations, articles of agreement — ratification or approval, 69-14-512
  default, installment payments in, 69-14-505
  election of directors, 69-14-501, 69-14-502
  interrailroad agreements, approval or ratification, 69-14-514
  lease or purchase of railroad, ratification or approval, 69-14-513
  stock, increase, 69-14-506
Street railroads, 7-14-4301, 7-14-4303
  bridges in cities and towns, use, 7-14-2206
  city or town officers and employees, conflict of interest, 7-3-4256
  rural special improvement districts, costs for improvements close to, 7-12-2156
  special improvement districts, repairs due to operation of, 7-12-4135
  taxes, assessment, 15-8-405
  utilities providing service, See **UTILITIES**, generally
Streets
  construction along, 69-14-532
  crossings, 7-14-4301, 7-14-4302, See also **Highway crossings**
Supervision, 69-1-102, 69-14-111
Surveys, 69-14-532, 69-14-533, 69-14-554
Switches, 69-14-539, 69-14-901
Tariffs, See **Rates, charges, and classifications**
Taxation, See **TAXATION, PROPERTY**
Telegraph
  lines, construction and operation, 69-14-563
  operators, 69-14-1004, See also **Officers and employees**
Telemetry system, requirements, 69-14-116
Ticket agents, 69-14-211 — 69-14-214
Timber
  purchase, 69-14-552

RAILROADS (Continued)
Timber (Continued)

- state lands, sale estimates and appraisals — requirements, 77-5-204

Time schedules, 69-11-202, 69-14-201, 69-14-203
Tolls, See **Rates, charges, and classifications**
Track motor cars, equipment for, 69-14-238
Tracks, 69-14-531, 69-14-532, 69-14-539, See also **Lines**; **Spurs**
- canyons, through, 69-14-554
- cities and towns, within, 7-14-4301, 7-14-4302
- crossings, See **Highway crossings**
- fire hazard reduction, 69-14-721, 76-13-401, 76-13-403, 76-13-407, 76-13-410
- grain elevators or warehouses, connection to, 69-14-910
- herding livestock upon, unlawful, 81-5-102
- livestock protection, See **Livestock protection**
- rehabilitation, bonds for, See **Rehabilitation revenue bonds**
- sidetracks, 69-14-531, 69-14-812 — 69-14-814, 69-14-910
- signaling devices, See **Signaling devices**
- state-owned railroads, 60-11-123
- tax exemption when, 15-24-1203

Transfer or sale of line, 69-14-1101 — 69-14-1103
Transient retail merchants, premises for, 7-21-2401, See **TRANSIENT RETAIL MERCHANTS**, generally
Transloading facility, demonstration truck/train, 7-14-120
Trestles, 69-14-562, 69-14-704
Urban renewal project costs, tax increment financing for payment, 7-15-4288
Violations, 69-14-137, See also **Penalties and forfeitures**
- animals, abandoning on, 45-8-211
- bills of lading provisions, 69-14-215
- caboose size and equipment provisions, 69-14-232
- confiscation of coal or fuel, 69-11-108
- court decrees, of, 69-14-134
- derailment, deposit of substance to cause, 45-8-113
- destructive device, possession — offense of, 45-8-334
- drugs, dangerous — carrying on, unlawful, 45-9-127
- firearms, carrying on train, 45-8-339
- health regulations, 69-14-562
- highway crossings, extended obstruction, 69-14-626
- investigation, 69-14-112
- lines coming together, provisions for, 69-14-120
- livestock
  - crossing provisions, 69-14-706
  - injury or death provisions, 69-14-713
  - tracks, herding upon, 81-5-102
- loading platform provisions, 69-14-805
- locomotive engines
  - headlight or speedometer provisions, 69-14-236
  - identifying numbers, lack of, 69-14-237
- offices, failure to maintain public telephones, 69-6-103
- personnel, intoxication — when, 69-14-1004
- physicians and surgeons, nonpayment for services, 69-14-1005
- rates, 69-14-303, 69-14-560
- reporting, 69-14-131
- safety regulations, 69-14-115, 69-14-562
- sidetrack, spur, or loading facility provisions, 69-14-814
- telemetry system requirements, 69-14-116
- tickets
  - failure to redeem, 69-14-214

RAILROADS (Continued)
Violations (Continued)
  tickets (Continued)
    sales when, 69-14-212, 69-14-213
  time schedules, refusal to post information, 69-14-203
  track motor car equipment provisions, 69-14-238
  tunnel charges, 69-14-304
Visually disabled persons, rights as passengers, 49-4-211, See **BLIND OR VISUALLY DISABLED PERSONS**, generally
Water
  drains and ditches, 69-14-240, 85-1-208, 85-2-414, 85-8-366
  irrigation works, construction, 85-1-208
  watersheds, building or operating on — prohibited when, 75-6-112

RANGELAND RESOURCES
Citation of Montana Rangeland Resources Act, 76-14-101
Committee, 2-15-3305, 76-14-103
  duties, 76-14-106
  loans for improvement and development, review of applications, 76-14-115
Conservation, cooperative agreements, 76-11-102
Conservation districts
  generally, Title 76, chapter 15
  rangeland resource program, 76-14-103
  supervisors, loan applications — review and prioritization, 76-14-115
Definitions, 76-14-103, 76-14-104
Erosion control, Title 76, chapter 15, See **CONSERVATION DISTRICTS**
Federal agencies, consultations, 76-14-106, 76-14-113
Fire protection, 69-14-722, 76-11-102, 82-4-434; Title 7, chapter 33, part 22, See also **FIRES AND FIRE PROTECTION**, **Rural fire protection**
Forest and Conservation Experiment Station, 17-7-102, 20-25-241 — 20-25-245, See also **UNIVERSITY OF MONTANA**
Forests, conservation and protection of resources, 76-13-101, 76-13-102, 76-13-104, 76-13-111, 76-14-103
Grazing districts, Title 76, chapter 16, See **GRAZING DISTRICTS**
Insect control, Title 80, chapter 7, part 5, See **PESTS AND PESTICIDES**
Loans for improvement and development
  applications, 76-14-113 — 76-14-116
  eligibility, 76-14-113
  financial statements, confidentiality, 76-14-116
  prioritization, 76-14-114
  purposes, 76-14-111
  rangeland improvement loan special revenue account, 76-14-112
  recipients, selection, 76-14-115
  repayment, 76-14-112
  resource conservation plan required, 76-14-113, 76-14-116
  rules, 76-14-116
  servicing, fees and charges, 76-14-112, 76-14-116
Management, 76-14-103
  cooperation and coordination, 76-14-102
  coordinator, state — role, 76-14-105
  plans, adoption and implementation, 76-14-105
  program, establishment, 76-14-102
Mining operations, protection from, 82-4-227, 82-4-434
Open range, 60-7-102, 81-4-203, 81-4-501, See also **LIVESTOCK**
Perpetuation, 76-11-102
Planning and zoning regulations, 76-14-105
Purpose of provisions, 76-14-102
Railroad fireguards to protect land, 69-14-722

RANGELAND RESOURCES (Continued)

Rangeland, 76-14-103
  types of land included, 76-14-104
  users, 76-14-103, 76-14-105
Rangeland resource program, 76-14-103, 76-14-106
Research, 76-14-105
Soil survey and mapping program, 76-11-201, 76-11-202
State coordinator for, 2-15-3304; Title 76, chapter 14, part 1
State land leases, Title 77, chapter 6, See **STATE LANDS, Surface leases**
Types of land included, 76-14-104
Unemployment insurance coverage for laborers, 39-51-205, See **UNEMPLOYMENT INSURANCE, Agricultural labor**
University system, consultations, 76-14-106
Users of rangeland, 76-14-103, 76-14-105
Weed control, 76-14-111
Work programs, 76-14-106
Zoning regulations, 76-14-105

RANGERS, PARK, 7-32-303, 23-1-106, 23-1-121, 23-1-122, 23-2-806, 77-5-104
  See **PARKS, State parks**

REAL ESTATE APPRAISING AND APPRAISERS
Actions
  appraisal fees, collection, 37-54-412
  appraisal reports involved in, retention, 37-54-416
Administration of provisions, 37-54-105, 37-54-112
Analysis assignment or report, See **Appraisal assignment or report**
Appraisal, 37-54-102
  certification requirements, 37-54-303, 37-54-304, 37-54-310
  development and communication, 37-54-304
    standards for, 37-54-105, 37-54-203, 37-54-304
  licensing qualifications, 37-54-203, 37-54-210
  services, classification, 37-54-411
Appraisal assignment or report, 37-54-102
  certificate number on, 37-54-305
  certification requirements, 37-54-304
  certified appraisal report, 37-54-102, 37-54-301
  classifications, 37-54-102
  inspections, 37-54-416
  licensee, cosignature, 37-54-301
  licensing requirements, 37-54-203
  retention, 37-54-416
  services, classification — compliance, 37-54-411
Appraisal fees, collection, 37-54-412
Appraisal foundation, 37-54-102
  certification and licensing requirements, 37-54-102, 37-54-105
  purposes, 37-54-102
  standards of professional appraisal practice, modifications or supplements, 37-54-403
Board of Real Estate Appraisers, 2-15-1868; Title 37, chapter 54, part 1
Certificate of good standing, 37-54-111
Certificates and certification, Title 37, chapter 54, part 3, See also **Licenses and licensing**
  applications, 37-54-105, 37-54-302, 37-54-311
  change of place of business, effect, 37-54-415
  classes of, 37-54-302 — 37-54-305, 37-54-310
  criteria, 37-54-102
  current holders, certificate of good standing, 37-54-111
  discrimination in issuance prohibited, 49-3-204

REAL ESTATE APPRAISING AND APPRAISERS (Continued)
Certificates and certification (Continued)

- display of certificate, 37-54-305
- education requirements, 37-54-105, 37-54-302 — 37-54-304, 37-54-310, 37-54-311
- eligibility, 37-54-302
- examinations, 37-54-102, 37-54-105, 37-54-302, 37-54-304
- experience requirements, 37-54-105, 37-54-303, 37-54-304
- expiration, 37-54-311
- failure to have, 37-54-201, 37-54-311
- fees, 37-54-105, 37-54-302, 37-54-310, 37-54-311
- issuance, 37-54-105, 37-54-302, 37-54-305, 37-54-415
- late renewal, 37-54-311
- number of certificate, 37-54-302, 37-54-305
- pocket card, 37-54-305
- qualifications, 37-54-102, 37-54-202, 37-54-304
- recertification, 37-54-102
- renewal, 37-54-105, 37-54-302, 37-54-305, 37-54-310, 37-54-311
  - refusal, 37-54-105, 37-54-311
- required, 37-54-301, 37-54-412
- suspension or revocation, 37-54-105

Certified real estate appraiser, See also **Certificates and certification**
- defined, 37-54-102
- use of term, 37-54-301

Change of place of business, notification, 37-54-415
Citation of Real Estate Appraiser Licensing and Certification Act, 37-54-101
Classification
- appraisal assignments or reports, 37-54-102
- services, 37-54-411

Contracts
- certificate number on, 37-54-305
- retention, 37-54-416

Course of study, 37-54-105, 37-54-202, 37-54-203
Disciplinary actions or proceedings, 37-54-105, 37-54-203, 37-54-302, 37-54-304
Display of license or certificate, 37-54-201, 37-54-305
Energy measures, residential — not to burden, 50-60-801
Ethical rules, licensing qualifications, 37-54-202, 37-54-203
Federally related transactions
- appraisal reports, 37-54-102
- restrictions in scope of practice, 37-54-201

Federal regulations, compliance with, 37-54-201, 37-54-202, 37-54-303, 37-54-304
Independent appraisal service, 37-54-102
- certification required, 37-54-311
- fees, collection, 37-54-412
- licensing required, 37-54-210, 37-54-211, See **Licenses and licensing**

Inspections, 37-54-416
Licensed real estate appraiser, See also **Licenses and licensing**
- defined, 37-54-102
- use of term, 37-54-201

Licenses and licensing, Title 37, chapter 54, part 2, See also **Certificates and certification**
- applications, 37-54-105, 37-54-210, 37-54-211
- change of place of business, effect, 37-54-415
- course of study, 37-54-202, 37-54-203
- current licensees, certificate of good standing, 37-54-411
- discrimination in issuance prohibited, 49-3-204
- display, 37-54-201
- education requirements, 37-54-105, 37-54-202, 37-54-203, 37-54-210
- examinations, 37-54-105, 37-54-202

REAL ESTATE APPRAISING AND APPRAISERS (Continued)
Licenses and licensing (Continued)

- experience requirements, 37-54-105, 37-54-202
- expiration, 37-54-210, 37-54-211
- failure to have, 37-54-201, 37-54-211
- fees, 37-54-105, 37-54-201, 37-54-210, 37-54-211
- issuance, 37-54-105, 37-54-201, 37-54-415
- late renewal, 37-54-211
- qualifications, 37-54-201, 37-54-202, 37-54-304
- renewal, 37-54-210, 37-54-211
  - refusal, 37-54-105, 37-54-211
- required, 37-54-201, 37-54-412
- restrictions, 37-54-201
- suspension or revocation, 37-54-105

Misconduct, 37-54-203, 37-54-302, 37-54-304
Nonresidents, 37-54-415
Place of business, 37-54-415
- certificate, display, 37-54-305
- license, display, 37-54-201
- roster of appraisers, inclusion, 37-54-110

Practice of, See also **Standards of professional practice**
- certification for, 37-54-301
- professional standards, 37-54-403
- restrictions, 37-54-201

Radon control, Title 75, chapter 3, part 6, See **RADIOACTIVE SUBSTANCES**
Records, retention, 37-54-105, 37-54-416
Registry of appraisers, 37-54-105
Regulation generally, See **PROFESSIONS AND OCCUPATIONS**
Reprimands, 37-54-105
Residential energy efficiency, measures not to burden, 50-60-801
Review assignment or report, See **Appraisal assignment or report**
Roster of appraisers, 37-54-110
Services, classification of, 37-54-411
Specialized services, 37-54-411
Standards of professional practice
- adoption, 37-54-105
- certification requirements, 37-54-301, 37-54-302, 37-54-310
- compliance, 37-54-403
- licensing requirements, 37-54-202, 37-54-210
- modifications or supplements, 37-54-403
- violation, 37-54-105

Temporary permit, 37-54-210
Third party services, 37-54-411, See also **Independent appraisal service**
Valuation appraisal or report, See **Appraisal assignment or report**
Violations
- certificates or licenses, failure to have, 37-54-201
- standards of professional appraisal practice, 37-54-105

REAL ESTATE BROKERS AND SALESPERSONS
- See also **PROPERTY, REAL, Sale**

Account, See **Real estate recovery account**
Actions
- compensation, collection — for, 37-51-401, 37-51-607
- nonresident brokers or salespersons, commenced against, 37-51-306
- violations, civil actions, 37-51-323, 37-51-608

Advertising, 37-51-102, 37-51-301, 37-51-321

REAL ESTATE BROKERS AND SALESPERSONS (Continued)

Affidavits, 37-51-505
  of service, 37-51-503, 37-51-506
Appraisals, Title 37, chapter 54, See **REAL ESTATE APPRAISING AND APPRAISERS**
Assessment to fund recovery account, 37-51-502
Association, change of — notice to department, 37-51-309
Board of Realty Regulation, 2-15-1867; Title 37, chapter 51, part 2
Broker associate, 37-51-102, 37-51-309
Broker owner, 37-51-102, 37-51-309
Claims against licensees, See **Real estate recovery account**
Clinics, 37-51-204
Complaints concerning brokers, salespersons, or property managers, 37-51-321
Deceptive practices law, supplemental provisions, 37-51-104
Definitions, 37-51-102
Directory of licensees, 37-51-307
Disciplinary actions, 37-51-512
Disclosure requirements, 37-51-314
Discriminatory practices, See **DISCRIMINATION**
Duties, duration, and termination of relationship, 37-51-313
Educational programs, 37-51-204
Energy efficiency, residential — not to burden, 50-60-801
Escrow business regulation provisions, exemption, 32-7-103
Examination, 37-51-303
Executive secretary, 37-51-209
Exemptions from provisions, 37-51-103, 37-51-602
Fines, 37-51-323, 37-51-608
Judgments, unsatisfied — payment of claims based on, See **Real estate recovery account**
Liability, vicarious, 37-51-315
Licenses and licensing, Title 37, chapter 51, part 3
  applications, 37-51-302
  assessment to fund recovery account, 37-51-502
  cancellation when, 37-51-309, 37-51-310
  delivery, 37-51-305
  directory of licensees, 37-51-307
  disciplinary actions, 37-51-512
  discrimination in issuance prohibited, 49-3-204
  display, 37-51-305, 37-51-308
  education and experience requirements, 37-51-302
  examinations, 37-51-302, 37-51-303, 37-51-306
  fees, 37-51-306, 37-51-308 — 37-51-311, 37-51-502
  form, 37-51-305
  issuance, 37-51-202, 37-51-309
  lack of, 37-51-301
  lapse, reinstatement and fees, 37-51-310
  limitations, 37-51-301
  nonlicensed brokers, salespersons, or property managers — transactions with, unlawful, 37-51-306, 37-51-607
  nonresidents, 37-51-306
  pocket cards, 37-51-302, 37-51-305, 37-51-309
  property managers, 37-51-601, 37-51-603
  qualifications, 37-51-302
  renewal, 37-51-310
  required, 37-51-301
  revocation or suspension, 37-51-202, 37-51-321
  salespersons, procedure for change of association, 37-51-309
  taxation by municipality prohibited, 37-51-312

REAL ESTATE BROKERS AND SALESPERSONS (Continued)
Licenses and licensing (Continued)

  timeshare brokers or salespersons, Title 37, chapter 53, See **TIMESHARES, Brokers or salespersons**
Local license fees or taxes prohibited, 37-51-312
Mobile homes, brokers of, 61-4-101
Nonresident brokers, salespersons, or property managers — transactions with, 37-51-306, 37-51-607
Offices, requisites 37-51-308, 37-51-605
Penalties for violations, 37-51-323, 37-51-608
Pocket cards, 37-51-302, 37-51-305, 37-51-309, 37-51-603
Prohibited practices, See **Violations and penalties**
Property management and managers, 37-51-601 — 37-51-603
Radon control, Title 75, chapter 3, part 6, See **RADIOACTIVE SUBSTANCES**
Real estate recovery account, Title 37, chapter 51, part 5
  administration, 37-51-501, 37-51-502
  affidavits, 37-51-503, 37-51-505, 37-51-506
  assessment to fund, 37-51-502
  deposits, 37-51-501, 37-51-502, 37-51-510, 37-51-511
  establishment and minimal balance, 37-51-501
  liability of account, 37-51-508
  payments from
    applications and exceptions, 37-51-503
      consolidation, 37-51-508
      denial, 37-51-508
      form, requirements, 37-51-504
      hearings, 37-51-506
      motion to dismiss, 37-51-505
    claims satisfaction and interest payments, 37-51-509
    limitation, 37-51-508
  purpose, 37-51-501
  repayments by licensees, effect, 37-51-512
  subrogation rights of board, 37-51-511
Relationship between parties
  definitions, 37-51-102
  disclosure requirements, 37-51-314
  duties, duration, and termination, 37-51-313
  vicarious liability, 37-51-315
Residential energy efficiency, measures not to burden, 50-60-801
Standards, 37-51-204
Timeshare sales, applicability of provisions to, 37-53-301, 37-53-302, 37-53-307, See also **TIMESHARES**
Transactions, See **Relationship between parties**
Trust accounts, nonapplicability of escrow account provisions, 32-7-103
Unemployment insurance coverage exclusions, 39-51-204, See also **UNEMPLOYMENT INSURANCE**
Violations and penalties, 37-51-323, 37-51-608
  employment of nonlicensed brokers or salespersons, 37-51-306
  license, lack of, 37-51-301, 37-51-323, 37-51-601
  misrepresentation, 37-51-315
  property managers, licensing, 37-51-608
  timeshare brokers or salespersons, 37-53-302, 37-53-307
  transactions with nonlicensed property managers, 37-51-607
Workers' compensation coverage exclusions, 39-71-401

REAL PROPERTY
  See **PROPERTY, REAL**

REALTORS, Title 37, chapter 51
  See **REAL ESTATE BROKERS AND SALESPERSONS**

REALTY TRANSFER ACT, Title 15, chapter 7, part 3
    See **TAXATION, PROPERTY, Transfers of real property**

REAPPORTIONMENT COMMISSION, Const., V, 14; Title 5, chapter 1

RECALL
    See also **BALLOT ISSUES**
Circulation sheets
    affidavit, 2-16-619, 2-16-620
        false entries, 2-16-612
    filing, 2-16-617
    form, 2-16-617, 2-16-618
    signatures
        certification and verification, 2-16-619, 2-16-620
        falsification, penalty, 2-16-612
        number required, 2-16-614
    submission, 2-16-619
Citation of Montana Recall Act, 2-16-601
City commissioners, 7-3-4317, 7-3-4319
City-county commissioners, 7-3-1217
County water and/or sewer district officers, 7-13-2261
Definitions, 2-16-602
Elections
    ballot
        form, 2-16-633
        general election, with, 2-16-622
        statement of justification, inclusion, 2-16-621, 2-16-633
    "candidate" defined, 13-1-101
    conduct, 2-16-632
    expenses, 2-16-613, 2-16-634
    mail ballot elections prohibited, 13-19-104
    notice, 2-16-631
    proclamation, 2-16-622
    results, 2-16-635
Electors qualified to sign petition, 2-16-612, 2-16-614
Grounds for, 2-16-603, 5-7-305
Limitations, 2-16-613
Lobbying violations as ground for, 5-7-305
Mayors, 7-3-4319
Method of removal, 2-16-611
Officers
    continuation in office, 2-16-635
    notification, 2-16-621
    resignation, 2-16-622
    statement of justification, 2-16-621, 2-16-633
    subject to, 2-16-603, 2-16-613
Petitions, See also **Circulation sheets**
    electors qualified to sign, 2-16-612, 2-16-614
    filing, 2-16-615
    form, 2-16-616 — 2-16-618
    limitations, 2-16-613

RECEIVERS
  See also generally **REMEDIES; SPECIAL PROCEEDINGS**
Actions by or against, 27-20-302; Title 25, chapter 20, M.R.Civ.P., Rule 66
  appointment, for, 27-20-102
Agricultural loan authority program bondholders, appointment by, 80-12-302
Appeal of appointment
  calendar precedence, Title 25, chapter 21, M.R.App.P., Rule 39
  permitted, Title 25, chapter 21, M.R.App.P., Rule 1
Appeals, appointment during, 27-20-102
Appointment procedure
  applicability of laws, Title 25, chapter 20, M.R.Civ.P., Rule 66
  application, notice, 27-20-201
  consent of person to be appointed to be written, 27-20-202
  ex parte application, 27-20-203
  sureties and undertaking of applicant required, 27-20-203
  who may appoint, 27-20-102
Banks, acquisition of branch banks when, 32-1-372
Boat certificate of ownership, transfer of interest, 23-2-510
Bonds, official, 2-9-505, 27-20-301, See **SURETY BONDS, Official bonds**
Cities and towns
  enterprises, receivership when, 7-7-4630 — 7-7-4632
  undertakings, appointment of receiver for, 7-7-4428
Condominiums, foreclosure on unit — rent collection, 70-23-609
Consumer loan businesses, appointment when, 32-5-405
Consumer protection, appointment, 30-14-131, 30-14-132
Corporations
  appointment, 27-20-103, See also **CORPORATIONS; NONPROFIT CORPORATIONS**
  close corporations, transfer of shares, 35-9-202
  professional corporations, amendment of articles of incorporation, 35-4-312
Counterclaim, availability to defendant interposing, 27-15-102
Economic development bondholders, appointment by, 17-5-1508
Escrow business assets, appointment for — when, 32-7-122
Execution, in aid of, 25-14-201, 27-20-102
Fraudulent transfer, appointment as remedy, 27-20-102, 31-2-339
Gambling violations, appointment for defendant, 23-5-136
Health care facilities, for, 50-5-115
Health Facility Authority bonds, enforcement, 90-7-304
Housing projects, appointment when, 7-15-4530
Insurers supervision, rehabilitation, and liquidation, See **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
Investments by, 27-20-303
Irrigation district undertakings, appointment for, 85-7-1419
Joint tenants, appointment in actions between, 27-20-102
Judgments, appointment to effect, 27-20-102
Liens — oil and gas wells and pipelines, labor and materials, 71-3-1010
Limited liability companies, 35-8-204, 35-8-802
Mortgages, appointment in foreclosure, 27-20-102
Motor carriers, for, 61-9-512, 69-12-101, 69-12-108
Motor vehicle certificate of ownership, transfer of interest, 61-3-201
Municipal finance consolidation bond- or noteholders, appointment by, 17-5-1621
Nonprofit corporations, See **NONPROFIT CORPORATIONS**
Notice, 27-20-201
Oath, 25-14-203, 27-20-301
Official bonds, 2-9-505, 27-20-301, See **SURETY BONDS, Official bonds**

RECEIVERS (Continued)

Parking commission facilities, appointment and role, 7-14-4664, 7-14-4665
Partnerships, appointment, 27-20-102, 35-10-505, 35-10-616
Power of attorney, statutory — authority, 72-31-232
Powers generally, 27-20-302
"Property" defined, 27-20-101
Real estate broker and salesman provisions, exemption from — when, 37-51-103
Removal, 27-20-304
Securities transactions, 30-10-105, 30-10-305
Snowmobile certificate of ownership, transfer of interest, 23-2-612
Subdivisions out-of-state, in-state sales — appointment when, 76-4-1244
Sureties of applicant, 27-20-203
Sureties of receiver, 27-20-301
Taxation
  income tax, See generally **TAXATION, INDIVIDUAL INCOME**
  property in possession of, 15-8-504
Timeshare sales, appointment when, 37-53-505
Trusts
  appointment, 7-7-4630, 72-33-616, 72-33-619, 72-34-506, 85-7-1419
  trust property, 72-33-618, 72-34-506
Undertaking of applicant, 27-20-203
Undertaking of receiver, 25-14-203, 27-20-301
Unemployment insurance coverage, effect, 39-51-1305
Unfair trade practices, appointment, 30-14-131, 30-14-132
Utilities, for, 69-3-101
Utilities, underground — excavations near, Title 69, chapter 4, part 5
Water conservancy districts, dissolution — appointment, 85-9-303, 85-9-304
Water conservation revenue bondholders' or trustees' rights, appointment for enforcement, 85-1-309
Workers' compensation, uninsured employer violations — receivership as relief to employee, 39-71-516

RECIPROCAL AGREEMENT FOR COLLECTION OF WAGES ACT OF 1977, Title 39, chapter 3, part 3
  See **WAGES AND SALARIES, Reciprocal enforcement of payment**

RECLAMATION, Const., IX, 2
Conservation district reservoirs, 76-15-407 — 76-15-409
Flood control projects, 76-5-1101
Hazardous wastes
  halogenated solvents, 75-10-451
  management facilities, 75-10-404, 75-10-405
Irrigation districts, creation to cooperate with united states reclamation projects, 85-7-101, 85-7-1710, 85-7-1841, 85-7-1842
Megalandfill siting facilities, damage or impairment of natural resources, 75-10-950 — 75-10-954
Mining, See **MINES AND MINING**
Oil and gas, 82-10-402, 82-11-123, 82-11-161; Title 90, chapter 2, part 11; Const., IX, 2
Reclamation and development grants program
  bribery of public officers connected with, 90-2-1121
  citation of reclamation and development grants program act, 90-2-1101
  conditions of grants, 90-2-1114
  definitions, 90-2-1103
  eligibility requirements, 90-2-1112
  evaluation criteria and priority, 90-2-1113
  policy and purpose, 90-2-1102
  reclamation and development grants account, 15-37-117, 15-38-106, 15-38-202, 90-2-1103, 90-2-1104
  rules, 90-2-1105
  state and local grants, 90-2-1111
Recycling of reclaimable materials, tax credits and deduction, Title 15, chapter 32, part 6

RECLAMATION (Continued)

Solid waste management, resource recovery by, Title 75, chapter 10, See **SOLID WASTE MANAGEMENT**
State lands, inclusion in irrigation districts, 77-2-305, 77-2-315
Urban renewal, blighted areas, 7-15-4203
Water
  bank of watercourse, 70-18-202
  conservation projects, 76-5-1101
  funding, 85-1-332
Water quality disposal sites, requirements, 75-5-401, 75-5-402, 75-5-405

RECORDS COMMITTEE, STATE, 2-6-202, 2-15-1013
  See also **PUBLIC RECORDS**
Disposal or retention of records, 2-6-111, 2-6-204, 2-6-212, 2-6-213
Election records, plan for retention and destruction, 13-1-303
Official records, 2-6-302, 2-6-304

RECREATION
  See also **PARKS**
Aging and aged persons, funds for activities, 7-16-101
Airports, near recreational areas, 67-11-221
Amusement areas or facilities
  city licensing and regulation, 7-21-4201, 49-3-204
  discriminatory practices, See **DISCRIMINATION, Public accommodations**
  fireworks displays, 50-37-107
  hats or bonnets, wearing at — regulation, 7-5-4104
  hours of labor for employees, 39-4-112
  overtime compensation of employees, 39-3-405
  public welfare, director of — inspection and supervision, 7-3-4463
  right to work provisions, 39-33-101
Athletic fields, 7-16-2321, 7-16-2327, 7-16-4104, 7-16-4106
Band concerts, public, 7-16-4112, 7-16-4113
Baths, public, 7-16-4110, 7-16-4111
Bicycle trails and footpaths, establishment, 60-3-303
Billiard tables or halls, 7-21-4201, 49-3-204, 50-61-103
Board of Recreation, 7-16-4108, 20-7-802
Boats and boating, Title 23, chapter 2, part 5
Bowling alleys
  city licenses, 7-21-4201, 49-3-204
  fire protection and safety regulation, 50-61-103
Boxing, Title 23, chapter 3
Camping, See **CAMPING AND CAMPGROUNDS**; See also **RIVERS AND STREAMS, Recreational use**
Camps, land or facilities for, 7-16-2321, 7-16-2327
Caves
  citation of Montana cave conservation act, 23-2-901
  definitions, 23-2-902
  disturbance unlawful, 23-2-904
  owner liability, 23-2-907, 70-16-302
  penalty for violations, 23-2-908
  pollution of and burning harmful substances in, unlawful, 23-2-905
  recreational purpose, spelunking defined as, 70-16-301
  sale of speleothems and speleogens unlawful, 23-2-906
  vandalism unlawful, 23-2-903
Circuses, 7-21-4201, 39-4-112, 49-3-204, 87-4-801

RECREATION (Continued)

Civic centers or stadiums
    counties
        budget, 7-21-3455 — 7-21-3457
        erection and maintenance, 7-8-2102, 7-16-2101
        joint fair and civic center commission, 7-21-3451 — 7-21-3458
        land, acquisition and use — limitation, 7-16-2105, 7-16-2106, 7-16-2321
        management and operation, 7-8-2103, 7-21-3451, 7-21-3455
        tax levy, 7-16-2102, 7-16-2103, 7-21-3457
    municipalities
        establishment and financing, 7-16-4103 — 7-16-4106
        property for stadiums, 7-16-4106
        urban renewal areas, 7-15-4262
    park commissioners, county board of — powers, 7-16-2321, 7-16-2327
Community service corps and volunteer projects, 90-14-105
Concealed weapons, carrying — exemption from criminal provisions, 45-8-317
Conservation district loan programs, 76-15-544, 76-15-545
County land, 7-8-102, 7-8-2501, 7-16-102, 7-16-2105, 7-16-2106, 7-16-2109
Dams and reservoirs, purpose, 85-15-115
Development of resources
    commerce, department of — functions, 90-1-103 — 90-1-105
    industrial development project, as, 90-5-101
    outdoor recreation resources, 23-2-101
    water conservancy districts, 85-9-101, 85-9-102
Easements for, 7-16-2423, 23-2-302, 23-2-322, 70-17-101, 70-17-102, 72-16-445
Economic development bonds, Title 17, chapter 5, part 15
Entry upon land, notice requirements, 77-1-806
Equine activities, liability, 27-1-725 — 27-1-728
Estate taxes, in-kind payment for preservation of values, 72-16-445 — 72-16-450
Facilities
    counties
        erection, management, and maintenance, 7-8-2102, 7-8-2103, 7-16-2101
        land, acquisition and use limitation, 7-16-2105, 7-16-2106, 7-16-2321
        tax levy, 7-16-2102, 7-16-2103
    funds for, 7-16-2103, 87-1-605
    municipalities, 7-16-4103 — 7-16-4105
    park commissioners, county board of — powers, 7-16-2321, 7-16-2327
    planning boards, purpose, 76-1-102
    plans and specifications, 18-2-122
    public programs, See **Public recreation programs**
    public welfare, director of — management, 7-3-4463
    special improvement districts, creation for, 7-12-4102
Fairs, Title 7, chapter 21, part 34
Family policy concerning, 40-7-102
Fieldhouses, land or facilities for, 7-16-2321, 7-16-2327
Fire protection and safety regulations, 50-61-103
Fireworks displays, 50-37-103, 50-37-107
Fishing, See **FISH AND WILDLIFE**; See also **RIVERS AND STREAMS, Recreational use**
Flathead Lake, ombudsman for management and regulation of level, 90-1-104
Flood control projects, Title 76, chapter 5, part 11
Floodways, recreational uses within, Title 76, chapter 5
Footpaths and bicycle trails, establishment, 60-3-303
Forest practices in streamside management zones, 77-5-301 — 77-5-307
Forests, recreational value — protection, 76-13-301
Gambling, Title 23, chapters 5 and 7
Garbage, dumping or leaving, 75-10-212

RECREATION (Continued)

Golf courses
  alcoholic beverages, sale and consumption, 16-3-302
  beer and wine license, 16-4-109
  discriminatory practices, See **DISCRIMINATION, Public accommodations**
  financing, 7-16-4104
  floodplains and floodways, within, 76-5-401
  land or facilities for, 7-2-4503, 7-16-2321
  park commissioners, county board of — powers, 7-16-2321, 7-16-2327
  revenue from, 7-6-4133
  taxation, 15-6-134, 15-10-402, 15-10-411, 15-10-412
Highways
  areas along, 7-16-2105
  tourist-oriented directional signs, 60-5-502, 60-5-522
Hiking, 23-1-117, 23-2-701, 45-8-317, 60-5-522, 70-16-301, 76-5-401
Horses and horseracing, Title 23, chapter 4
Hunting, See **FISH AND WILDLIFE**; See also **RIVERS AND STREAMS, Recreational use**
Indian activities, promotion, 90-1-104, 90-1-105
Inheritance taxes, in-kind payment for preservation of values, 72-16-445 — 72-16-450
Insurance, blanket disability, See **INSURANCE, DISABILITY, Blanket disability insurance**
Landowners
  liability, 23-2-321, 70-16-301, 70-16-302, 77-1-805
  permission required, 23-2-302
  smith river management, Title 23, chapter 2, part 4
Landscape architects, Title 37, chapter 66
Lottery, Title 23, chapter 7
Menageries, Title 87, chapter 4, part 8
Mining operations, effect, 82-4-202, 82-4-227, 82-4-302, 82-4-371, 82-4-402, 82-4-434, 82-4-445
Motorist information signs, Title 60, chapter 5, part 5
Mountaineering, 23-2-701
Museums, See **MUSEUMS**
Natural areas, multiple uses, 76-12-112, 76-12-121
Off-highway vehicles, Title 23, chapter 2, part 8
  handicapped person operating below ordinary high-water mark of certain lands allowed when, 61-8-371
Open-space lands for, Title 76, chapter 6
Outdoor recreation resources
  acquisition, 23-2-103, 87-1-209, 87-1-605
  counties, planning, 7-16-2324
  enforcement of provisions, 23-1-122, 87-1-503
  federal laws, implementation and compliance, 23-2-101 — 23-2-103
  purpose and legislative intent, 23-2-101
  timeshare sales, Title 37, chapter 53
Paddlefish roe as caviar, donation and sale program — advisory committee, proposals and projects, 87-4-601
"Park and recreation land" defined, 7-16-2401
Park Commissioners, County Board of — powers, 7-16-2321, 7-16-2327
Planning boards, Title 76, chapter 1
Playgrounds
  dedicated land, 7-16-2324, 76-3-621
  establishment, 7-16-4103
  financing, 7-16-2327, 7-16-4104, 7-16-4105
  gift or devise, authority for acceptance, 7-8-103, 7-8-104
  inventory, 7-16-2324
  land or facilities for, 7-16-2321, 7-16-2324, 7-16-4103
  park commissioners, county board of — powers, 7-16-2321, 7-16-2327
  planning boards, authority, 76-1-408, 76-1-601

RECREATION (Continued)
Playgrounds (Continued)

  public recreation programs, See **Public recreation programs**
  public welfare, director of — management, 7-3-4463
  public works, director of — management, 7-3-1331
  signs, location, 75-15-113
  tax levy for, 7-16-4105
  urban renewal, 7-15-4206, 7-15-4209, 7-15-4255, 7-15-4267
Pool tables or halls, 7-21-4201, 49-3-204, 50-61-103
Port authorities, purpose, 7-14-1104
Postattack emergency regulation, 10-3-505
Posting of land, requirements, 45-6-201, 77-1-806
Protection and preservation of recreation areas, Const., IX, 4
Public lands and waters, recreation on, See also **RIVERS AND STREAMS**, **Recreational use**; **Smith River management**
  facilities, funds for, 87-1-605
  use, rules for, 23-2-302, 23-2-408, 23-2-410, 87-1-301, 87-1-303
Public recreation programs, See also **SCHOOL DISTRICTS AND TRUSTEES**, **Public recreation programs**
  board of recreation, 7-16-4108
  funds for, 7-16-4107
  gifts, acceptance, 7-16-4109, 20-7-803
  operation, 7-16-4108, 20-7-802
  school districts, cooperation, 7-16-4107, 20-7-801
Railbeds, abandoned — acquisition of ownership or easement, 60-11-111, 60-11-112
Rangeland, on, Title 76, chapter 14
Refuse, dumping or leaving, 75-10-212, 75-10-233
Renewable resource, as, Title 85, chapter 1, part 6
Resort tax, 7-6-4461 — 7-6-4469
Service districts, Title 7, chapter 11, part 11
Shooting galleries, 7-21-4201
Skating rinks
  discriminatory practices, See **DISCRIMINATION**, **Public accommodations**
  establishment, 7-16-4103
  financing, 7-16-2327, 7-16-4104, 7-16-4105
  fire protection and safety regulations, 50-61-103
  land or facilities for, 7-16-2321, 7-16-4103
  park commissioners, county board of — powers, 7-16-2321, 7-16-2327
  tax levy for, 7-16-4105
  use charges, 7-16-4103
Skiing, Title 23, chapter 2, part 7
Smith River management, Title 23, chapter 2, part 4
Snowmobiles, Title 23, chapter 2, part 6
Soil survey and mapping program, 76-11-201, 76-11-202
State lands, recreational use, Title 77, chapter 1, part 8
State parks, within, 23-1-102, 23-1-103, 23-1-105, 87-1-303, 87-2-112
Stream access law, Title 23, chapter 2, part 3
Subdivisions, purpose, 76-3-102, 76-4-101
Swimming, Title 50, chapter 53
Theaters, See **THEATERS**
Tourism, See **TOURISM**
Tramways, Title 23, chapter 2, part 7
Trapping, Title 87, chapter 2, part 6
University system facilities, 20-25-302
Upper Clark Fork River Basin Steering Committee, representation on, 85-2-338
Urban renewal, property for, 7-15-4262
Waste disposal sites, ground water monitoring requirements, 75-10-203, 75-10-204, 75-10-207

RECREATION (Continued)

Water
    adjudication of rights, representation, 85-2-223
    beneficial use, 85-2-102
    chronically dewatered watercourses, identification factors, 85-2-150
    conservation projects, Title 76, chapter 5, part 11
    county water and/or sewer district projects for, 7-13-2218
    development, 85-1-601, 85-1-609, 85-9-101, 85-9-102
    funds for recreational areas, 87-1-605
    ground water assessment, Title 85, chapter 2, part 9
    ground water, order for controlled ground water area — preferences, 85-2-507
    recreational use, Title 23, chapter 2, parts 3 and 4
    rulemaking authority, 23-2-302, 23-2-408, 85-9-404, 87-1-301, 87-1-303
    use, rules for, 23-2-302, 23-2-408, 23-2-410, 85-9-404, 87-1-301, 87-1-303
    water quality conservation for, 75-5-101
    works, public benefits, and development activity, 85-1-102
    yellowstone river basin appropriations, moratorium, Title 85, chapter 2, part 6
Water conservancy districts for development, 85-9-101, 85-9-102, 85-9-404
Waterskiing, 70-16-301, 70-16-302, 87-1-303; Title 23, chapter 2, part 5
Weather modification and control, research and development for, 85-3-103
Wrestling, Title 23, chapter 3
Youth centers
    counties
        erection, maintenance, or management, 7-8-2102, 7-8-2103, 7-16-2101
        land, acquisition and use limitation, 7-16-2105, 7-16-2106, 7-16-2321
        tax levy, 7-16-2102, 7-16-2103
    municipalities, establishment and financing, 7-16-4103 — 7-16-4105
    park commissioners, county board of — powers, 7-16-2321, 7-16-2327
Youth guidance centers, multicounty, 7-16-2104
Zoos, Title 87, chapter 4, part 8

RECYCLING
Halogenated solvents, 75-10-451
Hazardous wastes, 80-8-110
    remedial action upon release of hazardous substance, 75-10-602
Household hazardous waste, 75-10-215
Motor carriers, transportation of recyclables, 69-12-101, 69-12-301, 69-12-302, 69-12-406
Motor oil
    generally, Title 75, chapter 10, part 8, See **SOLID WASTE MANAGEMENT**, **Integrated waste management**
    recycling centers, notice of location, 75-10-1101
Motor vehicles
    junk vehicles, Title 75, chapter 10, part 5
    license plates, 61-3-336
Resources, depletable, 75-1-103
Solid waste management, 75-10-101 — 75-10-104, 75-10-121, 75-10-203
    integrated waste management, 75-10-802, 75-10-804 — 75-10-807
    state plan, 75-10-807
State government
    procurement of recycled supplies and materials, 75-10-806
    source reduction and recycling program, 75-10-805
Tax credit or deduction, Title 15, chapter 32, part 6

REFERENDUMS
    See **BALLOT ISSUES**

REGENTS OF HIGHER EDUCATION, BOARD OF, 2-15-1505, 2-15-1508; Const., X, 9
  See also **EXECUTIVE BRANCH**
Agricultural Experiment Station, duties, 20-25-223, 20-25-226, 20-25-230, 20-25-301
Alcohol abuse instruction courses, approval of content, 20-25-602
Appeals to, 20-25-504
Audit provisions, 5-13-401, 20-25-402; Const., X, 9
Bonds
  issuance or sale, 20-25-402
  long-range building program, 17-5-425
  municipal finance consolidation, participation, 17-5-1604
  university of Montana-dillon, swimming pool addition, 17-5-423, 17-5-425
  validation, Title 17, chapter 5, part 2
Budget, See also **BUDGET AND BUDGETING**
  "approving authority" defined, 17-7-102
  bonded indebtedness information, inclusion in budget request, 17-7-111
  general fund spending reductions, 17-7-140
  "university system unit" defined, 17-7-102
Buildings, construction — authorization or legislative intent, 18-2-102, 18-2-103
Chairman, 20-2-111
Collective bargaining, 39-31-103, 39-31-301, 39-31-302, See also **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Community college districts and trustees, duties, Title 20, chapter 15
Contracts, public, Title 18
Defined, 20-1-101
Donations, acceptance, 20-25-242, 20-25-252, 20-25-254
Drug abuse instruction courses, approval of content, 20-25-602
Education, State Board of — composition, 20-2-101; Const., X, 9
Federal Higher Education Programs, Commission on — allocation to and members of, 2-15-1515, 20-2-401 — 20-2-403
Federal money, buildings constructed with — authorization requirement, 18-2-102
Fire Services Training School, duties, 2-15-1519; Title 20, chapter 31
Forest and Conservation Experiment Station, duties, 20-25-241 — 20-25-245
Gifts or grants, acceptance, 20-25-103, 20-25-108, 20-25-242, 20-25-252, 20-25-254, 20-25-301, 20-25-402, 20-25-425, 20-31-401
Group benefits for personnel, authority, 2-18-702, 2-18-815
Guaranteed student loan program, 2-15-1520, 15-30-303, 20-26-1102 — 20-26-1106, 20-26-1111
Higher education, commissioner of, 2-15-1506, 20-2-131; Const., X, 9
Higher education funds, interentity loan extensions — granting, 17-2-107
Land, disposition, 20-25-307, 20-25-422, 77-1-101
Lease of land or land and facilities, 20-25-441
Mines and Geology, Bureau of — duties, 20-25-211, 20-25-212, 20-25-301
Montana State University, 20-25-221, 20-25-225, 20-25-424, See also **University system generally**
Montana State University-Billings, 20-25-252, 20-25-255, See also **University system generally**
Montana State University-Havre, 20-25-256, See also **University system generally**
Montana Tech of University of Montana, physical education facility — undertaking for, 17-5-421, See also **University system generally**
Powers and duties generally, 20-25-301; Const., X, 9
Records and reports, 20-2-114, 20-25-301, 20-25-305
Retirement program, university system optional — responsibilities, Title 19, chapter 21
Revenue, Department of — furnishing information pertaining to delinquent student loans, 15-30-303, 20-26-1111
Rural physician incentive program and trust fund, 20-26-1501 — 20-26-1503
Social security contributions, funds designated for, 19-1-825
Statewide classification and pay plans, 2-18-103

REGENTS OF HIGHER EDUCATION, BOARD OF (Continued)

Telecommunications network (METNET), collection of fee — approval, 20-32-103
University of Montana, 20-25-206, 20-25-302, 20-25-422, 20-25-441, 20-25-442, See also **University system generally**
University of Montana-Dillon, 17-5-423, 17-5-425, 20-25-254, 20-25-255, See also **University system generally**
University system generally
  appropriations, unexpended — reversion to account held by board, 17-7-304
  bonded indebtedness information, inclusion in budget request, 17-7-111
  borrowing, authority, 20-25-402
  data and information technology resources, security responsibilities, 20-25-301
  degrees, approval of requirements for awarding, 20-25-107
  executive boards, local, 20-25-303, 20-25-304
  expenditures, control, 20-25-425
  facilities, revenue-producing — powers, 20-25-302
  fee waivers, 20-25-421, 52-5-112
  gifts or grants, acceptance, 20-25-103
  holidays, designation, 20-25-306
  incidental fees prescribed by, 20-25-421
  library services, contract with governmental agencies, 22-1-403
  maintenance expenditures and equipment and fixed assets purchase, plan for, 17-7-304
  matriculation charges prescribed by, 20-25-421
  motor vehicle regulations, authority, 20-25-311, 20-25-312
  parking facilities and regulations, authority, 20-25-311, 20-25-312
  presidents of units, 20-25-305
  property tax revenue, 20-25-423
  research programs, approval, 20-25-108
  retirement program, optional — responsibilities, Title 19, chapter 21
  security departments, appointment of members, 20-25-321
  security guards, policies regarding firearms, 20-25-324
  6-mill levy, revenue from, 20-25-423
  student housing construction, legislative intent, 18-2-103
  students' residency status, rules concerning, 20-25-501
  traffic regulations, authority, 20-25-311, 20-25-312
  tuition rates and waivers prescribed by, 20-25-421, 52-5-112
  youth correctional facility residents, notice of attendance and waiver of tuition and fees, 20-25-421, 52-5-112
Vocational-technical education, budgets — approval, 20-25-439
Work-study programs, Title 20, chapter 25, part 7

REGIONAL CORRECTIONAL FACILITY ACT, Title 53, chapter 30, part 5

REGULATION OF ESCROW BUSINESSES ACT, Title 32, chapter 7
  See **ESCROW BUSINESSES**

RELIGION
  See also **CHURCHES; CLERGY**
Abortion, refusal to participate based on, 50-20-111
Adoption proceedings, consideration, 40-8-114, 49-1-102, 49-2-308, 49-3-204, 49-3-205
Appropriation by state prohibited, Const., V, 11
Bible
  family records, hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 803
  school libraries, inclusion, 20-7-112
Burial site protection, Title 22, chapter 3, part 8
Charitable trusts, 72-33-502, See **TRUSTS**
Child abuse and neglect, reporting of, 41-3-201, 41-3-203 — 41-3-207

RELIGION (Continued)

Christian Science
    healing institutions, applicability of laws, 50-5-104
    practice of, 37-3-103
    practitioners, reporting of child abuse and neglect, 41-3-201, 41-3-203 — 41-3-207
Collective bargaining, right of nonassociation, 39-31-204, 39-31-401
Convents, fire protection and safety regulations, 50-61-103
Corporate donations to, 35-1-115
Corporations, Title 35, chapter 3
Cross burning prohibited, 45-5-221
Developmentally disabled persons in residential facilities, worship and diet restrictions respected, 53-20-142
Discriminatory practices, See **DISCRIMINATION**
Establishment by state prohibited, Const., II, 5
Fraternal benefit societies, applicability, 33-7-109, 33-7-126
Freedom of religion, Const., II, 4; II, 5
Funds management, 72-30-102, See **TRUSTS, Institutional funds**
Health Facility Authority funding prohibited, 90-7-104
Home arrestees, conditions, 46-18-1003
Human skeletal remains, protection, Title 22, chapter 3, part 8
Indian tribes, possession or transportation of eagle parts or plumage, 87-5-201
Inheritance tax exemption, 72-16-312, 72-16-607
Insurance, blanket disability, See **INSURANCE, DISABILITY, Blanket disability insurance**
Labor organizations, right of nonassociation, 39-31-204, 39-31-401
Limited liability companies, donations, 35-8-107
Lottery, state — sales by employees of ticket or chance sales agents not required when, 23-7-110, 23-7-301
Malicious intimidation or harassment, 45-5-221
Managed care community network, affiliation — consideration, 53-6-703
Marriage, form of solemnization, 40-1-301
Mausoleums and columbariums operated by, applicability of laws, 35-21-103
Mentally ill persons, institutionalized — worship and diet restrictions respected, 53-21-142
Motor vehicle operated for religious purposes, special fuel user's courtesy vehicle permit, 15-70-302
Nonprofit corporations
    donations, 35-2-118
    religious, Title 35, chapter 3
Nonprofit organizations
    amusement games, Title 23, chapter 6, part 1
    gambling, 23-5-112, See **GAMBLING, Charities; Nonprofit organizations**
Nurses, collective bargaining — nonapplicability of provisions, 39-32-102
Nursing or care of the sick, 37-8-103
Offenses committed because of, sentence enhancement, 45-5-222
Postsecondary educational institution provisions, exemption when, 20-30-102
Prayer
    healing by, 50-5-104
    schools, in, 20-7-112
Prenatal serological testing, waiver based on, 50-19-109
Public employees, right of nonassociation with labor organization, 39-31-204, 39-31-401
Records, hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 803
Schools
    Bible or other religious material, inclusion in libraries, 20-7-112
    discrimination based on prohibited, Const., X, 7
    enrollment, 20-5-102
    immunization requirements, exemption when, 20-5-405
    prayer in, 20-7-112
    religious instruction
        in school prohibited, Const., X, 7

RELIGION (Continued)
Schools (Continued)
  religious instruction (Continued)
    released time programs, 20-1-308
  sectarian publications prohibited, 20-7-112
  tests for admission of teachers or students prohibited, Const., X, 7
State appropriation prohibited, Const., V, 11
Sterilization, refusal to participate based on, 50-5-502, 50-5-503
Trust funds
  charitable trusts, 72-33-502, See **TRUSTS**
  management, 72-30-102, See **TRUSTS, Institutional funds**
  tax exemption, 15-30-135
Unemployment insurance coverage for employees, 39-51-203, 39-51-204, 39-51-2108, See also **UNEMPLOYMENT INSURANCE**, generally
Unions, right of nonassociation, 39-31-204, 39-31-401
Voters, improper influence, 13-35-218
Witness, beliefs inadmissible in respect to credibility, Title 26, chapter 10, M.R.Ev., Rule 610

RELIGIOUS CORPORATIONS SOLE
  See also generally **CORPORATIONS; NONPROFIT CORPORATIONS**
Actions by, 35-3-205
Administrator, 35-3-208
Affidavits, 35-3-202, 35-3-206, 35-3-207
Agents, 35-3-202, 35-3-205, 35-3-209
Annual report, 35-3-209
Applicability of laws, 35-3-102, 35-3-103, 35-3-209
  mausoleum-columbarium authority laws, 35-21-103
Assets, 35-3-202, 35-3-205
Board of advisors or consultors, 35-3-208, 35-3-209
Bylaws, 35-3-205
Citation of Montana Religious Corporation Sole Act, 35-3-101
Contracts, 35-3-205
Creation when, 35-3-201
Dissolution, 35-3-202, 35-3-203
Existence, 35-3-202, 35-3-203, 35-3-205
Foreign corporations, 35-3-102
Gambling, public, 23-5-112
Incorporation, 35-3-201
  articles of, 35-3-202, 35-3-203, 35-3-205, 35-3-206
  certificate of, 35-3-203
Incorporators, 35-3-202, 35-3-206
Information lists, 2-6-109, 2-15-403
Liabilities, 35-3-103, 35-3-204, 35-3-205, 35-3-207
Liquidation, 35-3-202
Name, 35-3-202, 35-3-205, 35-3-209
Officers and employees, 35-3-205, 35-3-209
Offices, 35-3-202, 35-3-205, 35-3-209
Power of attorney, 35-3-205
Powers of corporation, 35-3-202, 35-3-205, 35-3-208
  unauthorized assumption, 35-3-204
Property, 35-3-205, 35-3-207
Raffles, requirements, 23-5-413
Repeal of prior acts, effect, 35-3-103
Seal, 35-3-205
Securities registration exemption, 30-10-104
Succession, 35-3-207, 35-3-208
Tax exemption, 15-31-102
Trust funds management, 72-30-102

REMEDIES
  See also generally **DAMAGES**; **SPECIAL PROCEEDINGS**; specific subject area
Abolished causes of action
  agreements to settle or compromise, 27-1-605
  alienation of affections, 27-1-601
  breach of promise, 27-1-602
  effective when, 27-1-603
  litigation or threat of litigation unlawful, 27-1-604
  penalty, 27-1-606
Action as, 27-1-102
  civil, 27-1-103, 27-1-104
  criminal, 27-1-103
  "injury" defined, 27-1-106
  merger of civil and criminal remedies not permitted, 27-1-103
  "obligation" defined, 27-1-105
Arbitration, Title 27, chapter 5
Arrest, civil, See **ARREST**
Attachment, Title 27, chapter 18
Availability, 1-3-214
CERCLA, remedial actions, Title 75, chapter 10, part 6
Certiorari, writ of, Title 27, chapter 25
Child support enforcement, See **CHILD SUPPORT**
Claim and delivery, Title 27, chapter 17
Claim for relief, See **Action as**
Classes of remedies, 27-1-102
Close corporation shareholders, 35-9-205, 35-9-501 — 35-9-504
Compensation as relief, 27-1-107, See **DAMAGES**
Criminal Code, effect, 27-1-103, 45-1-104
Damages, 27-1-107, See **DAMAGES**
Declaratory judgments, See **JUDGMENTS AND DECREES**
Defamation, See **DEFAMATION**
Defined, 1-3-214, 27-1-101
Deposit in court, See **CIVIL PROCEDURE**
Distraint, warrant for, See **CHILD SUPPORT**, **Duty of support**
Environmental protection, Const., IX, 1
Forcible entry and detainer and unlawful detainer, Title 70, chapter 27
Garnishment, See **GARNISHMENT**
Good Samaritan Law, 27-1-714
Injunction, See **INJUNCTION, WRIT OF**
"Injury" defined, 27-1-106
"Judicial remedies" defined, 27-1-101
Kinds of remedies, 27-1-102
Libel, See **DEFAMATION**
Malpractice, Title 27, chapters 6 and 12, See also **MALPRACTICE**
Mandamus, writ of, Title 27, chapter 26
Merger of civil and criminal remedy, right not merged, 27-1-103, 45-1-104
Motor vehicle warranty provisions, Title 61, chapter 4, part 5
Natural resource protection, Const., IX, 1
Negligence, See **NEGLIGENCE**
Nuisances, See **NUISANCES**
"Obligation" defined, 27-1-105
Occupational disease benefits, 39-71-411, 39-72-305, 39-72-402
Offer of judgment, See **JUDGMENTS AND DECREES**
Postconviction hearing, 46-21-101, See **CRIMINAL PROCEDURE**

REMEDIES (Continued)

Preventive relief, 27-1-102, 27-1-107, 27-1-401, 27-1-403, See **INJUNCTION, WRIT OF**
Process against persons not parties, Title 25, chapter 20, M.R.Civ.P., Rule 71
Prohibition, writ of, Title 27, chapter 27, part 1
Provisional remedies
  affidavit to obtain, 26-1-1002
  arrest, civil, See **ARREST, Prejudgment arrest**
  attachment, Title 27, chapter 18
  claim and delivery, Title 27, chapter 17
  counterclaim, availability to defendant upon, 27-15-102
  decision on, time limit, 27-15-103
  deposit in court, See **CIVIL PROCEDURE**
  election among several, 27-15-101
  injunctions, See **INJUNCTION, WRIT OF, Procedure, preliminary injunctions**
  receivers, appointment, See **RECEIVERS**
Quo warranto, writ of, Title 27, chapter 28
Receivers, appointment, See **RECEIVERS**
Replevin, Title 27, chapter 17
Restoration, 27-1-713
Review, writ of, Title 27, chapter 25
Shoplifting, 27-1-718
Slander, See **DEFAMATION**
Small claims, See **SMALL CLAIMS COURT, JUSTICES' COURTS; SMALL CLAIMS COURT, DISTRICT COURT**
Special proceedings as, 27-1-102, See **SPECIAL PROCEEDINGS**
Specific performance
  agricultural marketing associations, breach of marketing agreement, 35-17-401, 35-17-407
  cohabitation agreements unenforceable, 27-1-412
  compelled when, 27-1-411, 27-1-414
  complaint, form, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 11
  conditions precedent, performance prerequisite, 27-1-414, 27-1-416
  consent, 27-1-412, 27-1-415
  consideration prerequisite, 27-1-415
  criminal law unenforceable by, 27-1-401
  damages liquidated, effect, 27-1-418
  enforcement, 25-13-203; Title 25, chapter 20, M.R.Civ.P., Rule 70
  equitable agreement prerequisite, 27-1-415
  how given, 27-1-402
  illegalities, agreements for unenforceable, 27-1-412
  lessee's right, 30-2A-508, 30-2A-521
  liquidated damages, effect, 27-1-418
  marriage agreements unenforceable, 27-1-412
  mutuality of right to, 27-1-414
  nonperformance of other party, effect, 27-1-414, 27-1-416
  oppressiveness, 27-1-413
  partial performance of other party, effect, 27-1-416
  penal law unenforceable by, 27-1-401
  permitted when, 27-1-107, 27-1-401
  personal property, special provisions, 27-1-402, 27-1-419, 27-1-420, 27-1-432
  personal services, agreements unenforceable, 27-1-412
  power of attorney, statutory — authority, 72-31-232
  real property, special provisions, 27-1-419 — 27-1-421, 27-1-431, 30-11-111, 70-20-102; Title 25, chapter 20, M.R.Civ.P., Appendix, Form 11
  reasonableness, 27-1-413, 27-1-415
  sale of goods, buyers remedy, 30-2-711, 30-2-716
  securities transfers, 30-8-315

REMEDIES (Continued)
Specific performance (Continued)

  signature, effect, 27-1-417
  substantial performance, 27-1-416
  uncertainties in agreement unenforceable, 27-1-412
  unlawful acts, agreements for unenforceable, 27-1-412
  writing to compel, 27-1-411, 27-1-417
  written instruments, cancellation or delivery, 27-1-433
Speedy remedy for every wrong, Const., II, 16
Submission of controversy without action, Title 27, chapter 7, part 1
Supervisory control, writ of, Title 25, chapter 21, M.R.App.P., Rule 17
Trade secrets, misappropriation — effect of uniform law, 30-14-408
Uniform Transboundary Pollution Reciprocal Access Act, Title 75, chapter 16, part 1, See **POLLUTION**
Unjust enrichment, 1-3-212, 27-1-602
Utility meters, bypassing or tampering, 69-4-1101, 69-4-1104
Workers' compensation, Title 39, chapter 71
Writs, See specific writ; **WRITS**
Wrongful discharge from employment, Title 39, chapter 2, part 9

REMITTITUR
  See **APPELLATE PROCEDURE**

RENDITION, 40-5-153, 40-5-154, 40-5-175; Title 26, chapter 10, M.R.Ev., Rule 101
  See also **EXTRADITION**, generally

RENEWABLE RESOURCE DEVELOPMENT
Debt service fund, revenue from coal severance tax, 15-35-108
Energy, Title 90, chapter 4, part 1
Environmental contingency account, use, 75-1-1101
Environmental Policy Act, Title 75, chapter 1, parts 1 — 3
Rangeland resources, Title 76, chapter 14
Renewable resource development account, conservation districts — funding for storage reservoirs, 76-15-408
Renewable resource grant and loan program, Title 85, chapter 1, part 6

REPLEVIN
  See **CLAIM AND DELIVERY**; **LEASES, Recovery**; **SALES, Recovery of goods**

RESEARCH AND DEVELOPMENT
  See also **ECONOMIC DEVELOPMENT**, generally
Abortion, research or experimentation on viable fetus or infant unlawful, 50-20-108
Aging, services, 52-3-504
Agricultural chemical ground water protection programs, 80-15-104, 80-15-107
Agricultural development projects, Title 90, chapter 9
Agricultural Experiment Station, 20-25-222, 20-25-227 — 20-25-229, 20-25-231
Agriculture research and education, sustainable, 20-25-233 — 20-25-236
Agricultural research centers, 20-25-224
AIDS testing, 50-16-1007
Air contamination and pollution, 75-2-112
Alcoholism, 53-24-306
Alfalfa seed, 80-11-302, 80-11-304
Anatomical gifts, purpose, 72-17-202
Battered spouses, 52-6-102
Blind or visually disabled persons, relating to vocational rehabilitation for, 53-7-302
Boats, sound level limitations — nonapplicability, 23-2-521
Capital companies, 90-8-103, 90-8-104
Census and economic information center, 90-1-109
Chemical dependency, 53-24-306
Confidential information, disclosure when, Title 25, chapter 20, M.R.Civ.P., Rule 26(c)

RESEARCH AND DEVELOPMENT (Continued)

Conservation districts, by, 76-15-401
Controlled substances, research products and materials subject to forfeiture, 44-12-102
Corporations, taxation, 15-1-101, 15-6-135, 15-31-103, 15-31-401, See **TAXATION, CORPORATIONS**
Corrections and Human Services, Department of — cooperation and participation, 53-1-206
Counseling, professional — applicability of provisions, 37-23-201
Criminal history record information, access to for research purposes, 44-5-304
Developmental disabilities, persons with — for, See **DEVELOPMENTAL DISABILITIES, Research**
Domestic violence, 52-6-102
Drugs
  abuse of, 53-24-306
  dangerous, See **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES, Dangerous drugs**
Economic development, policy, 90-1-101
Energy sources and conservation, renewable — development, Title 90, chapter 4, part 1
Engineering license applicants, qualification, 37-67-306
Environmental Quality Council, functions, 75-1-324
Facilities, farm animal and research — protection, Title 81, chapter 30, part 1
Facility siting
  new technology, research activities of utility, 75-20-503
  nuclear facilities, nonapplicability of siting provisions, 75-20-1202
Farm animal and research facilities protection, Title 81, chapter 30, part 1
Fertilizers, specialty — use, 80-10-101
Forensic pathology, 44-3-211
Genetic engineering technology, 17-2-131
Hazardous chemical provisions, applicability to research laboratories, 50-78-103, 50-78-301
Hazardous substances, 50-30-105
Hazardous wastes, 75-10-404
Health care information for, Title 50, chapter 16, parts 5 and 6
Health service corporations, purpose, 33-30-103
Historical Society, materials and records for, 22-3-107, 22-3-201
HIV-related testing, 50-16-1007
Housing planning design, 90-1-106
Incentive awards program for local government employees, awards — nonapplicability, 7-4-505
Infant mortality and morbidity, 50-16-102
Infectious waste management, Title 75, chapter 10, part 10
Insurance, surveys for, 33-19-203
Insurers
  acting in concert for, 33-16-301, 33-16-302
  privileged information, disclosure when, 33-19-306
Ionizing radiation sources, control, 75-3-201
Legislative Council, functions, 5-11-111, 5-11-112, 5-11-301
Libraries operated by nonprofit institutions, interlibrary loan reimbursement, 22-1-328
Livestock mark or brand histories, 81-3-107
Medical
  facility research and development projects, 90-3-102
  hospital medical staff committees, in-hospital — access to information for research purposes, 50-16-202, 50-16-204
  information for research programs, Title 50, chapter 16, parts 5 and 6
  research facility grants, 90-3-901
Mental illness, See **MENTAL ILLNESS OR INCAPACITY**
Mining, See **MINES AND MINING**
Mint and mint oil production, 80-11-403, 80-11-415
Montana State University programs, 20-25-221, 20-25-225
Motor vehicle accidents, causes and prevention, 61-2-103
MX missile development and testing, public opposition, 90-5-211
Noxious Weed Management Advisory Council, representation, 80-7-805

RESEARCH AND DEVELOPMENT (Continued)

Occupational disease, 50-70-105
Occupational health, 50-71-107
Occupational safety, 50-71-107
Oil and gas, 82-11-126
Organ donation, purpose, 72-17-202
Paleontological remains, 22-3-421, See **ANTIQUITIES**, generally
Pesticides, 80-8-102, 80-8-105, 80-8-213, 80-15-104, 80-15-107
Pork, See **LIVESTOCK**
Potato seed, 80-5-403, 80-5-404
Psychologists, 37-17-104, 37-17-202, 37-17-302
Public welfare, director of — duties, 7-3-4463
Radioactive materials used for research, disposal, 75-3-302
Railroad rights-of-way, abandoned — feasibility of acquisition, 60-11-111
Range management, 76-14-105
Reclamation and development grants program projects, 90-2-1103, 90-2-1112
Safety in workplace, 50-71-107
Sanitation, environmental — sanitarian licensing provisions nonapplicable, 37-40-102
Scientific, Title 90, chapter 3
Seed Laboratory, 20-25-229
Social workers, 37-22-102, 37-22-305
Speech-language pathologists and audiologists, 37-15-103
  board of, members' qualifications, 2-15-1849
Subdivision review, environmental research for, 76-4-105
Sustainable agriculture research and education, 20-25-233 — 20-25-236
Technological, Title 90, chapters 3 and 9
Toxic substances, criminal possession — exemption, 45-9-121
Tumor registry, use for, 50-15-704
Unemployment insurance benefits to educational research personnel, limitations, 39-51-2108
University of Montana Bureau of Government Research, purpose, 20-25-207
University system programs, 17-2-102, 20-25-108, 80-5-403, 80-5-404, 90-1-107, 90-3-505, 90-3-506, 90-9-315
  small business investment capital companies, certification eligibility, 90-8-201
Vertebrate pest management, 80-7-1102
Veterinary research workers, exemption from licensing, 37-18-104
Vital statistics information, use for, 50-15-704
Vocational rehabilitation, relating to, 53-7-102, 53-7-302
Water
  development, See **WATER USE, Development of resources**
  ground water, 2-15-1523, 85-2-902
  pollution, 75-5-212
  resources, 85-1-203
Weather modification, See **WEATHER MODIFICATION**
Weed management, nonchemical methods, 80-7-810
Wheat and barley, Title 80, chapter 11, part 2, See **AGRICULTURAL COMMODITIES, Wheat and barley research and marketing**
Wild animals, possession allowed for scientific research, 50-23-102
Wildlife, 87-1-210, 87-1-234, 87-5-102, 87-5-121, 87-5-712
Wool Laboratory, 20-25-227, 20-25-228

RESERVED WATER RIGHTS COMPACT COMMISSION
  See **WATER USE**

RESIDENCE
  See also specific subject heading
"Citizens" defined, 1-1-401, 1-1-402, See also **RIGHTS, Citizens**
Defined, 1-1-215

RESIDENCE (Continued)

Determination
    child's residence, 40-6-231
    contractors, public, 18-1-106
    rules for, 1-1-215
    university system students, presumptions and rules, 20-25-501, 20-25-503

RESIDENTIAL LANDLORD AND TENANT ACT OF 1977, Title 70, chapter 24
    See **LANDLORD AND TENANT**, generally

RES JUDICATA, Title 26, chapter 3
Bail forfeiture used as restitution, inadmissibility, 46-9-512
Defense, Title 25, chapter 20, M.R.Civ.P., Rule 8(c)

RESOURCE INDEMNITY TRUST AND GROUND WATER ASSESSMENT ACT, Title 15, chapter 38
    See **TAXATION, MINERALS**

RESPIRATORY CARE PRACTITIONERS
Board of, 2-15-1860, 37-28-103, 37-28-104
Continuing education, 37-28-104
Disciplinary action, 37-28-301
Emergency procedure, 37-28-102, 37-28-201
Fines, 37-28-302
Incompetency, 37-28-301
Legislative findings, 37-28-101
Licenses and licensing, Title 37, chapter 28, part 2
    applications, 37-28-202, 37-28-203
    continuing education requirements, 37-28-104
    examination, 37-28-104, 37-28-202
    exceptions, 37-28-201
    expiration, 37-28-203
    fees, 37-28-202, 37-28-203
    issuance, 37-28-202
    reciprocity, 37-28-202
    renewal, 37-28-104, 37-28-203
    required, 37-28-201
    requirements, 37-28-202
    temporary permit, 37-28-104, 37-28-201
Medicine, not the practice of, 37-28-201
Penalty, 37-28-302
Physician's orders, 37-28-102
Practice, 37-28-101
Protocols, 37-28-102
Purpose of provisions, 37-28-101
Qualified medical direction, 37-28-102
Regulation generally, See **PROFESSIONS AND OCCUPATIONS**
Students, 37-28-102, 37-28-201
Temporary permit, 37-28-104, 37-28-201
Title, 37-28-202
Unprofessional conduct, 37-28-101
Violations, 37-28-302

RESTAURANTS AND SIMILAR ESTABLISHMENTS, Title 50, chapter 50
    See **FOOD ESTABLISHMENTS**

RESTRAINING ORDERS
    See **INJUNCTION, WRIT OF**

RETAIL ESTABLISHMENTS
Alcoholic beverages, See **ALCOHOLIC BEVERAGES**
Employees, clerks, or salespersons
  hours of employment, 39-4-105
  lien for wages, Title 71, chapter 3, part 3
Energy emergencies, effect, 90-4-307
Grocery stores
  alcoholic beverages, 16-2-101, 16-3-305, 16-4-115, 16-4-402, 16-4-501, 45-5-624
  inspections and licensing, See **FOOD ESTABLISHMENTS**
Hazardous chemical provisions, nonapplicability, 50-78-103
Hours of work for employees, 39-4-105
Launderers or dry cleaners, disposal of unclaimed property, 70-9-601
Lottery, state — retailers, See **LOTTERY, STATE, Ticket or chance sales agents**
Private investigators and security patrol officers, nonapplicability of licensing provisions, 37-60-105
Resort tax, 7-6-4461 — 7-6-4469, See also **CITY FINANCE**
Right to work provisions, 39-33-101, See **COLLECTIVE BARGAINING, Small businesses**
Shoplifting, 27-1-718
Union interference, right to work without, 39-33-101, See **COLLECTIVE BARGAINING, Small businesses**

RETAIL INSTALLMENT SALES ACT, Title 31, chapter 1, part 2
  See **CREDIT TRANSACTIONS, Retail installment sales**

RETAIL MOTOR FUEL MARKETING ACT, Title 30, chapter 14, part 8
  See **TRADE REGULATION AND COMPETITION, Motor fuel marketing**

RETIREMENT AND RETIREMENT SYSTEMS
Annuities, See **INSURANCE, LIFE, Annuity contracts; Standard nonforfeiture law, individual deferred annuities**
Bankruptcy, benefits exempt from, 31-2-106
Blind vendors, health and retirement fund, 18-5-406
Corporations may establish, 35-1-115
Deferred compensation, Title 19, chapter 50
Disaster and emergency services personnel, liability — effect, 10-3-111
Discrimination on basis of sex or marital status prohibited, 49-2-303, 49-2-309, 49-3-103
Economic development bonds, investment in, 17-5-1525
Firefighters, Title 19, chapters 13, 17, and 18, See **FIRE DEPARTMENT RELIEF ASSOCIATIONS; FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM; VOLUNTEER FIREFIGHTERS' COMPENSATION**
  city-county consolidation, effect, 7-33-2110, 7-33-2316
Game wardens, Title 19, chapter 8, See **GAME WARDENS' RETIREMENT SYSTEM**
Health Facility Authority bonds as legal investment, 90-7-113
Highway patrol officers, Title 19, chapter 6, See **HIGHWAY PATROL OFFICERS' RETIREMENT SYSTEM**
Homes, See **HOUSING, Lower income, development; HOTELS AND LODGING ESTABLISHMENTS; NURSING HOMES**
Judges and justices, Title 19, chapter 5, See **JUDGES' RETIREMENT SYSTEM**
Legislators, continued participation, 5-2-304
Liens, benefits exempt when, 71-3-1118
Maternity leave not to affect, 49-2-311
Mental health region employees, participation, 53-21-204
Nonprofit corporations may establish, 35-2-118
Partnership not established by, 35-10-202
Police officers, Title 19, chapters 9 and 19, See **POLICE OFFICERS' RETIREMENT SYSTEM, STATE PLAN; POLICE OFFICERS' RETIREMENT SYSTEM, LOCAL FUNDS**

RETIREMENT AND RETIREMENT SYSTEMS (Continued)

Power of attorney, authority relating to benefits, 72-31-201, 72-31-235
Privatization of state programs, effect — consideration, 2-8-303
Public assistance eligibility, effect of lump-sum retirement, See **PUBLIC ASSISTANCE**
Public employees, Title 19, chapter 3, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM**
Public retirement system assets and investment of, Const., VIII, 13; VIII, 15
Securities registration exemption, 30-10-104
Sheriffs, Title 19, chapter 7, See **SHERIFFS' RETIREMENT SYSTEM**
Social security, Title 19, chapter 1, See **SOCIAL SECURITY**
State warrants, duplicate — bond not required for issuance, 17-8-306
Taxation, See **TAXATION, INDIVIDUAL INCOME, Exemptions**
Teachers, Title 19, chapters 20 and 21, See **TEACHERS' RETIREMENT SYSTEM; UNIVERSITY SYSTEM OPTIONAL RETIREMENT PROGRAM**
Trust provisions
  individual retirement accounts, trust or trustee as beneficiary, 72-33-203, 72-33-207
  pensions, trusts for payment — applicability of laws, 72-1-103, 72-2-1005, 72-33-108
Unclaimed benefits, Title 70, chapter 9, parts 1 — 3
Unemployment insurance, exclusion as wages, 39-51-201, 39-51-2203, See also **UNEMPLOYMENT INSURANCE**, generally
University system, optional program, Title 19, chapter 21, See **UNIVERSITY SYSTEM OPTIONAL RETIREMENT PROGRAM**
Workers' compensation, effect, 39-71-710

REVENUE BOND ACT OF 1939, MUNICIPAL, Title 7, chapter 7, part 44
  See **CITY FINANCE, Revenue bonds**

REVENUE BOND REFINANCING ACT OF 1937, Title 7, chapter 7, part 46
  See **CITY FINANCE, Refunding revenue bonds, option two**

REVENUE, DEPARTMENT OF, Title 2, chapter 15, part 13
  See also **EXECUTIVE BRANCH**
Administrative rules proposed by, review, 2-4-402, 5-18-107
Alcoholic beverages, administration of laws, Title 16, chapters 1 — 4, 6
Building construction permits, copy furnished to, 50-61-112
Capital companies, duties, 90-8-203, 90-8-301, 90-8-312
Cigarettes, administration of laws, Title 16, chapters 10 and 11
Condominiums, declaration of submission, 70-23-304, 70-23-305
Conservation easements, copy to, 76-6-207
Consumer counsel fee, procedures, 69-1-223 — 69-1-228, 69-1-230, 69-2-205
Corporations, tax clearance certification, 35-1-944, 35-1-1037, 35-1-1312
Counties
  land, appraisal, 7-8-2513
  tax-deed lands, contract for sale — approval, 7-8-2304
County superintendent of schools, oil and gas tax anticipated revenue — report to, 20-9-141
Debt collection, state, Title 17, chapter 4, part 1
Director, 2-15-1301, 2-15-1302; Const., VI, 8
  multistate tax compact, 2-15-1311, 15-1-602
  small business regulation and licensing system plan, board of review — duties, 30-16-103, 30-16-302
Divisions
  cigarette enforcement, 16-11-103
  liquor, 16-2-405, 16-4-111, 16-4-204, 16-4-301
Drainage districts, certification of assessments to, 85-8-601, 85-8-614
Estates and probate
  escheated estates, duties, Title 72, chapter 14
  inventories, copies to, 72-3-607, 72-3-609, 72-4-303, 72-4-307, 72-16-401
Farm statistics, compilation, 80-1-201 — 80-1-204
Federal sums in lieu of taxes, Title 17, chapter 3, part 3

REVENUE, DEPARTMENT OF (Continued)

Gambling, tax report information — disclosure to, 23-5-116
Hail insurance, duties, 80-2-203, 80-2-204, 80-2-206, 80-2-207, 80-2-221, 80-2-223
Housing projects, federal sums in lieu of taxes, Title 17, chapter 3, part 3
Inheritance and estate taxes, Title 72, chapter 16
Irrigation districts, provision of list of lands subject to taxes and assessment, 85-7-2136
Legislative oversight, 2-4-402, 5-18-107
Limited liability companies, certification of tax payments
  dissolution, reinstatement following, 35-8-210
  foreign limited liability company, withdrawal, 35-8-1010
Livestock disease control area petition, certification, 81-2-302
Mobile homes or housetrailers, notification of transfer of interest, 61-3-207
Motor vehicles, duties
  assessment, 15-8-202, 61-3-303, 61-3-503
  blind persons, report, 15-30-303
  camper tax-paid decals, design and application forms, 61-3-524
  fleets, 15-24-101 — 15-24-104
  junk vehicles, appraised value, 61-12-402
  state parks recreational vehicle fee, 61-3-512
  taxes, 15-24-101 — 15-24-104, 61-3-303, 61-3-506, 61-10-214
Multistate Tax Compact and Commission, 2-15-1311, 15-1-601 — 15-1-603
9-1-1 emergency telephone system, fee for exchange access services — duties, Title 10, chapter 4, parts 1 — 3
Predator control, tax levied for, 81-7-118
Property valuation and assessment system data base, 2-6-110
Public assistance information, eligibility data — availability requirements, 53-2-211
Public officers, cooperation by, 2-7-105
Public Service Regulation, Department of — fee, procedures, 69-1-402, 69-1-403, 69-2-205
Revenue Oversight Committee
  assistance to and authority of, 5-18-107
  report to, 5-18-115
Revenue studies, preparation, 2-7-104
School trustees, requests for industrial facility property taxable valuation estimates, 20-9-407
Small business regulation and licensing system plan, cooperation in implementation, 30-16-303
Solid waste management district service charges, placement on tax notices, 7-13-233
State lands, duties
  cabin site values, determination and appeal from, 77-1-208
  equalization payments, 77-1-501 — 77-1-503
  lands purchased from state, 77-2-313, 77-2-314
Superintendent of public instruction, taxable valuations to, 20-9-369
Supervision, Const., VI, 8
Taxation, powers and duties, 90-6-403 — 90-6-405; Title 15; Title 17, chapter 3, part 3; Title 72, chapter 16
Taxpayer Assistance, Office of, 15-1-223
Taxpayer Bill of Rights, 15-1-221 — 15-1-223
Tramway assessments, duties, 23-2-716 — 23-2-718
Unclaimed property, duties, Title 70, chapter 9, parts 1 — 3
Urban renewal, tax increment financing — duties, 7-15-4292, 7-15-4293
Utilities, rural cooperative — annual fee, 35-18-503 — 35-18-506, 35-18-510
Water conservancy districts, financial information to department, 85-9-603
Water quality district fees, placement on tax assessments, 7-13-4524
Workers' compensation old fund liability tax, duties, 39-71-2355, 39-71-2501 — 39-71-2504

REVENUE OVERSIGHT COMMITTEE
Administrative rules, See also **ADMINISTRATIVE RULES**
  legislative poll, 2-4-306, 5-18-109, 5-18-110
  review and authority, 2-4-402, 5-18-107

REVENUE OVERSIGHT COMMITTEE (Continued)

Biennial critique, 5-18-108
Capital companies, reports to, 90-8-311
Coal severance tax, duties, 5-18-107
Compensation and expenses, 5-18-106
Composition and appointment of members, 5-18-102
Defined, 5-18-101
General fund budget deficit, 17-7-140
Indian tribes, motor fuels taxes — cooperative agreements, duties, 15-70-234
In-kind payment of inheritance and estate taxes, 72-16-447, 72-16-448, 72-16-450
Job investment program, report by department of commerce, 17-6-511
Meetings, 5-18-106
Officers, 5-18-105
Powers and duties, 5-18-107
Revenue, Department of — revaluation reports, 5-18-115
Revenue estimating duties and assistance, 5-11-112, 5-12-302, 5-18-107, 17-7-140
Small business investment capital companies, reports to, 90-8-311
Term of office, 5-18-103
Vacancies, 5-18-104

REVERSE ANNUITY MORTGAGE LOAN ACT, Title 90, chapter 6, part 5
  See **HOUSING**

REVISED CODES OF MONTANA, 1947, 1-11-101, 1-11-103

REVISED UNIFORM PRINCIPAL AND INCOME ACT, Title 72, chapter 34, part 4
  See **TRUSTS, Principal and income, determination**

RIGHTS
Abductions, rights forbid, 27-1-515
Abortion, right of refusal, 50-20-111, See also **ABORTION**
Accused, rights of, Const., II, 24, See **CRIMINAL PROCEDURE, Rights of defendant**
Adult rights, Const., II, 14
Alcoholic beverages — age for purchase, consumption, or possession, Const., II, 14
Anatomical gift donee, 72-17-301
Armed persons, importation, Const., II, 33
Arms, right to bear, 1-1-224, 7-1-111, 45-8-107 — 45-8-109; Const., II, 12
Assembly, Const., II, 6
Bail, See also **BAIL**
  excessive bail prohibited, Const., II, 22
  right to, 46-9-102, 46-9-107; Const., II, 21
Bill of rights, Const., II
  long-term care residents, 50-5-1101 — 50-5-1107
  taxpayer, 15-1-221 — 15-1-223
Blind persons, See **BLIND OR VISUALLY DISABLED PERSONS**, generally
Care, duty of, 28-1-201
Child abuse and neglect, See also **Minors**
  access to child and records, 41-3-202, 41-3-303
  emancipated youth, 41-3-408
  entry, 41-3-303
  parent-child legal relationship termination, following, 41-3-611
Civil rights, protection, See **DISCRIMINATION**, generally
Collective bargaining
  interference, 39-31-401, 39-31-402, 39-32-109
  nonassociation, 39-31-204
  nurses, 39-32-109
  public employees, 39-31-201, 39-31-204, 39-31-401, 39-31-402

RIGHTS (Continued)

Community homes for persons with severe disabilities, residents — protection, 53-19-112
Confrontation, See **WITNESSES**
Contracts, law impairing obligation prohibited, Const., II, 31
Contribution from joint debtors, 28-1-303
Convicted persons, Const., II, 28
  property rights of relatives or heirs not impaired, Const., II, 30
Courts open to every person, Const., II, 16
Credit rating a property right, 31-3-103
Crime victims and witnesses, See **CRIME VICTIMS AND WITNESSES**
Criminal offenses, prosecution, Const., II, 20, See **CRIMINAL PROCEDURE**
Cross-examination of witnesses, See **WITNESSES**
Cruel and unusual punishment not to be inflicted, Const., II, 22
Damages, 27-1-202, See **DAMAGES**
Deaf persons, See **DEAF PERSONS**, generally
Debt, imprisonment for, Const., II, 27
Declaration of rights, Const., II
Detention for securing testimony, Const., II, 23
Developmental disabilities, persons with, See **DEVELOPMENTAL DISABILITIES**
Disabled persons, See **DISABLED PERSONS**, generally
Discrimination, freedom from, 49-1-102; Const., II, 4, See **DISCRIMINATION**, generally
Do not resuscitate provisions, 50-10-101 — 50-10-107
Double jeopardy, Const., II, 25; See **CRIMINAL PROCEDURE, Former prosecutions**
Drug violations, seizure and disposition of property — protection of innocent persons, 44-12-205
Due process of law, Const., II, 17
Earliest, preference to, 1-3-216
Elections, See also **ELECTIONS**
  elected office, right to hold, 49-1-202; Const., IV, 4
  electors, rights and duties, 49-1-203
  initiative, 13-27-101; Const., III, 4; V, 1; XI, 8
  public employees, expression, 13-35-226
  recount, confrontation upon application, 13-16-302
  referendum, 13-27-101; Const., III, 5; V, 1; XI, 8
  right of suffrage, Const., II, 13
Eminent domain, just compensation required, Const., II, 29
Equal protection, Const., II, 4; II, 16
  irrevocable grant of special privileges, immunities, or franchises prohibited, Const., II, 31
  veterans' preference, Const., II, 35
Estate or property of felon, rights of relatives and heirs not impaired, Const., II, 30
Estates, elective share of surviving spouse, 72-2-111, 72-2-223
Excessive sanctions, Const., II, 22
Executive branch reorganization, rights following
  existing transactions, 2-15-135
  personnel, 2-15-131
  property, to, 2-15-132
Ex post facto laws prohibited, Const., II, 31
Expression, freedom of, 45-8-107; Const., II, 7
Extradition, rights of accused, 46-30-217, 46-30-218, 46-30-228, 46-30-229
Fair Practices, Code of, Title 49, chapter 3, See **DISCRIMINATION, Government, state and local**
Fines, excessive — prohibited, Const., II, 22
Food establishment license, 50-50-204
Force, right to protect with, 1-1-224, 7-1-111, 49-1-103; Const., II, 3; II, 12
Franchises, irrevocable grant of special franchises prohibited, Const., II, 31
Funds transfers, See **FUNDS TRANSFERS**
Gambling licenses or permits, issuance not, 23-5-110

RIGHTS (Continued)

Guardianship
    effect, 72-5-316
    force, right to use, 49-1-103
Habeas corpus, writ of, 46-22-101, 46-30-217, 46-30-228, 46-30-229; Const., II, 19
Hazardous chemical information to employees, 50-78-201, 50-78-204, 50-78-306
Health care information, patients' rights, See **HEALTH CARE INFORMATION, Patients**
Human Rights, Commission for, See **DISCRIMINATION**
Immunities, irrevocable grant of special immunities prohibited, Const., II, 31
Inalienable rights, Const., II, 3
Indians, generally, 2-1-304
Individual dignity, Const., II, 4
Information, freedom of, Const., II, 9
Infringement, duty of care to avoid, 1-3-205, 28-1-201
Initiative, 13-27-101; Const., III, 4; V, 1; XI, 8
Justice — administration without sale, denial, or delay, Const., II, 16
Lease transactions, See **LEASES, Rights and remedies**
Life-sustaining procedures, withholding or withdrawal, Title 50, chapter 9, parts 1 and 2; chapter 10, part 1
Long-term Care Residents' Bill of Rights, 50-5-1101 — 50-5-1107
Mentally ill persons, See **MENTAL ILLNESS OR INCAPACITY, Rights**
Military
    civilian control, Const., II, 32
    importation of armed persons, Const., II, 33
    preferences to be given, Const., II, 35
    quartering soldiers in homes prohibited, Const., II, 32
Minors, Const., II, 14; II, 15, See also **Child abuse and neglect**
    dissolution of marriage proceedings, right to attorney, 40-4-205
    emancipation, limited — when granted, 41-3-408
    enforcement by civil actions, 41-1-202
    legal representation, See **ATTORNEYS AT LAW, Minors**, counsel appointed for; **YOUTH COURT, Counsel**
    special education, See **SCHOOLS, Special education**
    unborn children, 41-1-103
Natural right
    instruments, construction, 1-4-104
    statutes, construction, 1-2-104
Negotiable instruments, See **NEGOTIABLE INSTRUMENTS**
Noncitizens, rights and duties, 49-1-204
Occupational disease compensation, 39-71-411, 39-72-103, 39-72-305, 39-72-402
Offenders, former — restoration, 46-18-801, 46-23-1011, 46-23-1021; Const., II, 28; VI, 12; XII, 3
Organ donation donee, 72-17-301
Participation in government, Title 2, chapter 3; Const., II, 8
Partner or family member assault situations, notice to victim, 40-15-103, 46-6-602
Personal injury, protection from, 49-1-101
Personal rights, basic, 49-1-101 — 49-1-103
Police officers
    appeals by officer, right of, 7-32-4157
    restrictions on activities, 7-32-4114
Political rights, See also **Elections**
    discriminatory practices, 49-2-308; Const., II, 4
    elected office, right to hold, 49-1-202; Const., IV, 4
    nonelectors, 49-1-203, 49-1-204
    police, activities, 7-32-4114
    popular sovereignty, Const., II, 1
    protection by state, 49-1-201
    public employees, expression, 13-35-226

RIGHTS (Continued)
Political rights (Continued)

  self-government, Const., II, 2
Popular sovereignty, Const., II, 1; II, 2
Premarital agreement provisions, 40-2-605
Press, freedom of, Const., II, 7
Prisoners, See **CORRECTIONAL FACILITIES**
Privacy, Const., II, 9; II, 10
Private rights
  agency rules, limitation, 2-3-102, 2-4-102, 2-15-112
  enforcement or protection, form of action, 25-1-101
  statutes, private — effect, 1-1-106
  unemployment insurance laws, amendment or repeal, 39-51-103
  violation, remedy for, 27-1-107
Privileges, irrevocable grant of special privileges prohibited, Const., II, 31
Property
  adjacent landowner, right to lateral and subjacent support, 70-16-203
  compensation, no taking without, Const., II, 29
  conviction, effect on descent, Const., II, 30
  credit rating, 31-3-103
  due process, no taking without, Const., II, 17
  easements, See **PROPERTY, REAL**
  executive branch reorganization, 2-15-132
  ownership, 70-1-101, 70-1-104
  protection, 1-1-224, 7-1-111, 44-12-205, 45-3-103, 45-3-104, 45-8-107 — 45-8-109, 49-1-103; Const., II, 3; II, 12
  real property, See **PROPERTY, REAL**, **Estates** entries
  state, general rights, Title 70, chapter 1, part 2
  timeshares, 37-53-303, 37-53-305
Protest of governmental action, Const., II, 6
Public officials, communication with, 5-7-101, 5-7-102
Public records, citizens' rights, 2-6-102, 2-6-207, 2-6-307
  exception, 22-1-1103, 22-3-802, 22-3-807
Putative spouse, 40-1-404
Referendum, 13-27-101; Const., III, 5; V, 1; XI, 8
Religion, freedom of, Const., II, 4; II, 5
Right to know, Const., II, 9
Search and seizure, unreasonable — freedom from, 46-5-103; Const., II, 11, See **SEARCH AND SEIZURE**
Seduction, protection from, 27-1-514
Self-defense, 45-8-109, 49-1-103; Const., II, 3; II, 12
Self-government, Const., II, 2
Self-incrimination, Const., II, 25, See **WITNESSES**
Servant, protection from injury, 27-1-516
Speech, freedom of, 45-8-107; Const., II, 7
Speedy remedy for every wrong, Const., II, 16
Statutes
  construction, 1-2-104
  private, effect, 1-1-106
Sterilization, right of refusal, 50-5-504
Suicide, estate to descend as in natural death, Const., II, 30
Taxpayer Bill of Rights, 15-1-221 — 15-1-223
Terminally ill, of, Title 50, chapter 9, parts 1 and 2
Treason, conviction not to affect descent of estate, Const., II, 30
Trial by jury, Const., II, 24; II, 26, See **CRIMINAL PROCEDURE, Juries and jurors; JURIES AND JURORS, Right to jury trial**
Unborn children, 41-1-103

RIGHTS (Continued)

Unenumerated rights, Const., II, 34
Uniform Transboundary Pollution Reciprocal Access Act, Title 75, chapter 16, part 1, See **POLLUTION**
University system students, 20-25-511 — 20-25-516
Veterans' preference, Const., II, 35; Title 39, chapter 29
Vigilant helped by law, 1-3-218
Visually disabled persons, See **BLIND OR VISUALLY DISABLED PERSONS**, generally
Voting, See **Elections**
Water, See **WATER USE, Rights**
Work-related injury, effect of workers' compensation, Const., II, 16
Youth aftercare violation hearings, 52-5-129
Youth court, See **YOUTH COURT**

RIGHTS OF THE TERMINALLY ILL ACT, Title 50, chapter 9, parts 1 and 2
See **LIVING WILLS**

RIGHTS-OF-WAY
Billboards along, Title 75, chapter 15, See **OUTDOOR ADVERTISING**
Boats, 23-2-524, 23-2-529
County roads, See **COUNTY ROADS AND BRIDGES**
County water and/or sewer district projects over state lands, 7-13-2220
Easements for, 70-17-101, 70-17-102, See also **PROPERTY, REAL, Easements**
Eminent domain, subject to, 70-30-103, 70-30-203
Ferries and wharves, acquisition, 7-14-2829
Fire hazard reduction, 69-14-721, 76-13-401, 76-13-403, 76-13-407, 76-13-410, See also **FORESTS AND FORESTRY, Fire hazard reduction or management**
Flood control projects, Title 76, chapter 5, part 11, See **FLOODS, Control projects**
Forest lands, owners — exception, 76-13-102, 76-13-302
Highways, See **HIGHWAYS**
Irrigation districts, 85-7-1904, 85-7-1909, 85-7-1932, 85-7-2011
Military troops, 10-1-602, 10-3-107
Mines and mining, Title 82, chapter 2, part 2
Motor vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Noxious weed management, Title 80, chapter 7, part 7, See **WEEDS AND WEED CONTROL**
Outdoor advertising along, Title 75, chapter 15, See **OUTDOOR ADVERTISING**
Parking commissions, powers regarding offstreet parking, 7-14-4622
Pipeline carriers, 69-13-104
Railroads, See **RAILROADS**
Sailboats, 23-2-524
Snowmobiles crossing streets or highways, 23-2-631
State lands, on, Title 77, chapter 2, part 1, See **STATE LANDS, Easements**
Streambed, dry — use as, permission required, 23-2-302
Streets, See **STREETS AND ALLEYS**
Television districts, 7-13-2510
Traffic regulations concerning, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Utility lines and facilities, See **UTILITIES, Lines and facilities**
Vessels, 23-2-524, 23-2-529
Wastewater treatment works revolving loan program projects, 75-5-1113
Water
  actions by department of natural resources and conservation, authority, 85-1-213
  conservation projects, Title 76, chapter 5, part 11, See **FLOODS, Control projects**
  irrigation works, 85-1-208
Waterskiing, 23-2-524, 23-2-529

RIGHT-TO-DIE, Title 50, chapter 9, parts 1 and 2; chapter 10, part 1
See **LIVING WILLS**

RIGHT TO KNOW, Const., II, 9
  See **CONFIDENTIAL AND PRIVILEGED COMMUNICATIONS; HAZARDOUS CHEMICALS**, Employees, rights; **OPEN MEETINGS; PRIVACY; PUBLIC RECORDS**

RIGHT TO WORK
  See **COLLECTIVE BARGAINING**

RIOT
Armed men, bringing into the state, 45-8-106; Const., II, 33
Banks, "emergency" defined, 32-1-561
Cities and towns
  emergency expenditures and liabilities, 7-6-4251
  purchases, exemption from bid requirements, 7-5-4303
Citizens, call to aid in enforcement of laws, 7-4-4303, 7-4-4304
City or town council, powers, 7-32-4302
Civil disorder, prohibited activities, 45-8-107 — 45-8-109
Community college districts, "emergency" defined, 20-15-323
Counties
  emergency expenditures and liabilities, 7-6-2341
  purchases, exemption from bid requirement, 7-5-2304
County sheriff, duties, 7-32-2121
Detention center administrator or staff, prevention, 7-32-2248
"Disaster" defined, 10-3-103, See **EMERGENCIES AND EMERGENCY POWERS**, generally
Disorderly conduct, 45-8-101
  failure of disorderly persons to disperse, 45-8-102
Firefighters, appointment of additional during, 7-3-4466
Force, justifiable use of, 7-32-2248, 45-3-103
Incitement to, 45-8-104
Mayors, powers, 7-4-4303, 7-4-4304
Offense of, 45-8-103
Police officers, appointment of additional during, 7-3-4465
Property
  damage or injury to, 45-8-103
    actions, statute of limitation, 27-2-209
  involuntary deposit resulting from, 70-6-103
School finance, budget amendment — purpose, 20-9-161
Schools, "emergency" defined, 20-9-802
Syndicalism, criminal, 45-8-105
Tactical incident assistance, 10-3-701 — 10-3-705

RISK-BASED CAPITAL FOR INSURERS ACT, Title 33, chapter 2, part 19
  See **INSURERS ORGANIZATION AND REGULATION GENERALLY**

RIVERS AND STREAMS
  See also **WATER USE**
Abandoned riverbeds, ownership, 77-1-102 — 77-1-105
Accretion, 70-18-201, See also **PROPERTY, REAL, Watercourses**
Adjudication of rights, See **WATER USE**
Agricultural use, 75-7-102
Alluvion, 70-18-201, See also **PROPERTY, REAL, Watercourses**
Appropriation of water, See **WATER USE, Appropriations**
Banks of river
  increase, 70-18-201
  removal, sudden, 70-18-202
Beaverhead River basin, 85-2-327, 85-2-328
Beavers and dams, removal of obstructions caused by, 87-1-224

RIVERS AND STREAMS (Continued)

Big Horn River, 85-20-101, 85-20-103
Blackfoot River, 77-5-102
Boundaries, as, 70-16-201, 70-20-201
Cities and towns
  regulation, 7-3-4441, 7-13-4401
  water supply systems, jurisdiction and control, 7-13-4406
City-county consolidated government, authority of director of public works, 7-3-1331
Clark Fork River, 3-7-102, 85-1-122, 85-2-301, 85-2-316
Clearwater River, 77-5-102
Community service corps and volunteer projects, 90-14-105
Conservation easements, effect, 77-2-319
Construction or hydraulic projects, plans for, 87-5-502 — 87-5-509
County Commissioners, Board of — repairs by, when, 7-14-2203
County water and/or sewer district projects, 7-13-2218, 7-13-2219
Dams, purpose, 85-15-115
Dead animals in, unlawful, 75-10-213
Detergent phosphorus compounds, model rule on sale and distribution, Title 75, chapter 7, part 4
Dewatered, chronically — identification and measuring devices, 85-1-602, 85-2-113, 85-2-150
Docks and wharves, Title 7, chapter 14, part 28; Title 85, chapter 16
Drainage districts, Title 85, chapter 8
Dry streambeds, use as right-of-way — permission, 23-2-302
Eminent domain, public uses, 70-30-102
Entry upon land, recreational use — right not granted, 23-2-302, 23-2-322
Fences, legal — defined as, 81-4-101
Ferries and wharves, Title 7, chapter 14, part 28; Title 85, chapter 16
Fish and fishing
  access sites, funds for, 87-1-605
  closure of areas or seasons, 87-1-304
  distribution, 87-1-222, 87-3-202
  future fisheries improvement program, 87-1-272, 87-1-273
  interstate privileges, 87-2-1001 — 87-2-1004
  lease or change of appropriation rights to maintain streamflow for, 85-2-102, 85-2-402, 85-2-404, 85-2-408, 85-2-409, 85-2-436 — 85-2-439, 87-1-610
  propagation, control for, 87-1-223
  recreational use, defined as, 23-2-301, See **Recreational use**
  rights, waters subject to, 87-2-305
  smith river management, 23-2-404, 23-2-407, 23-2-408
Flathead River, 75-7-304, 77-5-102
Flood control projects, Title 76, chapter 5, part 11
Floodplains and floodways, Title 76, chapter 5
Forest practices in streamside management zones, 77-5-301 — 77-5-307
Forest protection and conservation, 76-13-101
Frontages
  conservation easements, effect, 77-2-319
  recreational use, funds for, 87-1-605
Geothermal development
  facility siting act, Title 75, chapter 20, See **FACILITY SITING**
  injury caused by, statute of limitation, 27-2-303
  leases, Title 77, chapter 4, part 1, See **STATE LANDS, Geothermal resource leases**
  tax incentives, energy-related, 15-32-102, 15-32-115
Highways near, use of mineral slag for sanding or snow removal prohibited when, 60-2-241
Interpretation of laws, 85-1-103
Interstate compacts, authorization, 85-1-223
Interstate fishing privileges, 87-2-1001 — 87-2-1004
Irrigation districts, Title 85, chapter 7

RIVERS AND STREAMS (Continued)

Islands in, 70-18-203 — 70-18-205, 77-1-102 — 77-1-105
Jefferson River basin, 85-2-340, 85-2-341
Kootenai River, 3-7-102, 85-2-301, 85-2-316
Littering, See **LITTERING AND LITTER CONTROL**
Little Missouri River, 3-7-102, 85-2-301, 85-2-316, 85-2-331
Madison River basin, 85-2-340, 85-2-341
Marias River, 3-7-102
Megalandfill siting application evaluation, considerations, 75-10-920
Milk River, 85-2-231, 85-2-321 — 85-2-323, 85-20-201
Mining operations, 82-4-222, 82-4-227, 82-4-231, 82-4-232, 82-4-239, 82-4-251, 82-4-303, 82-4-371, 82-4-431, 82-4-434, 82-4-445
Missouri River, 3-7-102, 85-2-301, 85-2-316, 85-2-331, 85-20-201
Motor vehicles, use below ordinary high-water mark prohibited when, 61-8-371
Name change, 85-2-131 — 85-2-134
National Park Service and State of Montana, water rights compact, 85-20-401
Natural resources, conservation and perpetuation, 76-11-102
Navigable streams subject to fishing rights, 87-2-305, See also **WATER USE, Navigable waters**
  access provisions, See **Recreational use**
Obstruction as nuisance, 27-30-101
Off-highway vehicles, operation on, 23-2-801, 23-2-811, 61-8-371
Phosphorus compounds, model rule on sale and distribution, Title 75, chapter 7, part 4
Pipeline construction, 69-13-103
Policy of state, 75-7-102
Pollution control, Title 75, chapter 5
Powder River, 85-2-212, 85-2-222, 85-2-232, 85-2-234, 85-2-243, 85-20-101, 85-20-103
Property rights, See **PROPERTY, REAL, Watercourses**
Railroads, construction or crossing, 69-14-532, 69-14-535
Recreational use
  appeals, 23-2-311
  arbitration panel, 23-2-311, 23-2-321
  barrier, 23-2-301, 23-2-311, 23-2-321, 23-2-322
  chronically dewatered watercourses, identification factors, 85-2-150
  class I or class II waters, 23-2-301, 23-2-302, 61-8-371
  definitions, 23-2-301, 23-2-322
  easement not acquired or granted by, 23-2-302, 23-2-322
  enforcement of provisions, 23-1-122, 87-1-503
  entry on land not granted by, 23-2-302, 23-2-322
  lakes, nonapplicability of provisions, 23-2-310
  landowners, 23-2-302, 23-2-311, 23-2-321
    smith river management provisions, effect, 23-2-402, 23-2-407, 23-2-408
  liability, restrictions, 23-2-321
  limitations, restrictions, or prohibitions, 23-2-302, 23-2-408
  order from commission, requests, 23-2-302
  ordinary high-water mark, 23-2-301, 23-2-311, 23-2-322, 61-8-371
  portage, 23-2-309, 23-2-311, 23-2-321, 23-2-322
  prescriptive easement not acquired by, 23-2-322
  rules, adoption, 23-2-302, 23-2-408, 87-1-303
  smith river management, 23-2-402, 23-2-404, 23-2-407 — 23-2-410
  state lands, 23-2-302, 61-8-371, 77-1-101
  supervisors, 23-2-301, 23-2-311, 23-2-321
  surface water, 23-2-301, 23-2-302, 23-2-309 — 23-2-311, 23-2-321, 23-2-322
  title to land unaffected, 23-2-309
Red Rock River Basin, 85-2-327, 85-2-328
Refuges for fish and wildlife, establishment, Title 87, chapter 5, part 4
Reservoirs, purpose, 85-15-115

RIVERS AND STREAMS (Continued)

Restoration
  damaged streams, 75-7-123, 87-5-509
  program, 87-1-255 — 87-1-259, 87-1-601
"Riparian rights" as real property, 7-1-4121, 67-1-101
St. Mary River, 85-2-301, 85-2-316
Smith River management
  administration of waterway, 23-2-407, 23-2-408
  applicability of provisions, 23-2-404
  citation of smith river management act, 23-2-401
  definitions, 23-2-403
  enforcement, 23-1-122, 23-2-410, 87-1-503
  permit system, 23-2-408
  purpose and intent, 23-2-402
  rules, 23-2-408, 23-2-410
  user fees, 23-2-408, 23-2-409
  violations, 23-2-410
Snowmobiles, operation on, 23-2-611
State ownership, 70-1-202
Stillwater River, 77-5-102
Stream access law, Title 23, chapter 2, part 3, See **Recreational use**
Streambed protection
  appeals, 75-7-121
  applicants, 75-7-103, 75-7-112, 75-7-113
  arbitration, 75-7-111 — 75-7-117, 75-7-121
  citation of natural streambed and land preservation act of 1975, 75-7-101
  construction or hydraulic projects, 87-5-502 — 87-5-509
  definitions, 75-7-103
  emergency projects, 75-7-113, 75-7-122
  floodplain management, application, 75-7-105
  hearings, 75-7-117
  junked motor vehicles as reinforcement prohibited, 75-7-106
  local government powers, 7-1-111
  minimum standards, 75-7-117
  policy of state, 75-7-102, 87-5-501
  projects, 75-7-103, 75-7-111 — 75-7-113, 75-7-116, 75-7-117, 75-7-122, 75-7-123
  public nuisance, when, 75-7-122
  review, 75-7-121
  rules, 75-7-117
  supervisors, duties, 75-7-103, 75-7-111 — 75-7-113, 75-7-117, 75-7-123
  teams, duties, 75-7-103, 75-7-112, 75-7-113
  violations, 75-7-106, 75-7-123, 75-7-124
  water rights, preservation, 75-7-104
Streamflow
  chronically dewatered watercourses, identification and measuring devices, 85-1-602, 85-2-113, 85-2-150
  lease or change of appropriation rights to maintain for fisheries, 85-2-102, 85-2-402, 85-2-404, 85-2-408, 85-2-409, 85-2-436 — 85-2-439, 87-1-610
  stabilization, water conservation or flood control projects for, Title 76, chapter 5, part 11
Subdivision prohibited when, 77-2-319
Swan River, 77-5-102
Teton River basin, 85-2-329, 85-2-330
Thompson River, 77-5-102
Timber sale estimates and appraisals, requirements, 77-5-204
Tongue River, 85-20-101, 85-20-103, 85-20-301, 85-20-302
Upper Clark Fork River basin, 85-2-102, 85-2-125, 85-2-335 — 85-2-338, 85-2-439
Upper Clark Fork River Basin Steering Committee, establishment and duties, 85-2-338, 85-2-439

RIVERS AND STREAMS (Continued)

Upper Missouri River basin, 85-2-342, 85-2-343
Venue for actions for recovery of statutory penalties or forfeitures for offenses committed on, 25-2-124
Water
  development activity, 85-1-102
  irrigation works, construction over, 85-1-208
  water commissioners, powers and duties, See **WATER USE, Water commissioners**
Water conservancy districts to regulate and stabilize flow, 85-9-101, 85-9-102
"Watercourse" defined, 76-5-103, 85-2-102, See **PROPERTY, REAL**; **WATER USE**, generally
Wharves, Title 7, chapter 14, part 28; Title 85, chapter 16
Whitefish River, 77-5-102
Yellowstone River, Title 85, chapter 2, parts 6 and 8; Title 85, chapter 20

ROADBLOCKS, 46-5-502, 46-5-510
  See also **SEARCH AND SEIZURE**

ROAD IMPROVEMENT DISTRICTS, Title 7, chapter 14, part 29
  See **COUNTY ROADS AND BRIDGES**

ROADS
  See **COUNTY ROADS AND BRIDGES**; **HIGHWAYS**; **STREETS AND ALLEYS**; See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Private roads or driveways**

RODENTS AND RODENT CONTROL, Title 7, chapter 22, part 22; Title 80, chapter 7, part 11
  See **PESTS AND PESTICIDES**

RODEOS
Animal fighting exhibition provisions, nonapplicability, 45-8-210
Beer or wine sales, 16-3-103, 16-4-111, 16-4-204, 16-4-301, 16-4-501
Calcutta pools, authorization and exception, 23-5-221 — 23-5-224
Equine activities, liability, 27-1-725 — 27-1-728
Liability of nonprofit organizations sponsoring rodeos and similar events, 27-1-733
Prizes awarded by rodeo associations, nonapplicability of gift enterprise provisions, 23-5-112
"Rodeo producer" defined, 81-3-211
Stock transportation permits, 81-3-211

RULES OF APPELLATE PROCEDURE, Const., VII, 2; Title 25, chapter 21
  See **APPELLATE PROCEDURE**

RULES OF CIVIL PROCEDURE, Const., VII, 2; Title 25, chapter 20
  See **CIVIL PROCEDURE**, generally

RULES OF COURT, Const., VII, 2
  See **COURTS GENERALLY**

RULES OF CRIMINAL PROCEDURE, Const., VII, 2
  See **CRIMINAL PROCEDURE**, generally

RULES OF EVIDENCE, Const., VII, 2; Title 26, chapter 10
  See **EVIDENCE**, generally

RULES OF JUSTICE AND CITY COURT CIVIL PROCEDURE, Const., VII, 2; Title 25, chapter 23
  See generally **CITY COURTS**; **JUSTICES' COURTS**

RULES, UNIFORM DISTRICT COURT, Const., VII, 2; Title 25, chapter 19
  See **DISTRICT COURTS**, generally

RURAL ELECTRIC AND TELEPHONE COOPERATIVE ACT, Title 35, chapter 18
  See **UTILITIES, RURAL COOPERATIVE**, generally

RURAL SPECIAL IMPROVEMENT DISTRICTS
Actions
  contractors, against, 7-12-2139
  owner of land, who considered, 7-12-2110
  taxes paid under protest, recovery, 7-12-2164
Administrative fee as incidental expense, 7-12-2101, 7-12-2153
Area includable within, 7-12-2114
Assessments, See also **Tax levy**
  city and town property, treatment, 7-12-2102
  collection, 7-12-2163
  corner lots and inside lots, costs between, 7-12-2155
  correction, 7-12-2165
  damages, for payment of amount awarded, 7-12-2154
  delinquent, 7-12-2163, 7-12-2167, 7-12-2176, 7-12-2193
    tax deeds, redemption by interested party, 15-18-111
    tax sales, 7-12-2163, See also **TAXATION, PROPERTY**, **Tax sales**
  exceptions, 7-12-2152, 7-12-2157, 7-12-2196, 85-7-2011
  federal property, omission, 7-12-2157
  increase, 7-12-2191
  interest, 7-12-2167
    delinquent assessments, rate, 7-12-2176
  invalid, 7-12-2165
  irrigation district property, exemption, 85-7-2011
  lien, as, 7-12-2163, 7-12-2168, 7-12-2184, 7-12-2205
  lighting system maintenance, 7-12-2202, 7-12-2205
  limitation on amount of taxes levied, nonapplicability, 15-10-402, 15-10-412
  maintenance costs, 7-12-2120, 7-12-2161, 7-12-2202
  method of making, 7-12-2151
    protests, 7-12-2112
    resolution of intention, inclusion, 7-12-2103, 7-12-2105
  omission, 7-12-2165
  ownership of property, effect of mistakes or misnomers, 7-12-2166
  payment, term, 7-12-2167
  prepayment, 7-12-2167, 7-12-2174
  reassessment, 7-12-2165, 7-12-2191
  reduction, 7-12-2191
  resolution for levy, 7-12-2118, 7-12-2154, 7-12-2159, 7-12-2161, 7-12-2163, 7-12-2202
  revolving fund loans, payment by, 7-12-2183, 7-12-2184
  schedules, preparation, 7-12-2118
  water ditch owners, exception, 7-12-2152
  water user entities, nonprofit — exemption, 7-12-2196
Audits, Title 2, chapter 7, part 5
Bankruptcy provisions, 7-7-131 — 7-7-134
Bids, 7-12-2131, 7-12-2139, See also **PUBLIC CONTRACTS**
  advertising, 7-12-2132, 7-12-2136
  bonds and warrants, sale, 7-12-2172
  contracts, awarding, 7-12-2135, See also **Contracts**
  none received, procedure, 7-12-2136
  not required when, 7-12-2133
  opening, 7-12-2134
  rejection, 7-12-2135, 7-12-2136
  security, 7-12-2131, 7-12-2137
Bonds and warrants
  amortization bonds, 7-12-2171

RURAL SPECIAL IMPROVEMENT DISTRICTS (Continued)
Bonds and warrants (Continued)

- coupons, 7-12-2171
- denominations, 7-12-2171
- details regarding, 7-12-2171
- escrow account, 7-12-2193
- flood control or water conservation projects, for, 76-5-1117
- improvements, original cost — percentage of principal to cover, 7-12-2153
- insurers, investment in, 33-2-814, See also **INSURERS ORGANIZATION AND REGULATION GENERALLY, Investments**
- interest, 7-12-2171, 7-12-2174, 7-12-2192, 7-12-2193
  - delinquent assessments, rate applicable to, 7-12-2176
  - incidental expense, as, 7-12-2101, 7-12-2153
- issuance, 7-12-2167, 7-12-2172, 7-12-2185, 7-12-2192, 7-12-2193
  - costs as incidental expense, 7-12-2101, 7-12-2153, 7-12-2169
  - covenants, 7-12-2185
- notes, sale in anticipation of federal or state revenue, 7-7-109
- payment, 7-12-2105, 7-12-2181, 7-12-2183, 7-12-2185
- pooling of bonds, 7-12-2192
- principal, 7-12-2174, 7-12-2193
- principal amount, effect of increase or decrease, 7-12-2191
- proceeds, disposition, 7-12-2173, 7-12-2191, 7-12-2193
- public fund deposits, security for, 17-6-103
- redemption, 7-12-2171, 7-12-2173, 7-12-2174, 7-12-2191, 7-12-2193
- refunding bonds, 7-12-2191, 7-12-2193
- registration, 7-12-2171
- revolving fund, secured by, 7-12-2105, 7-12-2153, 7-12-2181, 7-12-2192, See **Revolving fund**
- serial bonds, 7-12-2171
- signatures, 7-12-2171
- term, 7-12-2171
- use, 7-12-2169

Boundaries
- change, 7-12-2161, 7-12-2204
- description, 7-12-2103

Cities and towns
- defined, 7-12-2101
- management and control transferred to, 7-12-2126
- property inside, inclusion, 7-12-2102

Construction fund, 7-12-2171
Contractors, See also **PUBLIC CONTRACTS, Contractors**
- bond, 7-12-2138
- default, 7-12-2139
- payment, 7-12-2173

Contracts, See also **PUBLIC CONTRACTS**
- awarding, 7-12-2135
  - objections, written, 7-12-2140
- bid security, holding or forfeiture, 7-12-2137
- completion, 7-12-2139
- lighting system maintenance, 7-12-2201
- purchase of existing improvements, for, 7-12-2133

Control, transfer and written agreement, 7-12-2126
Costs of improvements, See **Improvements**
County clerk and recorder, role, 7-12-2118, See **COUNTY CLERK AND RECORDER**
County Commissioners, Board of — duties, Title 7, chapter 12, part 21
County surveyor
- engineer for district, as, 7-12-2116, **See Engineer**
- improvement costs, estimates, 7-12-2108

RURAL SPECIAL IMPROVEMENT DISTRICTS (Continued)

County treasurer, duties, Title 7, chapter 12, part 21, See **COUNTY TREASURER**
Creation
  authorization, 7-12-2102
  protests, 7-12-2105, 7-12-2109
  resolution of creation, 7-12-2113
    city clerk, copy to, 7-12-2102
    corner lots and inside lots, apportionment of costs provided in, 7-12-2155
  resolution of intention, 7-12-2103
    city clerk, copy to, 7-12-2102
    description, sufficiency, 7-12-2104
    extension of district, benefit of work from — inclusion, 7-12-2108
    federal property, provisions regarding, 7-12-2157
    notice, 7-12-2105, 7-12-2140
    protest following, See **Protests**
Damages
  claims, 7-12-2140
  payment, 7-12-2154
Debt service fund, 7-12-2193
Definitions, 7-12-2101, 7-12-2106, 7-12-2110, 7-12-2151, 7-12-2171
Determinations
  description of work, sufficiency, 7-12-2104
  publication and posting, 7-12-2107
District fund
  bond account, 7-12-2193
  bonds and warrants
    drawn against, 7-12-2171
    payment, 7-12-2174, 7-12-2185
  construction account, 7-12-2173
  deficiency, 7-12-2183, 7-12-2185
  interest account, 7-12-2193
  loans to, 7-12-2185
  sinking fund, 7-12-2173, 7-12-2192
  transfers from, 7-12-2182
District reserve account, 7-12-2153
Emergency repairs, 7-12-2183
Engineer
  compensation, 7-12-2101
  contractor's delinquency, reporting, 7-12-2139
  county surveyor as, 7-12-2116
  defined, 7-12-2101
  designation, 7-12-2103
  expense records, 7-12-2117
  improvement costs, estimates, 7-12-2108, 7-12-2173
  specifications, bids on, 7-12-2132
Expenses, See **Incidental expenses**
Extension of proposed district, 7-12-2108
  protests, 7-12-2109, 7-12-2112, 7-12-2113
Federal property within, 7-12-2157
Financial reports, Title 2, chapter 7, part 5
Funds
  construction, 7-12-2171
  debt service, 7-12-2193
  district, See **District fund**
  maintenance, 7-12-2162, 7-12-2171, 7-12-2175, 7-12-2182, 7-12-2183, 7-12-2203
  revolving, See **Revolving fund**

RURAL SPECIAL IMPROVEMENT DISTRICTS (Continued)
Funds (Continued)

  sinking, 7-12-2173, 7-12-2175, 7-12-2192
Grants, 7-7-109
Hearings
  adjournment, 7-12-2115
  proceedings, on, 7-12-2115
  protests, on, 7-12-2111, 7-12-2160
  refunding bonds, issuance, 7-12-2193
  resolution for tax levy, 7-12-2159, 7-12-2160
Improvements
  bids, See **Bids**
  city and town property, treatment, 7-12-2102
  contractors, See **Contractors**
  contracts, See **Contracts**
  costs
    assessments to defray, 7-12-2151, See **Assessments**
    corner lots and inside lots, apportionment between, 7-12-2155
    federal property, status, 7-12-2157
    incidental expenses considered as, 7-12-2153
    payment, See **Bonds and warrants**
    railroads, responsibility, 7-12-2156
  damages as result of
    claims, 7-12-2140
    payment, 7-12-2154
  defined, 7-12-2101
  emergency repairs, 7-12-2183
  maintenance
    costs, payment, 7-12-2120, 7-12-2161, See also **Bonds and warrants**
    fund, 7-12-2162, 7-12-2175, 7-12-2183, 7-12-2203
    protests, 7-12-2105, 7-12-2109, 7-12-2112
    state and federal improvements, 7-12-2120
  multiple, in single proceeding, 7-12-2103
  notice of, 7-12-2105, 7-12-2140
    description, sufficiency, 7-12-2104
  objections to, written, 7-12-2140
  order for, 7-12-2113
  proceedings concerning, See **Proceedings**
  property benefited by, expenses charged to — when, 7-12-2108
  protests, 7-12-2105, 7-12-2109, 7-12-2112
  purchase of existing, 7-12-2102, 7-12-2133
  resolution of intention, statement in, 7-12-2103
  sanitary sewer construction, 7-12-2112
  state and federal, maintenance, 7-12-2120
Incidental expenses
  assessments to defray, 7-12-2151, See **Assessments**
  cost of improvements, as, 7-12-2153
  defined, 7-12-2101
  demands, manner of making, 7-12-2119
Intention, resolution of, See **Creation**, resolution of intention
Investments
  bond or warrant proceeds
    interest, 7-12-2173
    refunding bonds, 7-12-2193
  insurers, in bonds and warrants, 33-2-814, See also **INSURERS ORGANIZATION AND REGULATION GENERALLY, Investments**
  maintenance, interest, and sinking fund money, 7-12-2175

RURAL SPECIAL IMPROVEMENT DISTRICTS (Continued)

Liens
  assessments as, 7-12-2163, 7-12-2168, 7-12-2184, 7-12-2205
  mistake in property descriptions or owner's name, effect, 7-12-2166
  revolving fund loans, from, 7-12-2184
Lighting system maintenance
  applicability of provisions, 7-12-2206
  assessments, 7-12-2202
    lien, as, 7-12-2205
  boundaries of district, alteration, 7-12-2204
  contracts, 7-12-2201
  costs, apportionment, 7-12-2202
  fund, 7-12-2203
Loans from revolving fund, 7-12-2183 — 7-12-2185, See also **Revolving fund**
Maintenance fund, 7-12-2162, 7-12-2171, 7-12-2182, 7-12-2183, 7-12-2203
Maintenance of improvements, See **Improvements**
Management, transfer and written agreement, 7-12-2126
Metropolitan sanitary and/or storm sewer districts, applicability of provisions, 7-13-114
Multicounty district board of trustees
  appointment, 7-12-2121
  powers, 7-12-2123
  term of office, 7-12-2122
  transfer of management and control, 7-12-2126
Municipal sewer laws, applicability, 7-12-2301
Notes, sale in anticipation of federal or state revenue, 7-7-109
Notices
  affidavit required when, 7-12-2106
  bid proposals, 7-12-2132, 7-12-2134
  bonds and warrants
    issuance, 7-12-2193
    redemption, 7-12-2174
    sale, 7-12-2172, 7-12-2193
  description of work, sufficiency, 7-12-2104
  hearings, 7-12-2115
  improvements, of, 7-12-2104, 7-12-2105
  objections to proceedings, owner's written notice, 7-12-2140
  property damage, 7-12-2154
  publication and posting, 7-12-2106, 7-12-2107
  resolution
    of intention, passage, 7-12-2105
    tax levy, for, 7-12-2159
  writing required, 7-12-2140, 7-12-2154, 7-12-2174
Number of district, designation, 7-12-2103
Orders
  description of work, sufficiency, 7-12-2104
  improvements, for, 7-12-2113
  publication and posting, 7-12-2106, 7-12-2107
Owners of property
  assessments or liens, effect of misnomers or mistakes, 7-12-2166
  city, not included in district when, 7-12-2102
  damages to property
    claims, 7-12-2140
    payment, 7-12-2154
  objections to proceedings, written, 7-12-2140
  protest, right to, 7-12-2109, See also **Protests**
  water ditch owners, exception from assessments, 7-12-2152

RURAL SPECIAL IMPROVEMENT DISTRICTS (Continued)
Owners of property (Continued)

who considered, 7-12-2110
Proceedings
  hearings, 7-12-2115
  multiple improvements in single proceeding, 7-12-2103
  objections to, written, 7-12-2140
  protests, sufficient to bar, 7-12-2111, 7-12-2112
Protests
  assessment methods, 7-12-2112
  creation of district, 7-12-2102, 7-12-2105, 7-12-2109
  extension of district, 7-12-2109, 7-12-2112, 7-12-2113
  hearings, 7-12-2111, 7-12-2160
  improvements, making or maintenance, 7-12-2105, 7-12-2109, 7-12-2112
  insufficient, 7-12-2113
  overruled when, 7-12-2112, 7-12-2113
  owner's right to, 7-12-2109
  proceedings, 7-12-2140
  sufficient, to bar proceedings when, 7-12-2111, 7-12-2112
  tax levy, 7-12-2159, 7-12-2160
    payment under, 7-12-2164
  writing required, 7-12-2109
Purchase of existing improvements, 7-12-2133
Purpose, 7-12-2102
Railroads, improvements close to, 7-12-2156
Resolutions
  assessments
    delinquent, 7-12-2163
    levy, for, 7-12-2118, 7-12-2154, 7-12-2159, 7-12-2161, 7-12-2163, 7-12-2202
  bonds and warrants
    issuance, 7-12-2167, 7-12-2172, 7-12-2185
    pooling of bonds, 7-12-2192
    refunding bonds, issuance, 7-12-2193
  boundaries, to change, 7-12-2161
  creation, of, See **Creation**, resolution of creation
  description of work, sufficiency, 7-12-2104
  intention, of, See **Creation**, resolution of intention
  lighting system maintenance, for levy of assessments, 7-12-2202
  publication and posting, 7-12-2106, 7-12-2107
  revolving fund
    creation, 7-12-2181
    loans to maintenance fund, 7-12-2183
  tax levy, for, 7-12-2118, 7-12-2158, 7-12-2159
  terms of district, city-county resolution for, 7-12-2102
Revolving fund
  creation, 7-12-2181, 7-12-2192
  county general fund, loans for, 7-12-2105
  elimination not allowed when, 7-12-2181
  excess money, utilization, 7-12-2186
  loans from, 7-12-2183 — 7-12-2185
  obligation, duration, 7-12-2185
  sources of money, 7-12-2105, 7-12-2153, 7-12-2182, 7-12-2185
Sanitary sewers
  construction, 7-12-2112
  municipal laws, applicability of rental provisions, 7-12-2301
Sinking fund, 7-12-2173, 7-12-2175, 7-12-2192
Storm sewers, 7-12-2301

RURAL SPECIAL IMPROVEMENT DISTRICTS (Continued)

Streets
    costs, payment, 7-12-2151, 7-12-2202
    definitions, 7-12-2101
    lighting systems, cost, 7-12-2202
    multiple improvements in single proceeding, inclusion, 7-12-2103
Tax levy, See also **Assessments**
    correction, 7-12-2165
    hearing, 7-12-2159, 7-12-2160
    limitation on amount of taxes levied, nonapplicability, 15-10-402, 15-10-412
    protest, 7-12-2159, 7-12-2160
        payment under, 7-12-2164
    relevy when, 7-12-2165, 7-12-2191
    resolution for, 7-12-2118, 7-12-2158
        modification, 7-12-2160
        notice, 7-12-2159
    revolving fund, funds for, 7-12-2105, 7-12-2182, 7-12-2185
    schedule for, preparation, 7-12-2118
Tax sales, 7-12-2163, See also **TAXATION, PROPERTY**
Utility facilities, transfer to regulated utility, 7-12-2127
Warrants, See **Bonds and warrants**
Water ditch owners, exception from assessments, 7-12-2152
Water supply and sewer districts, applicable provisions, 7-13-3043
Water user entities, nonprofit — exemption from assessments, 7-12-2196
Work, See **Improvements**

RURAL TECHNICAL ASSISTANCE TRANSPORTATION PROGRAM, 15-70-101

RURAL ZONING LAW, Title 76, chapter 2
    See **ZONING, County**; **Planning and zoning commission**

S

SAFETY
Acupuncture, practice of, Title 37, chapter 13
Air
    airport zoning act, purpose, 67-5-101
    airport zoning to ensure safety, 67-2-301
    flights and landings, 67-1-204
    purpose of laws, 67-1-102
Ambulances, See **EMERGENCY MEDICAL SERVICES**
Amusement games, shooting games, 23-6-104
Anhydrous Ammonia Facilities Safety Act, Title 80, chapter 10, part 5
Architecture, practice of, Title 37, chapter 65
Asbestos regulation, Title 75, chapter 2, part 5
Bicycles, highway racing events, 61-8-609
Blasting, construction, Title 37, chapter 72
Blood or urine testing as condition for employment, 39-2-304
Boats and boating
    diver safety zones, 23-2-525
    education program, 23-2-530
    outfitters, requirements, 37-47-305
    policy of state, 23-2-501
    tour boats, 16-4-210
Boilers, Title 50, chapter 74

SAFETY (Continued)

Boxing matches or exhibitions, 23-3-405
Building codes, See **BUILDINGS AND BUILDING REGULATIONS**
Carnival games, shooting games, 23-6-104
Chemicals in the workplace, Title 50, chapter 78, See **HAZARDOUS CHEMICALS**
Child labor prohibitions, 41-2-109, 41-2-110
Community homes for persons with severe disabilities, standards, 52-4-204, 52-4-205
Conservation easements, tree-cutting provisions, 77-2-319
Construction
  blasting, Title 37, chapter 72
  sites, See **BUILDINGS AND BUILDING REGULATIONS**
Dams, Title 85, chapter 15
Day-care facilities, 52-2-723, 52-2-731, 52-2-734
Department of, 7-3-4253, 7-3-4401, 7-3-4464
Detention centers, compliance with codes and protection of inmates, 7-32-2222
Developmental disabilities, persons with — residential facilities for, 50-61-103, 53-20-142, 53-20-305, 53-20-307
Ditches, open — protection from, Title 7, chapter 31, part 42
Electrical installations and electrical products, Title 37, chapter 68
Electrology, practice of, Title 37, chapter 32
Elevators, Title 50, chapter 60, part 7 and chapter 76, See **ELEVATORS; HOISTING ENGINES**
Emergencies
  energy supply, 90-4-304, 90-4-307
  medical services, 50-6-101, See **EMERGENCY MEDICAL SERVICES**
  suspension of laws in, 10-3-313
Explosives, Title 37, chapter 72
Firearms, local government regulation, 45-8-351
Fires and fire protection, See **FIRES AND FIRE PROTECTION**
Fireworks, See **FIREWORKS**
Fish and game, provisions concerning, 87-1-303, 87-2-105, See **FISH AND WILDLIFE**
Flood control activities as protection, Title 76, chapter 5
Gambling, public policy, 23-5-110
Guides, 37-47-201, 37-47-401
Hazardous chemicals, See **HAZARDOUS CHEMICALS**
Hazardous substances, Title 50, chapter 30
Highway traffic safety program, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Traffic safety program**
Hoisting engines, Title 50, chapter 76
Horseracing, new forms — consideration of impact, 23-4-105
Hunter safety education, 87-2-105
Infectious waste management, Title 75, chapter 10, part 10
Inspections of facilities, joint inspections among governmental agencies, 50-8-101, 50-8-102, 50-8-105
Irrigation ditches, 85-7-2211
Landlord and tenant, applicability of laws, 70-24-105
Land mobile public safety radio frequencies, 2-17-311 — 2-17-313
Licensing of facilities, one-step licensing required, 50-8-101, 50-8-102
Medical services, emergency, See **EMERGENCY MEDICAL SERVICES**
Medicine, practice of, Title 37, chapter 3, See **PHYSICIANS AND SURGEONS**
Mentally ill persons, facilities for, 53-21-142
Mines, in, Title 50, chapters 72 and 73
Minors' employment prohibitions, 41-2-109, 41-2-110
Montana Conservation Corps work experience project work sites, standards, 23-1-311
Montana Safety Culture Act, Title 39, chapter 71, part 15, See **WORKERS' COMPENSATION**
Motorcycle safety training, See **SCHOOLS, Traffic education**
Motor vehicles
  child safety restraint systems, 61-9-419 — 61-9-423

SAFETY (Continued)
Motor vehicles (Continued)

  commercial vehicle operators, conformance with federal regulations, 61-8-801
  off-highway vehicles, 23-2-818
  safety-responsibility act, Title 61, chapter 6, part 1
  seatbelts, 61-9-409, 61-9-410, 61-9-516; Title 61, chapter 13, part 1
Naturopathic medicine, practice of, Title 37, chapter 26
9-1-1 emergency telephone system, Title 10, chapter 4, parts 1 — 3
Nutrition assessment and counseling, practice of, Title 37, chapter 25
Occupational, Title 50, chapter 70, See **LABOR AND EMPLOYMENT**, **Safety**; See also **MINES AND MINING**, **Safety and health protection**
Occupational therapy services, Title 37, chapter 24
Offenders, former — occupational licensing provisions, 37-1-202, 37-1-203
One-step licensing of facilities required, 50-8-101, 50-8-102
Outfitters, 37-47-201, 37-47-305, 37-47-401
Pest and Pesticide Management Safety Program, Model School Integrated, Title 80, chapter 8, part 4, See **PESTS AND PESTICIDES**
Petroleum storage tank releases, cleanup, Title 75, chapter 11, part 3
Pharmacy, practice of, Title 37, chapter 7
Private security personnel and private investigators, Title 37, chapter 60
Psychology, practice of, Title 37, chapter 17
Public buildings — construction, lease, or purchase — compliance with safety codes, 18-2-108
Radioactive Waste Management, Northwest Interstate Compact on Low-level, 75-3-501, 75-3-502
Radiologic technology, Title 37, chapter 14
Railroads, 69-14-115, 69-14-116, 69-14-232, 69-14-562, 69-14-1006
Reservoirs, Title 85, chapter 15
Respiratory care practitioners, Title 37, chapter 28
Safety Act, Title 50, chapter 71
Scaffolds, 50-77-101, 50-77-103, 50-77-106, 50-77-107
School safety patrols, 20-1-408
Shooting games, 23-6-104
Shooting ranges, Title 76, chapter 9, part 1
Skiing and skiers, Title 23, chapter 2, part 7, See **SKIING AND SKIERS**
Smith River recreational and commercial user regulations, 23-2-408
Snowmobiles, Title 23, chapter 2, part 6, See **SNOWMOBILES**
Speech-language pathology and audiology services, Title 37, chapter 15
Steam engines, Title 50, chapter 74
Suspension of laws, emergency, 10-3-313
Traffic safety program, See **SCHOOLS**, **Traffic education**
Tramways, 23-2-704, 23-2-712, 23-2-713, 23-2-721 — 23-2-723, 23-2-735, 23-2-736
Urban renewal property or interest for, 7-15-4262
Urine or blood testing as condition for employment, 39-2-304
Water conservation activities as protection, Title 76, chapter 5
Water treatment plant operators' certification, Title 37, chapter 42, See **WATER SUPPLY, PUBLIC**
Water users' associations, liability on water projects, 85-6-107
Weapons
  local government regulation, 45-8-351
  muzzleloaders, hunting with — restrictions, 87-1-304
Workers' compensation employers, financial incentives for programs, 39-71-421
Workplace, in, Title 50, chapter 71
Wrestling matches or exhibitions, 23-3-405
X-ray procedures, Title 37, chapter 14
Zoos and menageries, provisions by, 87-4-802, 87-4-803

SALARIES
  See **WAGES AND SALARIES**

SALES
  See also **TRADE REGULATION AND COMPETITION**, generally; **UNIFORM COMMERCIAL CODE, GENERAL PROVISIONS**
Abandoned
  motor vehicles, 61-12-404 — 61-12-407
  property, Title 70, chapter 9, parts 3 and 4
Acceleration, option, 30-1-208
Acceptance, 30-2-206, 30-2-606
  additional terms, 30-2-207
  breach, 30-2-607
  buyer's obligation, 30-2-301
  casualty after identification, 30-2-613
  conditional, 30-2-207
  damages, 30-2-708, 30-2-709, 30-2-714
  delivery, 30-2-507, 30-2-601, 30-2-607
  different terms, 30-2-207
  draft, deliverability of documents, 30-2-514
  effect, 30-2-607
  evidence of conformity or nonconformity, right to preserve, 30-2-515
  future performance, effect on assurance, 30-2-609
  inspection, 30-2-310, 30-2-512, 30-2-513
  installment contract, 30-2-612
  nonacceptance, damages for seller, 30-2-708, 30-2-709
  nonconforming goods, 30-2-206, 30-2-601, 30-2-606 — 30-2-608
  nonconforming tender, damages, 30-2-714
  notice of, 30-2-206
  obligation of buyer, 30-2-301
  part of unit, 30-2-601, 30-2-606
  payment, 30-2-512, 30-2-607
  rejected goods, sale excluded as, 30-2-603
  rejection precluded by, 30-2-607
  reservation, under, 30-1-207
  revocation, See **Revocation**
  sale of rejected goods excluded as, 30-2-603
  sale on approval, 30-2-327
  salvage excluded as, 30-2-604
  substituted performance, 30-2-614
  tender of delivery, 30-2-607
  written confirmation, 30-2-207
Accommodation, nonconforming goods offered buyer, 30-2-206
Acknowledgment, goods held for buyer, 30-2-503, 30-2-509, 30-2-705
Actions, 30-1-201
  anticipatory repudiation, 30-2-723, 30-5-115
  buyer's good faith conduct as to rejected goods, 30-2-603
  complaint, form, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 4
  enforcement of rights and obligations by, 30-1-106
  farm implements dealership agreements, damages or injunction, 30-11-809, 30-11-811
  infringement, 30-2-607
  limitation of action, 30-2-725
  market price, 30-2-723, 30-2-724
  obligation enforced by, 30-1-106
  personal solicitation, refund upon cancellation, 30-14-506
  price, recovery, 30-2-709, 30-5-115
  products liability, strict liability of seller, 27-1-719

SALES (Continued)
Actions (Continued)

  recovery of goods, 30-2-502, 30-2-702, 30-2-711, 30-2-716
  replevin, 30-2-502, 30-2-702, 30-2-711, 30-2-716
  rights enforced, 30-1-106
  specific performance, 30-2-711, 30-2-716
  statute of limitation, 30-2-725
  third party, injury to goods, 30-2-722
  unconscionable clause or contract, 30-2-302
  unfair competition, 30-14-207
Admission of contract, effect on enforceability, 30-2-201
Adulterated goods, 45-6-318, 50-31-501, 50-31-506
Affirmation of fact, express warranty, 30-2-313
Agent as seller, 30-2-707
Agreement, 30-1-201, 30-2-106, See also **Contract for sale**
  contract modification, 30-2-209
  damages, 30-2-718, 30-2-719
  exclusive dealings, 30-2-306
  identification, 30-2-501
  inspection of goods, 30-2-512, 30-2-515
  risk allocation, 30-2-303
  statute of limitation, 30-2-725
  subordinated obligations, 30-1-209
  substituted performance, 30-2-614
  tender of delivery, 30-2-503
  timeshare sales, 37-53-303 — 37-53-306
  variance of law by, 30-1-102, 30-1-105
Agricultural land
  agricultural chemical ground water protection management plans, notice to buyer of obligations, 80-15-218
  foreclosed, right of immediately preceding owner, 25-13-901 — 25-13-904
Agricultural products, assistance for export sales, 90-9-402
Agricultural seeds, 30-2-316, 61-10-141, 80-5-103, 80-5-105, 80-5-113, 80-5-202
Alcoholic beverages, See **ALCOHOLIC BEVERAGES**
Allocation, 30-2-303, 30-2-615, 30-2-616
Ancillary promise, breach, 30-2-701
Animals, 30-2-105, 30-2-401, 30-2-501
Anticipatory repudiation, 30-2-610, 30-2-611, 30-2-723, 30-5-115
Approval, sale on, 30-2-326, 30-2-327
Artist and art dealer relationship, Title 22, chapter 2, part 5, See **ARTS AND CULTURE**, **Fine art, sale by art dealer**
Assignment of rights, 30-2-210
Assortment of goods, 30-2-311
Attachment, upon, See **ATTACHMENT OF PROPERTY**
Auction sales, Title 30, chapter 11, part 5
Avoidance of contract for sale, 30-2-613
Bailee, 30-2-503, 30-2-509, 30-2-703, 30-2-705, 30-7-403
Bank charge cards, See **CREDIT TRANSACTIONS**, **Credit cards**; **Retail installment sales**
Banker's credit, 30-2-325
Beef patty mix, 50-31-208
Bees, alfalfa leaf-cutting, 80-6-1108
Between merchants, 30-2-104
  contract for sale, 30-2-201, 30-2-207, 30-2-209
  performance, 30-2-609
  statute of frauds, applicability, 30-2-201
  waiver of buyer's objections, 30-2-605
Beverage containers, detachable openings prohibited, 75-10-301 — 75-10-303

SALES (Continued)

Beverage, merchantability, 30-2-314
Bills of lading, 30-1-201, See also **DOCUMENTS OF TITLE**
    c.&f. and c.i.f., 30-2-320
    f.a.s. and f.o.b., 30-2-319
    foreign shipment, 30-2-323
    nonnegotiable, 30-2-705
    reservation of security interest, 30-2-401, 30-2-505
    tender, 30-2-323, 30-2-503
Blood, warranty not implied — furnishing declared service, 50-33-102
Boats, 23-2-502, 30-11-701, See **Dealership or distribution contracts**; **BOATS AND BOATING, Dealers and manufacturers**
Body parts, human — prohibited, 72-17-302
Bones, human — warranty not implied, furnishing declared service, 50-33-102
Bottled water, labeling requirements, 50-31-236
Breach of contract, Title 30, chapter 2, part 6
    ancillary promises, 30-2-701
    antecedent, 30-2-720
    assurance of performance, 30-2-609
    burden to establish, 30-2-607
    cancellation, effect, 30-2-106, 30-2-720
    collateral contract, 30-2-701
    cover, 30-2-712
    damages, See **Damages**
    delegation of duty, 30-2-210
    excuse, 30-2-613, 30-2-615, 30-2-616
    fraudulent, 30-2-721
    identification of goods, 30-2-510, 30-2-704, 30-2-706
    infringement, 30-2-607
    installment contract, 30-2-612, 30-2-616, 30-2-703
    letter of credit, failure to provide, 30-2-325
    notice, 30-2-607
    occurs when, 30-2-725
    performance, options, 30-2-311
    remedies, See **Remedies**
    rescission, effect, 30-2-720
    risk of loss, 30-2-509, 30-2-510
    security interest of buyer, 30-2-711
    statute of limitation, 30-2-725
    substitute goods, 30-2-712
    termination, effect, 30-2-106
    waiver, 30-1-107
Breach of warranty, See **Warranties**
Buyer, 30-1-201, 30-2-103, See also **Purchaser, good faith**
    acceptance, See **Acceptance**
    agricultural land, notice of obligations under agricultural chemical ground water protection management plans, 80-15-218
    assignment of rights, 30-2-210
    cover, 30-2-711, 30-2-712
    delivery, improper, 30-2-601
    insolvency of buyer, 30-2-702, 30-2-705
    insolvency of seller, 30-2-502
    inspection, See **Inspection of goods**
    insurable interest in goods, 30-2-501
    limited interest, 30-2-403
    merchant buyer's rejection of goods, duties, 30-2-603

SALES (Continued)
Buyer (Continued)

- obligation, 30-2-301, 30-2-306
- payment, 30-2-507, See also **Payment**
- quantity requirements, 30-2-306
- recovery of goods, 30-2-402, 30-2-502, 30-2-711, 30-2-716
- rejection of goods, See **Rejection of goods**
- remedies, See **Remedies**
- replevin, 30-2-402, 30-2-502, 30-2-711, 30-2-716
- resale, See **Resale of goods**
- rights
  - assignment, 30-2-210
  - delivery improper, 30-2-601
  - goods, right to, 30-2-502
  - insolvency of seller, 30-2-502
  - performance, 30-2-711, 30-2-716
  - recovery of goods, 30-2-402, 30-2-716
  - seller's creditors, subject to, 30-2-402
  - transfer, 30-2-403
- risk of loss, 30-2-509
- security interest, 30-2-711
- special property, identification of goods, 30-2-401, 30-2-501
- specific performance, right to, 30-2-711, 30-2-716
- substitute goods, 30-2-712
- tender of delivery, effect, 30-2-507
- title acquired, 30-2-403

Cancellation, See **Contract for sale**
C.&F. , 30-2-320, 30-2-321, 30-2-323
Carriers
- freight, perishable property, 69-11-411
- passenger, tickets at reduced rates, 69-11-207

Cash sales, 30-2-403
Casualty to goods, 30-2-324, 30-2-613, 30-2-722, See also **Damages**; **Deterioration**; **Remedies**
Cattle, interstate shipment, 30-2-401, See also **LIVESTOCK**
Cemetery lots, See **CEMETERIES**; **CEMETERY ASSOCIATIONS**
Chain distributor schemes unlawful, 45-6-319
Charge accounts and cards, See **CREDIT TRANSACTIONS**, **Credit cards**; **Retail installment sales**
Charity, institutions of purely public, 15-6-201
Checks, 30-2-103, 30-3-104, 30-2-401, 30-2-403, 30-2-511, 30-2-514, See also **Drafts**
Child support debts, 40-5-235
C.I.F. , 30-2-320, 30-2-321, 30-2-323, 30-2-513
Cigarettes, Title 16, chapters 10 and 11
Citation of Uniform Commercial Code, 30-1-101, 30-2-101
Cities and towns, regulation when, 7-14-4102
Claim, 30-1-107, 30-2-515
Claim and delivery, See **Recovery of goods**
Classes of buyers, effect of uniform commercial code, 30-2-102
Coal invoices and bills, 82-3-201 — 82-3-205
C.O.D. , inspection of goods, 30-2-513
Collateral contract, breach, 30-2-701
Collateral required, 30-1-208
Commercial unit, 30-2-105, 30-2-606
Commission merchants, 30-11-401 — 30-11-403, 70-6-411, 70-6-412; Title 70, chapter 9, part 4
Commission, sale after rejection, 30-2-603
Complaint for goods sold and delivered, form, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 4
Conditional sale, 1-1-205, See **SECURED TRANSACTIONS**, generally
Condominiums, See **CONDOMINIUMS**

SALES (Continued)

Confirmation, See **Acceptance**
Conflict of laws, 30-1-105, 30-2-402, 30-2-501
Coniferous trees, transportation — bill of sale, 76-13-601
Conservator's power, 72-5-427
Consideration, 30-1-107, 30-2-205, 30-2-209
Consignment sales, 30-2-326, 30-2-327, 30-9-102, 30-9-114
Construction of chapter, 30-1-104, 30-2-103
Consumer protection, extent of damages, 30-2-715, 30-2-719
Consumer reports, Title 31, chapter 3, part 1
Consumers, sales to excluded, 30-2-102
Containers, 30-2-314, 75-10-301 — 75-10-303
Contract for sale, 30-1-201, 30-2-106, 30-2-107, 30-11-103; Title 30, chapter 2, parts 2 and 3, See also **CONTRACTS**, generally
  acceleration clause, 30-1-208
  additional terms, 30-2-207
  agricultural marketing, Title 35, chapter 17, part 4
  assignment of rights, 30-2-210
  avoidance, 30-2-613
  between merchants, 30-2-201, 30-2-207, 30-2-209
  breach, See **Breach of contract**
  buy, 30-11-103, 30-11-105
  buyer requirements, 30-2-306
  cancellation
    buyer's remedy, 30-2-711
    defined, 30-2-106
    effect, 30-2-720
    personal solicitation sales, 30-14-504 — 30-14-507
    price, failure to fix, 30-2-305
    seller's remedy, 30-2-703, 30-11-202
  c.&f. terms, 30-2-320, 30-2-321, 30-2-323
  certainty, 30-2-204
  c.i.f. terms, 30-2-320, 30-2-321, 30-2-323, 30-2-513
  collateral, breach, 30-2-701
  conduct of parties, 30-2-207
  course of dealing, 30-1-205, 30-2-202, 30-2-208
  course of performance, 30-2-202, 30-2-208
  crops, 30-2-107
  delivery, See **Delivery**
  different terms, 30-2-207
  documents of title, adequacy, 30-7-509
  enforceability, 30-1-203, 30-2-201, 30-2-302, 30-2-718
  evidence, parol or extrinsic, 30-2-202
  exclusive dealings, 30-2-306
  existence of property, effect, 30-11-107
  explained, 30-2-202
  f.a.s. terms, 30-2-319
  f.o.b. terms, 30-2-319, 30-2-323
  form, 30-2-204
  good faith, 30-1-203
  indefiniteness, 30-2-204
  installment, 30-2-612
  land, severance of goods from, 30-2-107
  lapse, 30-2-616
  minerals, 30-2-107
  modification, 30-2-208, 30-2-209, 30-2-616

SALES (Continued)
Contract for sale (Continued)

- moment of making, 30-2-204
- obligation, 30-1-203, 30-2-301
- offer and acceptance, 30-2-206, 30-2-207
- oil and gas, 30-2-107
- open terms, 30-2-204, 30-2-305
- options, 30-1-208, 30-2-311
- or return terms, 30-2-326
- output of seller, 30-2-306
- penalty clause unenforceable, 30-2-718
- performance, 30-2-208, 30-2-210, 30-2-311, See also **Performance**
- plain language, Title 30, chapter 14, part 11
- preexisting duty rule, 28-2-1601, 28-2-1602, 30-2-209
- price, 30-2-305, 30-11-104 — 30-11-106
- remedies, modification or limitation, 30-2-719
- repudiation, 30-2-609
- requirements, 30-2-201
- resale of goods, 30-2-706
- rescission, 30-2-209, 30-2-720, 30-2-721, 30-11-202
- revocation, 30-2-205
- risk, allocation or division, 30-2-303
- seal, 30-2-203
- sell, 30-11-103, 30-11-104
- sell and buy, 30-11-103, 30-11-106
- statute of frauds, 30-1-206, 30-2-201, 30-2-209, 30-11-111
- structures to be removed from realty, 30-2-107
- subject of contract, 30-11-107
- subordinated obligation, 30-1-209
- supplemented, 30-2-202
- termination, 30-2-106, 30-2-309, 30-2-616
- timber, 30-2-107
- timeshares, 37-53-102, 37-53-205, 37-53-303 — 37-53-308
- title, See **Title**
- unconscionability, 30-2-302
- usage of trade, effect, 30-1-205, 30-2-202, 30-2-208
- waiver of terms, 30-2-208, 30-2-209
- warranties, not implied, 30-11-210, See also **Warranties**
- weight terms, 30-12-306
- written agreement, 30-2-201

Conversion, 30-2-603, 30-2-604
Cooling off period, 30-14-504, 30-14-505, 37-53-303, 37-53-304, See also **Personal solicitation**
Cooperation of parties, 30-2-311, 30-2-319
Cooperative associations, 35-15-103, 35-15-506
Corporate power, 35-1-115, 35-1-308, 35-1-822, 35-1-823
Cosmetics, 50-31-102
Course of dealing, 30-1-205, 30-2-202, 30-2-208, 30-2-314, 30-2-316
Course of performance, 30-2-202, 30-2-208, 30-2-316
Course of trade, retention of goods, 30-2-402
Cover, 30-2-711, 30-2-712, 30-2-715
Credit, 30-2-310, 30-2-325
Credit cards, See **CREDIT TRANSACTIONS, Credit cards; Retail installment sales**
Creditor's rights, 30-1-105, 30-1-201, 30-2-326, 30-2-402, 30-2-403, 30-7-504, 30-9-114, See also **FRAUDULENT TRANSFERS**
Credit report, Title 31, chapter 3, part 1
Crops, 30-2-107, 30-2-501

SALES (Continued)

Damages, See also **Remedies**
  accepted goods, breach, 30-2-714
  action for price, 30-2-709
  assignment of right, 30-2-210
  breach of warranty, 30-2-316, 30-2-714, 30-2-715
  cancellation of contract, effect, 30-2-720
  consequential, 30-1-106, 30-2-712, 30-2-714, 30-2-715, 30-2-719
  contractual provisions, 30-2-719
  cover, 30-2-711, 30-2-712, 30-2-715
  farm implements dealership agreement violations, 30-11-809, 30-11-811
  fraud, 30-2-721
  incidental, 30-2-706, 30-2-707, 30-2-710, 30-2-712, 30-2-714, 30-2-715, 30-5-115
  limitation, 30-1-106, 30-2-718, 30-2-719
  liquidation, 30-2-718
  market price, 30-2-713, 30-2-723, 30-2-724
  modification, 30-2-719
  nonacceptance, 30-2-703, 30-2-708, 30-2-709
  nonconformity of tender, 30-2-714
  nondelivery, 30-2-713
  penal, 30-1-106
  personal injury, 27-1-719, 30-2-715, 30-2-719
  person in the position of a seller, 30-2-707, 30-5-115
  price, 30-2-709, 30-2-717
  products liability, 27-1-719
  rejection, wrongful, 30-2-709
  repudiation, 30-2-708, 30-2-709, 30-2-713
  resale of goods, 30-2-706, 30-2-710
  rescission of contract, effect, 30-2-720
  restitution, 30-2-718
  revocation of acceptance, 30-2-709
  special, 30-1-106
  warranty, breach, 30-2-316, 30-2-714, 30-2-715
Dealership or distribution contracts — inventory repurchase by wholesalers, manufacturers, or distributors upon cancellation, 30-11-702
  action to enforce, 30-11-712
  applicability of laws, 30-11-701
  contract rights not impaired, 30-11-711
  deceased dealer or wholesaler, repurchase from heirs or devisees, 30-11-704
  definitions, 30-11-701
  election of remedies, 30-11-713
  excepted inventory, 30-11-703
  farm implements dealership, See **Farm implements dealership agreements**
  liability, 30-11-712
  remedy supplemental, 30-11-713
  security interest, effect, 30-11-711
  written contract, 30-11-701, 30-11-702
Deceptive business practices, 45-6-317, 45-6-318
Definitions, 30-1-102, 30-1-201, 30-1-204, 30-1-205, 30-2-103 — 30-2-106, 30-2-319 — 30-2-327
  acceptance, 30-2-606
  agreement for sale, 30-11-103
  auction, 30-11-501
  check, 30-3-104
  code, 30-1-101
  confirmed credit, 30-2-325
  conforming, 30-2-106

SALES (Continued)
Definitions (Continued)

- consignee, 30-2-103, 30-7-102
- consignor, 30-2-103, 30-7-102
- consumer goods, 30-2-103, 30-9-109
- contract, 30-1-201, 30-2-106, 30-2-107, 30-11-103
- cover, 30-2-712
- dealership or distribution contract provisions, 30-11-701
- dishonor, 30-2-507
- draft, 30-3-104
- entrusting, 30-2-403
- exchange, 30-11-112
- factor, 30-11-601
- farm implements dealership provisions, 30-11-801
- identification, 30-2-501
- indian articles, 30-14-601
- merchant, 30-11-301
- personal solicitation sales, 30-14-502
- person in the position of a seller, 30-2-707, 30-5-115
- sale, 30-2-106, 30-11-101
- seller, 27-1-719
- warranty, 30-11-209

Delay
- credit period, 30-2-310
- damages, 30-2-715
- delivery, 30-2-504, 30-2-615, 30-2-616
- invoice, 30-2-310
- notice, 30-2-616
- performance, excuse, 30-2-311
- repudiation as cause, 30-2-611

Delegation of performance, 30-2-210
Delivered weights, 30-2-321
Delivery, 30-1-201
- bailee, excuse, 30-7-403
- banker's credit, 30-2-325
- c.&f. terms, 30-2-320, 30-2-321
- cash terms, 30-2-702
- choice, 30-11-206
- c.i.f. terms, 30-2-320, 30-2-321
- confirmed credit, 30-2-325
- cure for improper delivery, 30-2-323, 30-2-508, 30-2-510
- delay, excuse, 30-2-615, 30-2-616
- demand, 30-11-203, 30-11-208
- depository, seller as, 30-11-201
- documents, 30-2-503, 30-2-514
- documents of title, 30-2-308
- entrusting, 30-2-403
- expense, 30-11-205
- ex ship, 30-2-322
- f.a.s. terms, 30-2-319
- financing agency, stoppage of delivery, 30-2-506
- f.o.b. terms, 30-2-319
- foreign shipment, 30-2-323
- fraud, 30-2-402, 30-2-403
- improper, 30-2-323, 30-2-508, 30-2-510, 30-2-601, 30-2-609
- insolvency of buyer, 30-2-702, 30-2-705
- inspection of goods, 30-2-513

SALES (Continued)
Delivery (Continued)

- installment contract, 30-2-612
- letters of credit, 30-2-325
- lots, 30-2-105, 30-2-307, 30-2-612
- no arrival, no sale terms, 30-2-324
- nondelivery, 30-2-311, 30-2-615, 30-2-711, 30-2-713, 30-7-403
- notice of choice, 30-11-206
- obligation of seller, 30-2-301, 30-2-511
- on condition, 30-2-507
- options of seller, 30-2-311
- place, 30-2-308, 30-2-503, 30-2-504, 30-11-204, 30-11-205
- reclamation, 30-2-702, 30-2-705
- refusal, 30-2-702
- rejection, 30-2-508
- risk of loss, 30-2-509, 30-2-510, 30-11-205, 30-11-207
- shipment, See **Shipment**
- single, 30-2-307, 30-2-323
- stop, 30-2-506, 30-2-614, 30-2-702, 30-2-703, 30-2-705, 30-2-707, 30-2-710, 30-7-403
- substituted performance, 30-2-614
- tender of
  - acceptance of goods, entitlement, 30-2-507
  - acceptance of tender, 30-2-607
  - bailee in possession, 30-2-503
  - bill of lading, 30-2-323
  - breach of warranty, 30-2-725
  - c.&f. terms, 30-2-320, 30-2-321
  - c.i.f. terms, 30-2-320, 30-2-321
  - cure of improper tender, 30-2-508, 30-2-510, 30-2-601, 30-2-714
  - documents, 30-2-503, 30-2-504
  - effect, 30-2-507
  - f.a.s. terms, 30-2-319
  - f.o.b. terms, 30-2-319
  - foreign shipment, 30-2-323
  - improper, cure, 30-2-508, 30-2-510, 30-2-601, 30-2-714
  - inspection of goods, 30-2-513
  - lots, 30-2-307
  - manner of, 30-2-503
  - no arrival, no sale terms, 30-2-324
  - obligation of seller, 30-2-511
  - place, 30-2-503
  - rejection, 30-2-508
  - risk of loss, 30-2-509, 30-2-510
  - single delivery, 30-2-307
  - substitution, 30-2-508
  - sufficiency, 30-2-503
  - time, 30-2-503
  - title passes when, 30-2-401
  - warranty, breach, 30-2-725
- time, 30-2-309, 30-11-203, 30-11-208
- title, See **Title**
- transportation, See **Shipment**
- withhold, 30-2-614, 30-2-703, 30-2-705, 30-2-707, 30-2-718

Depositary, seller as, 30-11-201
Description, warranties, 30-2-313, 30-2-317
Deterioration, 30-2-321, 30-2-324, 30-2-613
Dimethyl sulfoxide (DMSO), authorization, 50-42-102, 50-42-107

SALES (Continued)

Discriminatory practices, See **DISCRIMINATION**
Dishonor
    check, 30-2-403, 30-2-503, 30-2-511
    defined, 30-2-103, 30-3-512
    letter of credit, 30-2-325
    payment by check, 30-2-511
    tender of delivery, draft dishonored, 30-2-503
    title, transfer when check dishonored, 30-2-403
Documents, 30-1-202, 30-2-506, 30-2-514, 30-2-605
Documents of title, 30-1-201, See also **DOCUMENTS OF TITLE**
    adequacy, 30-7-509
    bailee, tender by, 30-2-503
    creditor's rights, 30-2-402, 30-7-504
    delivery, 30-2-308, 30-2-503
    financing agency, acquisition, 30-2-506
    foreign shipments, 30-2-323
    tender, 30-2-310, 30-2-503
Door-to-door, See **Personal solicitation**
Drafts, See also **Checks**
    cattle, interstate shipment, 30-2-401
    defined, 30-2-103, 30-3-104
    dishonored, effect on tender, 30-2-503
    documents drawn on, delivery, 30-2-514
    financing agency, purchase by, 30-2-506
Drinks, warranty, 30-2-314
Drugs, See **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES**, **Sale of**; **PHARMACY AND PHARMACISTS**
Electronic funds transfer, Title 32, chapter 6
Emergency mutual aid agreement parties, by, 10-3-1115
Encumbrances, 30-2-312, 30-2-322
Enforcement, 30-1-203, 30-2-201, 30-2-302, 30-2-718
Escrow businesses, regulation, Title 32, chapter 7
Estates and probate, See **ESTATES AND PROBATE**
Evidence
    breach after acceptance, burden of proof, 30-2-607
    conformance, 30-2-515
    contract for sale, enforceability, 30-2-201
    extrinsic, 30-2-202, 30-2-316, 30-2-326
    goods in dispute, 30-2-515
    inspection, place and method presumed exclusive, 30-2-513
    market price, 30-2-723, 30-2-724
    oral, 30-2-202, 30-2-316, 30-2-326
    or return terms, 30-2-326
    parol, 30-2-202, 30-2-316, 30-2-326
    personal solicitation, presumption of time for redelivery of goods, 30-14-507
    preservation, 30-2-515
    third party documents, 30-1-202
    unconscionable contract or clause, 30-2-302
    usage of trade, 30-1-205, 30-2-202
    warranties, 30-2-316
Exchange, 30-11-112
    applicability of laws, 30-11-113, 30-11-115
    corporate power, assets, 35-1-822, 35-1-823
    deposit for, See **PROPERTY, PERSONAL**, **Bailment**
    equivalency to sale, 30-11-113

SALES (Continued)
Exchange (Continued)

- money, warranty, 30-11-114
- nonprofit corporations, 35-2-118, 35-2-616, 35-2-617
- uniform commercial code, applicability of laws, 30-11-115

Exclusive dealings, 30-2-306
Excuse, Title 30, chapter 2, part 6
- delayed performance, 30-2-311, 30-2-615, 30-2-616

Execution, See **EXECUTION**
Exemption from chapter, 30-2-102
Existence of merchandise, 30-11-107, 30-11-204, 30-11-214
Expenses
- c.i.f. terms, 30-2-320
- damages, deduction, 30-2-706, 30-2-708, 30-2-712, 30-2-713
- f.a.s. and f.o.b. terms, 30-2-319
- incidental damages, 30-2-710, 30-2-715
- infringement, litigation, 30-2-607
- inspection of goods, 30-2-513, 30-2-711
- rejected goods, 30-2-603, 30-2-711
- return of goods, 30-2-327

Explosives, 45-5-623, 50-3-102
Ex ship delivery, 30-2-322
Factors, 30-11-601, See also **AGENCY**, generally
- arrest for misconduct, prejudgment, 27-16-102
- authority, 28-10-301, 28-10-404, 30-11-606, 30-11-607
- credit, sale on, 30-11-603
- guaranty, writing not required, 28-11-105
- liability, 30-11-604, 30-11-605
- lien of, 30-9-102, 71-3-1501
- mint and mint oil, 80-11-402
- obedience to principal, 30-11-602
- security interest, 30-9-102, See **SECURED TRANSACTIONS**
- termination, applicability of laws, 39-2-503

Farmers, sales to excluded, 30-2-102
Farm implements dealership agreements — termination, cancellation, nonrenewal, or substantial alteration
- action for damages, 30-11-809, 30-11-811
- definitions, 30-11-801
- good cause, 30-11-801, 30-11-802
- injunction, 30-11-811
- natural disaster, illegal cancellation based on, 30-11-808
- notice requirements, 30-11-803 — 30-11-805
- succession to ownership, 30-11-801, 30-11-804 — 30-11-807

F.A.S. terms, 30-2-319
Financing agency, 30-2-104, 30-2-505, 30-2-506
Finders, by, 70-5-201, 70-5-202
Firearms, restrictions on local government regulation, 45-8-351
Fire hazards, demolition of structure — salvage sale, 50-62-107
Fire protection equipment, 50-39-101, 50-39-102
Fireworks, 7-33-4206, 45-5-623, 50-37-102 — 50-37-107
Firm offers, 30-2-205
Fish or game, See **FISH AND WILDLIFE, Sales**
Fitness for purpose, 30-2-315, 30-2-316
F.O.B. terms, 30-2-319, 30-2-323
Food, warranty, 30-2-314
Foreign corporations, 35-1-1026, 35-2-820
Foreign Land Sales Practices Act, Title 76, chapter 4, part 12
Foreign shipments, 30-2-323, 30-2-325, 30-2-614, 30-2-615

SALES (Continued)

Fraud, See also **FRAUDULENT TRANSFERS**
  creditor's rights, 30-2-402
  damages and remedies, 30-2-721
  solvency of buyer, misrepresentation, 30-2-702
  statute of frauds, 30-1-206, 30-2-201, 30-2-209, 30-2-326
  title, transfer, 30-2-403
Full view, merchandise to be in, 30-11-302
Fungible goods, 30-1-201, 30-2-105, 30-2-314, 30-7-205
Future goods, 30-2-105, 30-2-501, 30-2-706
Future performance, 30-2-609, 30-2-612, 30-2-725
Future sales, contract, 30-2-106
Gambling
  antique slot machines, 23-5-153
  devices, contracts concerning — conflict of interest, 23-5-114
  equipment, distributors, 23-5-112
  licenses or permits, prohibited, 23-5-110, 23-5-159
  sports tabs, 23-5-502
Game, See **FISH AND WILDLIFE**, **Sales**
Good faith, 30-1-201, 30-2-103
  cover, 30-2-712
  delivery, delay or nondelivery — presupposed condition, 30-2-615
  financing agency, purchase of drafts, 30-2-506
  obligation, 30-1-203
  output, measurement, 30-2-306
  payment, indemnity — adequacy, 30-2-323
  performance, specification, 30-2-311
  price, 30-2-305, 30-14-901
  purchaser, 30-1-201, 30-2-403, 30-2-702, 30-2-706
  rejected goods, sale by buyer, 30-2-603
  resale of goods, 30-2-706
  retention of goods, 30-2-402
Goods, 30-2-103, 30-2-105, 30-2A-103, 30-9-109
  adulterated, 45-6-318, 50-31-501, 50-31-506
  assortment, 30-2-311
  casualty, 30-2-324, 30-2-613, 30-2-722
  "consumer goods" defined, 30-2-103, 30-9-109
  delivery, See **Delivery**
  fungible, 30-1-201, 30-2-105, 30-2-314, 30-7-205
  future, 30-2-105, 30-2-501, 30-2-706
  identification, See **Identification of goods**
  injury, 30-2-324, 30-2-613, 30-2-722
  inspection, See **Inspection of goods**
  merchantability, 30-2-314, 30-2-316
  nonconforming, See **Nonconforming goods**
  payment in, 30-2-304, 30-2-718
  price discrimination, Title 30, chapter 14, part 9
  recovery, See **Recovery of goods**
  rejection, See **Rejection of goods**
  return, 30-2-305, 30-2-326, 30-2-327, 30-2-501, 30-2-710, 30-2-719, 30-2-721
  revocation, See **Revocation**
  severance from realty, 30-2-107
  specially manufactured, 30-2-201
  substitute, 30-2-712
  theft, procurement or disposition by, 30-2-403
  third party injury to, 30-2-722

SALES (Continued)
Goods (Continued)

  unfinished, 30-2-610, 30-2-704
  warranties, See **Warranties**
Governmental regulation, 30-2-614, 30-2-615
Grazing districts, 76-16-212, 76-16-316, 76-16-405
Halogenated solvents, unlawful when, 75-10-451
Hamburger, 50-31-208
Hearing aids, 37-16-302 — 37-16-304, 37-16-401, 37-16-411
Heritage property and paleontological remains, restrictions, 22-3-441
Highway property, See **HIGHWAYS**, **Sale of property**
Historical Society, by, 22-3-107, 22-3-111
Home solicitation, See **Personal solicitation**
Hucksters, Title 7, chapter 21, part 25, See also **Personal solicitation**
Human skeletal remains or burial materials, prohibited when, 22-3-808
Identification of goods, 30-2-501
  agreement, 30-2-501
  breach of contract, 30-2-510, 30-2-704
  casualty to identified goods, 30-2-324, 30-2-613
  creditor's rights, 30-2-402
  delivery, absence of specified place, 30-2-308
  injury to goods, actions against third parties, 30-2-722
  insolvency of seller, 30-2-501
  inspection of goods, 30-2-513
  insurable interest through, 30-2-501
  manner of, 30-2-501
  nonconforming goods, 30-2-501
  price, action to recover, 30-2-709
  recovery of goods, 30-2-502, 30-2-716
  rejected goods, buyer's remedies, 30-2-711
  resale of goods, 30-2-706
  reservation of security interest, shipment under, 30-2-505
  risk of loss, effect of breach on, 30-2-510
  sale on approval, 30-2-327
  seller's right, 30-2-610, 30-2-704
  special property, 30-1-201, 30-2-401, 30-2-502
  title, passing, 30-2-401
  when, 30-2-501
Indian articles, 30-14-601 — 30-14-604
Infringement, 30-2-312, 30-2-607
Injury, See **Actions**; **Casualty to goods**; **Damages**; **Deterioration**; **Remedies**; **Risk of loss**
Insolvency, 30-1-201, 30-2-501, 30-2-502, 30-2-702, 30-2-705
Inspection of goods
  buyer's right, 30-2-513, 30-2-515, 30-2-613
  c.&f. and c.i.f. terms, 30-2-321
  c.o.d. delivery, 30-2-512
  expenses, 30-2-513
  implied warranties, 30-2-316
  manner of, 30-2-513, 30-2-515, 30-2-613
  payment, 30-2-310, 30-2-321, 30-2-512, 30-2-513
  resale goods, 30-2-706
  seller's right, 30-2-515
  third party, 30-2-515
  weights, measures, or grades — for accuracy, 30-12-207
  when, 30-2-513, 30-2-515, 30-2-613
Installment contract, 30-2-612
Institutional industries, goods and services, 53-1-301

SALES (Continued)

Instructions, 30-2-319, 30-2-327, 30-2-603, 30-2-604
Insurable interest in goods, 30-2-501
Insurance, c.i.f. terms, 30-2-320
Investment securities, See **SECURITIES AND SECURITIES REGULATION**, **Purchase**; **Transfer**
Invoice, 30-2-310, 30-2-320, 30-14-218, 30-14-224
Itinerant vendors, Title 7, chapter 21, part 23, See also **Personal solicitation**
Labels, warranty, 30-2-314
Laetrile, authorization, 50-41-102
Landlord and tenant, abandoned property of tenant, 70-24-430
Lease transactions, Title 30, chapter 2A
Letters of credit, 30-2-325, 30-5-115
Libraries, 22-1-309, 22-1-503
Liens, 30-2-312, 30-2-322, 30-11-202
Limitation
    actions, 30-2-725
    damages, 30-2-718, 30-2-719
    remedies, 30-2-719
    warranties, 30-2-316
Limited interest, 30-2-403
Livestock, 30-2-105, 30-2-316, 30-2-401, 30-2-501, See also **LIVESTOCK**
Machine guns, See **WEAPONS**
Marketing, See **TRADE REGULATION AND COMPETITION**
Market price, 30-2-713, 30-2-723, 30-2-724
Measuring devices, 30-12-205
Meat and meat products, See **MEAT AND MEAT PRODUCTS**
Medicaid benefits, recovery through, 53-6-176, 53-6-181, 53-6-184, 53-6-185
Memorandum sales, 30-2-326, 30-2-327
Merchant, 30-2-104, 30-11-301
    between merchants, See **Between merchants**
    commission merchants, 30-11-401 — 30-11-403, 70-6-411, 70-6-412; Title 70, chapter 9, part 4
    game animals or birds, possession or sale for commercial purposes, 87-4-701 — 87-4-705
    itinerant, Title 7, chapter 21, part 23; Title 80, chapter 3, part 7, See also **Personal solicitation**
    lenders, interest exemption, 31-1-112
    merchandise in full view, 30-11-302
    shoplifting precautions, 30-11-302
    transient retail, Title 7, chapter 21, part 24
Merchantability of goods, 30-2-314, 30-2-316
Merchant buyer's rejection of goods, duties, 30-2-603
Minerals, 30-1-201, 30-2-105, 30-2-107
Mint and mint oil, 80-11-402, 80-11-412 — 80-11-414
Misbranded products, unlawful, 50-31-501
Misrepresentation, See **Fraud**
Models or samples, 30-2-313, 30-2-316, 30-2-317, 30-11-212
Modification, 30-2-208, 30-2-209, 30-2-316, 30-2-616, 30-2-719
Money, 30-1-201, 30-2-304
Monopolies, See **TRADE REGULATION AND COMPETITION**
Motion pictures, Title 30, chapter 14, part 3
Motor fuel marketing, retail, Title 30, chapter 14, part 8
Motor vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Naturopathic physicians, drugs — when, 37-26-301
Net landed weights, 30-2-321
No arrival, no sale, 30-2-324, 30-2-613
Nonconforming goods
    acceptance, 30-2-206, 30-2-601, 30-2-607, See **Revocation**
    accommodation to buyer, 30-2-206

SALES (Continued)
Nonconforming goods (Continued)

- buyer's rights, 30-2-601
- cure, 30-2-508
- damages, 30-2-714
- evidence, preservation, 30-2-515
- identification, 30-2-501
- installment contract, 30-2-612
- insurable interest, 30-2-501
- payment before inspection, 30-2-512
- perfect tender rule, 30-2-601
- rejection, See **Rejection of goods**
- revocation of acceptance, See **Revocation**
- risk of loss, 30-2-510
- strict performance, 30-2-601

Nonconforming tender, 30-2-508, 30-2-510, 30-2-601, 30-2-714
Nonprofit corporations, power, 35-2-118, 35-2-616, 35-2-617, 35-2-910
Notice, 30-1-201

- acceptance, 30-2-206, 30-2-327
- accommodation to buyer, 30-2-206
- allocation of performance, 30-2-615, 30-2-616
- breach, 30-2-607, 30-2-714
- cattle, transfer of title, 30-2-401
- conformance disputed, 30-2-515
- contract for sale
  - cancellation, 30-2-612
  - objection between merchants, 30-2-201, 30-2-207
  - termination, 30-2-309
  - waiver, retraction, 30-2-209
- damages, deduction from price, 30-2-717
- delay of performance, 30-2-616
- delivery
  - delay, 30-2-615, 30-2-616
  - improper, 30-2-508
  - stop, 30-2-705
  - tender, 30-2-503
- farm implements dealership agreements
  - succession to ownership
    - consent, withholding, 30-11-804
    - refusal to honor, 30-11-805
  - termination or change in dealership, 30-11-803
- identification of goods, 30-2-501
- infringement, litigation, 30-2-607
- payment, direct required, 30-2-325
- personal solicitation sales, cancellation, 30-14-504, 30-14-505
- price, introduction into evidence, 30-2-723
- realty, buyer's rights, 30-2-107
- rejection of goods, 30-2-602
- repudiation, 30-2-201, 30-2-610
- resale of goods, 30-2-706
- return of goods, 30-2-327
- revocation of acceptance, 30-2-608
- "send" defined, 30-1-201
- shipment of goods, 30-2-504

Obligation

- enforceability, 30-1-106
- exclusive dealing, 30-2-306

SALES (Continued)
Obligation (Continued)

- good faith, 30-1-203
- parties to contract, 30-2-301, 30-2-312, 30-2-602
- payment, 30-2-325, 30-2-614
- performance, 30-1-203, 30-2-210, 30-2-609
- subordinated, 30-1-209
- termination of contract, discharge, 30-2-106

Obscene material, sale unlawful, 45-8-201, 45-8-205 — 45-8-208
Offer to buy or sell, 30-2-203, 30-2-205 — 30-2-207
Off-highway vehicles, 23-2-812, 23-2-818
Oil and gas, 30-1-201, 30-2-107
On memorandum sales, 30-2-326, 30-2-327
Options
- acceleration of payment or performance, 30-1-208
- allocation of production, 30-2-615
- assortment of goods, 30-2-311
- casualty to goods, buyer's options, 30-2-613
- f.a.s. or f.o.b., failure of delivery instructions, 30-2-319
- price, failure to fix, 30-2-305
- return of goods, 30-2-327, 30-2-501
- sale or return, return of goods, 30-2-327
- salvage of rejected goods, buyer's options, 30-2-604

Oral agreement as contract, 30-2-202
Organs, human — warranty not implied, furnishing declared service, 50-33-102
Overseas shipments, 30-2-323, 30-2-325, See also **Foreign shipments**
Overtime compensation exclusions for sales personnel when, 39-3-406
Packages, warranty, 30-2-314
Parol evidence, 30-2-202, 30-2-316, 30-2-326
Partition proceedings, in, Title 70, chapter 29, part 3
Passing of title, See **Title**
Pawnbrokers, by, 7-21-2120, 30-9-203, 31-1-402, 45-6-314
Payment
- acceleration, 30-1-208
- acceptance, effect, 30-2-512, 30-2-607
- banker's credit, 30-2-325
- buyer's obligation, 30-2-301
- c.&f. terms, 30-2-320, 30-2-321
- cash terms, 30-2-702
- check, 30-2-511
- c.i.f. terms, 30-2-320, 30-2-321
- collateral required, 30-1-208
- confirmed credit, 30-2-325
- credit, 30-2-310, 30-2-325, 31-1-501, 31-1-502
- delinquent, charge for, 31-1-501, 31-1-502
- documents, payment against, 30-2-514, 30-2-605
- due when, 30-2-307, 30-2-507, 30-2-607
- failure to make, 30-2-703, 30-2-705, 30-2-709, 30-11-202, 31-1-501, 31-1-502
- f.a.s. delivery, 30-2-319
- f.o.b. delivery, 30-2-319
- foreign shipments, 30-2-323
- governmental regulation, failure due to, 30-2-614
- insolvency of buyer, 30-2-702
- inspection of goods, 30-2-310, 30-2-321, 30-2-512, 30-2-513
- late payment, charge for, 31-1-501, 31-1-502
- letters of credit, 30-2-325
- lots, delivery in, 30-2-307

SALES (Continued)
Payment (Continued)

  manner of, 30-2-304, 30-2-511
  medium of exchange, 30-2-304
  nonconformance, 30-2-512
  obligation of buyer, 30-2-301
  on arrival, 30-2-321, 30-2-703
  open price terms, 30-2-305
  place, 30-2-310
  rate, 30-2-607
  seller's entitlement, 30-2-507
  subordinated obligation, 30-1-209
  substitute performance, 30-2-614
  sufficiency, 30-2-511
  tender of delivery, 30-2-507
  tender of payment, 30-2-511
  time, 30-2-310
Payment on arrival, 30-2-321, 30-2-703
Perfect tender, 30-2-601
Performance, Title 30, chapter 2, part 5
  acceleration, 30-1-208
  acceptance as beginning, 30-2-206
  anticipatory repudiation, 30-2-610, 30-2-611, 30-2-723
  assurance, 30-2-210, 30-2-609
  buyer's right, 30-2-716
  casualty to identified goods, 30-2-613
  conforming, 30-2-106
  contract for sale, 30-2-208, 30-2-311
  cooperation, 30-2-311
  course of, 30-2-202, 30-2-208, 30-2-316
  delegation, 30-2-210
  delivery, See **Delivery**
  failure of presupposed conditions, 30-2-615
  future, 30-2-609, 30-2-612, 30-2-725
  good faith requirement, 30-1-203, 30-2-311
  insecurity, 30-1-208, 30-2-609
  installment contracts, 30-2-612
  obligation of, 30-1-203, 30-2-609
  options, 30-1-208, 30-2-311
  partial, 30-2-201, 30-2-718
  reservation, under, 30-1-207
  shipment, See **Shipment**
  specific, 30-2-711, 30-2-716
  specification, 30-2-311
  strict performance, 30-2-601
  substitution, 30-2-614 — 30-2-616
  successive, termination, 30-2-309
  suspension, 30-2-609, 30-2-610
Perishables, See also **PROPERTY, PERSONAL, Perishable property**
  casualty, 30-2-613
  rejected goods, buyer's duties, 30-2-603, 30-2-604
  resale, 30-2-706
  risk of loss, 30-2-321, 30-2-324, 30-2-613
  salvage, 30-2-603, 30-2-604
Personal solicitation
  cancellation, 30-14-504 — 30-14-507
  cooling-off period, 30-14-501, 30-14-504, 30-14-505

SALES (Continued)
Personal solicitation (Continued)

- definitions, 30-14-502
- disclosure required at initial contact, 30-14-503
- exceptions, 30-14-502
- hucksters, Title 7, chapter 21, part 25
- identification of seller, 30-14-503
- itinerant vendors, Title 7, chapter 21, part 23
- violations, 30-14-507

Petroleum products, See **PETROLEUM PRODUCTS**
Pipeline carriers, 69-13-102
Preexisting duty rule, 28-2-1601, 28-2-1602, 30-2-209
Price

- action to recover, 30-2-709
- apportionment, 30-2-307
- c.&f. and c.i.f., 30-2-321
- contract for sale, effect, 30-2-305
- damages, deduction from, 30-2-717
- discrimination, Title 30, chapter 14, part 9
- f.a.s. and f.o.b., 30-2-319
- lots, apportionment of price, 30-2-307
- market price, 30-2-713, 30-2-723, 30-2-724
- open price terms, 30-2-305
- payment, See **Payment**
- recovery, 30-2-605, 30-2-703, 30-2-706, 30-2-709, 30-2-711
- regulation, See **TRADE REGULATION AND COMPETITION**

Production, allocation, 30-2-615
Products safety and liability, strict liability of seller, 27-1-719, See also **Warranties**; **CONSUMER PROTECTION**, **Product safety**; **HAZARDOUS SUBSTANCES**, generally; **PRODUCTS LIABILITY**
Products standards and testing, See **TRADE REGULATION AND COMPETITION**, **Weights, measures, and grades**
Promise, express warranty, 30-2-313
Property, See **PROPERTY, PERSONAL**; **PROPERTY, REAL**
Public grounds, regulation when, 7-14-4102
Pull-tabs, containers having — prohibited, 75-10-301 — 75-10-303
Purchase money security interest, 30-9-206
Purchaser, commodities — price discrimination, Title 30, chapter 14, part 9
Purchaser, good faith, 30-1-201, 30-2-403, 30-2-702, 30-2-706
Quantity, 30-2-201, 30-2-306, 30-2-321
Railroads

- lines, 69-14-1101
- stock, capital, 69-14-505, 69-14-514
- ticket agents, 69-14-211, 69-14-212
- tickets, unused, 69-14-213

Realty, 30-2-107, 30-2-304, See also **PROPERTY, REAL**, **Sale**
Receipt, 30-2-103

- c.i.f. shipment, 30-2-320
- f.a.s. shipment, 30-2-319
- recovery after, 30-2-702
- risk, passing, 30-2-509
- stop delivery, 30-2-705

Recovery of goods

- buyer, 30-2-402, 30-2-502, 30-2-711, 30-2-716
- creditor's rights, 30-2-402
- exclusion of other remedies, 30-2-702
- identified goods, 30-2-402, 30-2-502, 30-2-711, 30-2-716

SALES (Continued)
Recovery of goods (Continued)

- insolvency of buyer, 30-2-702
- insolvency of seller, 30-2-502
- nondelivery, 30-2-711
- repudiation, 30-2-711
- seller, 30-2-702, 30-2-705
- stop delivery when, 30-2-705
- third party, suit for, 30-2-722

Recovery of price, 30-2-605, 30-2-703, 30-2-706, 30-2-709, 30-2-711, 30-5-115
Rejection of goods

- acceptance, 30-2-606, 30-2-607
- bank draft dishonored as, 30-2-503
- buyer's remedies, 30-2-711
- buyer's rights, 30-2-601
- contract, failure to make, 30-2-504
- damages, 30-2-709
- delivery improper, 30-2-508, 30-2-510, 30-2-601
- duties in, 30-2-602, 30-2-603
- effect, 30-2-602
- expenses of inspection, recovery, 30-2-513, 30-2-603
- failure as acceptance, 30-2-606
- failure to particularize, 30-2-605
- fraud, rejection not bar to damages for, 30-2-721
- installment contract, 30-2-612
- insurable interest, effect, 30-2-501
- manner, 30-2-602
- merchant buyer, duties, 30-2-603
- nonconforming delivery or tender, 30-2-508, 30-2-510, 30-2-601
- notice, 30-2-504, 30-2-602
- options, 30-2-501, 30-2-604
- perishables, 30-2-603, 30-2-604
- remedies, 30-2-703, 30-2-711
- resale, 30-2-706, 30-2-711
- rights, 30-2-601, 30-2-602
- risk of loss, 30-2-510
- salvage of buyer, 30-2-604
- security interest, 30-2-706, 30-2-711
- seller's remedies, 30-2-703
- seller's rights, 30-2-602
- time, 30-2-602
- title, revesting, 30-2-401
- transportation contract, failure to make, 30-2-504
- waiver of objections, 30-2-605
- wrongful, 30-2-602, 30-2-703, 30-2-709

Remedies, 30-1-201, See also **Damages**

- acceptance, effect, 30-2-607
- action for price, 30-2-709
- additional, 30-2-719
- anticipatory repudiation, 30-2-610, 30-5-115
- assortment of goods, failure to specify, 30-2-311
- buyer, generally, 30-2-711
- cancellation of contract, 30-2-106, 30-2-703, 30-2-711, 30-2-720
- collateral contract, breach, 30-2-701
- contractual modification or limitation, 30-2-316, 30-2-719
- cover, 30-2-711, 30-2-712, 30-2-715
- delivery, 30-2-601, 30-2-702, 30-2-703, 30-2-705, 30-2-711

SALES (Continued)
Remedies (Continued)

  fraud, 30-2-721
  identification of goods to contract, 30-2-704
  infringement, 30-2-607
  insolvency of buyer, 30-2-702, 30-2-705
  insolvency of seller, 30-2-502
  liberal administration, 30-1-106
  limitation, contractual, 30-2-316, 30-2-719
  misrepresentation, 30-2-702, 30-2-705, 30-2-721
  modification, contractual, 30-2-316, 30-2-719
  nonacceptance, recovery of damages, 30-2-703
  nonconformance, 30-2-607
  notice of breach, failure bar to remedy, 30-2-607
  payment, 30-2-512, 30-2-703, 30-2-705, 30-2-709
  person in the position of a seller, 30-2-707
  price, recovery, 30-2-703, 30-2-706, 30-2-709, 30-2-711
  products liability, 27-1-719
  recovery of goods, 30-2-502, 30-2-702, 30-2-705, 30-2-711, 30-2-716
  rejection of goods, 30-2-703, 30-2-711
  replevin, 30-2-502, 30-2-702, 30-2-705, 30-2-711, 30-2-716
  repudiation, 30-2-703, 30-2-705, 30-2-711
  resale of goods, 30-2-703, 30-2-704, 30-2-706, 30-2-711
  rescission of contract, effect, 30-2-720
  revocation of acceptance, 30-2-703, 30-2-711
  salvage, 30-2-704
  seller, generally, 30-2-703
  specific performance, obtain, 30-2-711, 30-2-716
  statute of limitation, 30-2-725
  substitution, 30-2-719
  title to goods, effect, 30-2-401
  unfinished goods, 30-2-704
  waiver, 30-1-107
  warranties, breach, 30-2-316
Replevin, See **Recovery of goods**
Repossession, See **SECURED TRANSACTIONS**
Repudiation, Title 30, chapter 2, part 6
  anticipatory, 30-2-610, 30-2-611, 30-2-723, 30-5-115
  buyer's remedies, 30-2-711
  damages, 30-2-708, 30-2-709, 30-2-713
  remedies, 30-2-703, 30-2-705, 30-2-711
  risk of loss, 30-2-510
  wrongful, 30-2-703
Resale of goods
  buyer's remedy, 30-2-711
  letters of credit, 30-5-115
  limitation, 30-2-718
  manner of, 30-2-706
  person in the position of a seller, 30-2-707, 30-5-115
  price, recovery, 30-2-709
  remedy, as, 30-2-703, 30-2-704, 30-2-706, 30-2-711, 30-11-202
  seller's remedy, 30-2-703, 30-2-704, 30-2-706, 30-11-202
  unfinished goods, 30-2-704
Rescission of contract, See **Contract for sale**
Reservation of rights, 30-1-207
Reservation of security interest, 30-2-401, See also **Security interest**
  applicability of laws, 30-9-113, 30-9-203

SALES (Continued)
Reservation of security interest (Continued)

  contract violation, 30-2-505
  payment, recovery, 30-2-605
  purchase money security interest, 30-9-206
  recovery of goods, 30-2-716
  risk of loss, 30-2-509
  shipment under, 30-2-310, 30-2-505
  title, 30-2-401
Restraint of trade, See **TRADE REGULATION AND COMPETITION, Unfair practices**
Retail Installment Sales Act, Title 31, chapter 1, part 2
Return of goods, 30-2-305, 30-2-326, 30-2-327, 30-2-501, 30-2-710, 30-2-719, 30-2-721
Revocation
  acceptance, 30-2-401, 30-2-510, 30-2-607, 30-2-608, 30-2-703, 30-2-704, 30-2-709, 30-2-711
  contract for sale, 30-2-205, 30-11-202
  offer to buy or sell, 30-2-205, 30-2-306
  personal solicitation sales, 30-14-505 — 30-14-507
Risk of loss, 30-2-509, 30-2-510
  absence of breach, 30-2-509
  allocation, 30-2-303
  assignment of rights, 30-2-210
  bailee, goods held by, 30-2-509
  breach, 30-2-509, 30-2-510
  c.&f. terms, effect, 30-2-320, 30-2-321
  casualty to identified goods, 30-2-613
  c.i.f. terms, effect, 30-2-320, 30-2-321
  deterioration, 30-2-321, 30-2-324
  division, 30-2-303
  ex ship terms, effect, 30-2-322
  f.a.s. and f.o.b. terms, effect, 30-2-319
  inspection of goods, 30-2-513
  insurance coverage, 30-2-510
  no arrival, no sale terms, 30-2-324
  nonconformance of tender or delivery, 30-2-510
  repudiation, 30-2-510
  revocation of acceptance, 30-2-510
  sale on approval, 30-2-327
  sale or return, 30-2-327
  third party injury to goods, 30-2-722
Sale on approval, 30-2-326, 30-2-327, 30-2A-103
Sale or return, 30-2-326, 30-2-327, 30-2A-103
Salespersons, overtime compensation exclusions when, 39-3-406
Salvage, 30-2-604, 30-2-610, 30-2-704
Samples or models, 30-2-313, 30-2-316, 30-2-317, 30-11-212
Scope of provisions, 30-2-102
Seals, contract for sale, 30-2-203
Search and seizure, unclaimed property, 46-5-308
Securities, See **SECURITIES AND SECURITIES REGULATION, Purchase**; **Transfer**
Security interest, 30-1-201, See also **SECURED TRANSACTIONS**
  applicability of secured transactions law, 30-2-102, 30-9-113, 30-9-203, 30-9-504
  breach, 30-2-711
  financing statement not required, 30-9-302
  insurable interest in goods, 30-2-501
  person in the position of a seller, 30-2-706, 30-2-707
  recovery of goods, 30-2-716
  rejection, 30-2-602, 30-2-603, 30-2-706, 30-2-711
  reservation, See **Reservation of security interest**

SALES (Continued)
Security interest (Continued)

revocation or acceptance, 30-2-706, 30-2-711
shipment under, 30-2-505
subordinated obligation, 30-1-209
third party actions, 30-2-722
title, transfer, 30-2-401
warranty, goods free from, 30-2-312
Seller, 27-1-719, 30-2-103
action for price, 30-2-709
assignment of rights, 30-2-210
creditor's rights, 30-2-402
damages, 30-2-708, 30-2-710, See also **Damages**
delivery, 30-2-504, 30-2-508, 30-2-705, See also **Delivery**
identification of goods, rights, 30-2-704
insolvency of buyer, 30-2-702, 30-2-705
insolvency of seller, 30-2-502
insurable interest in goods, 30-2-501
obligation, 30-2-301, 30-2-306
output terms, 30-2-306
overtime compensation exclusions when, 39-3-406
payment, 30-2-507
person in the position of a seller, 30-2-707, 30-5-115
products liability, strict liability of seller, 27-1-719
recover, right to, 30-2-702, 30-2-705
rejection of goods, rights, 30-2-602
remedies, See **Remedies**
resale, See **Resale of goods**
reservation, 30-2-505
restitution by, when, 30-2-718
rights, 30-2-702
risk of loss, 30-2-509, 30-2-510
salvage, 30-2-604, 30-2-610, 30-2-704
security interest, 30-2-505
shipment by, 30-2-206, 30-2-309 — 30-2-311, 30-2-323, 30-2-504, 30-2-505
tender of delivery, 30-2-503, 30-2-507, 30-2-508
warranties, See **Warranties**
Sheriff's sale, See **ATTACHMENT OF PROPERTY, Sale of property; EXECUTION, Sale of property**
Shipment
arrangements, 30-2-311, 30-11-207
expense, 30-11-205
foreign, 30-2-323
manner of, 30-2-504, 30-2-505, 30-11-207
offer and acceptance, 30-2-206
reservation, under, 30-2-310
time, 30-2-309
Short titles, 30-1-101, 30-2-101
Sidewalks, regulation when, 7-14-4102
Snowmobiles, See **Dealership or distribution contracts**; **SNOWMOBILES, Manufacturers, distributors, or importers**
Solid waste management systems, 75-10-112
Solvents, halogenated — unlawful when, 75-10-451
Sound recordings, 30-13-141 — 30-13-147
Specific performance, 30-2-711, 30-2-716
State lands, See **STATE LANDS**
State property, 18-6-101 — 18-6-103
Statute of limitation, 30-2-725

SALES (Continued)

Statutes of fraud, 30-1-206, 30-2-201
  auction, 30-11-503, 30-11-504
  contract modification, 30-2-209
  or return terms, 30-2-326
  real estate, 30-11-111
Streets, regulation when, 7-14-4102
Subdivisions, in-state or out-of-state sales, Title 76, chapter 4, parts 11 and 12, See **SUBDIVISIONS**
Subject to sale, what is, 30-11-102
Substitute goods, 30-2-712
Switchblade knives, sale unlawful, 45-8-331
Tax sales, See **TAXATION, PROPERTY**
Telephone solicitation unlawful when, 30-14-508, 45-8-216, See also **Personal solicitation**
Tender
  bill of lading, 30-2-323
  delivery, See **Delivery**
  documents, 30-2-503, 30-2-504, 30-2-512
  documents of title, 30-2-310, 30-2-319 — 30-2-321, 30-2-503
  payment, 30-2-511
  price, recovery of goods, 30-2-502
  receipt for goods, 30-2-319
  substitute performance, 30-2-614
Termination of contract, See **Contract for sale**
Third parties, 30-1-201
  actions against, 30-2-722
  documents, evidence, 30-1-202
  injury to goods, suit, 30-2-722
  inspection of goods, 30-2-515
  realty, sale of goods severed from — rights, 30-2-107
  title, effect, 30-2-401
  warranty beneficiary, 30-2-318
Timber, See **FORESTS AND FORESTRY, Sale of timber**
Timeshares, Title 37, chapter 53
Tissues, human — warranty not implied, furnishing declared service, 50-33-102
Title, Title 30, chapter 2, part 4
  insurable interest, 30-2-501
  judicial sale, 30-11-222
  relevancy to provisions, 30-2-401, 30-11-102, 30-11-104 — 30-11-106
  revesting, 30-2-401
  transfer, 30-2-327, 30-2-401, 30-2-403, 30-11-102, 30-11-104 — 30-11-106
  voidable, 30-2-403
  warranty, 30-2-312, 30-11-211, 30-11-222
Tobacco, Title 16, chapter 11
Transfer, obligation of seller, 30-2-301, See also **FRAUDULENT TRANSFERS**
Transient retail merchants, Title 7, chapter 21, part 24
Transportation, See **Delivery**
Trust property, 7-8-4201, 72-34-103, 72-34-114, 72-34-316, 72-34-404, 72-34-416, See **TRUSTS, Transfer** entries
Unclaimed property
  personal property, generally, Title 70, chapter 9, parts 3 and 4
  search and seizure, from, 46-5-308
Unconscionable contract or clause, 30-2-302
Unfair competition or practices, See **TRADE REGULATION AND COMPETITION, Unfair practices**
Usage of trade
  contract for sale, 30-2-202, 30-2-208
  creditor's rights, 30-2-402

SALES (Continued)
Usage of trade (Continued)

- defined, 30-1-205
- implied warranties, 30-2-314, 30-2-316
- market price, 30-2-723

Utilities
- meters, bypassing or tampering, 69-4-1102
- property interest, exemption of party from regulation, 69-3-111
- small power production facilities, by, 69-3-601 — 69-3-604

Utilities, rural cooperative, 35-18-106, 35-18-317
Varying law by agreement, 30-1-102, 30-1-105
Vending and vendors, See **VENDING AND VENDORS**
Violations
- adulterated goods, 45-6-318, 50-31-501, 50-31-506
- chain distributor schemes, 45-6-319
- commission merchants, violations generally, 30-11-403
- deceptive business practices, 45-6-317, 45-6-318
- fines, 30-11-403
- indian articles, violations generally, 30-14-604
- invoices, alteration, 30-14-218, 30-14-224
- misbranded goods, 50-31-501
- obscene material, 45-8-201, 45-8-205 — 45-8-208
- personal solicitation sales, 30-14-508
- telephone solicitation unlawful when, 45-8-216
- switchblade knives, 45-8-331

Waiver, 30-1-107, 30-2-208, 30-2-209, 30-2-605
Warehouse receipts, See **DOCUMENTS OF TITLE**
Warranties, 30-11-209
- advice, sale upon, 30-11-213
- affirmation of fact, 30-2-313
- agent's authority to give, 28-10-421, 28-10-422
- agreement does not imply, 30-11-210
- applicability of laws, 30-11-224
- beverages, 30-2-314
- blood, warranty not implied, 50-33-102
- bones, human — warranty not implied, 50-33-102
- breach
  - commencement of action, 30-2-725
  - damages, 30-2-316, 30-2-714, 30-2-715
  - infringement, 30-2-312, 30-2-607
  - notice, 30-2-607
  - occurs when, 30-2-725
  - personal injury, 30-2-318, 30-2-715
  - remedies, limitation, 30-2-316
  - third party beneficiary, 30-2-318
  - waiver, 30-1-107
- condition on arrival, 30-2-321
- conflict, 30-2-317
- consistency, 30-2-317
- construction, 30-2-317
- contract does not imply, 30-11-210
- course of dealing, 30-2-314
- cumulation, 30-2-317
- description of goods, 30-2-313
- disclaimer, 30-2-316, 30-9-206
- dominance, 30-2-317
- drinks, 30-2-314

SALES (Continued)
Warranties (Continued)

- encumbrances, goods free, 30-2-312
- examination of goods, 30-2-316, 30-11-217
- exchange, money, 30-11-114
- exclusion, 30-2-312, 30-2-316, 30-2-318
- existence of merchandise, effect, 30-11-214
- express, 30-2-313, 30-2-317
- extent, 30-2-318, 30-11-223
- fitness for purpose, 30-2-314 — 30-2-317, 30-11-216
- food, 30-2-314
- general warranty, extent, 30-11-223
- goodwill, sale on, 30-11-221
- implied, 30-2-314 — 30-2-317, 30-11-210
- inconsistency, 30-2-317
- infringement, 30-2-312, 30-2-607
- intention of parties, 30-2-317
- judicial sale, 30-11-222
- latent defects, 30-11-215
- liens, goods free, 30-2-312
- limitation, 30-2-316, 30-2-318, 30-9-206
- livestock, 30-2-316
- marks, truth, 30-11-219
- materials, 30-11-215
- merchantability, 30-2-314, 30-2-316
- merchant regularly dealing in goods of the kind, 30-2-312
- model, conformance to, 30-2-313
- modification, 30-2-312, 30-2-316, 30-9-206
- money in exchange, 30-11-114
- motor vehicles, new, Title 61, chapter 4, part 5
- negation, 30-2-316, 30-9-206
- opinion, 30-2-313
- organs, human — warranty not implied, 50-33-102
- personal injury, 30-2-318, 30-2-715
- personal property, title to, 30-11-211
- precedence, 30-2-317
- promise, 30-2-313
- purchase money security interest, 30-9-206
- quality on arrival, 30-2-321
- sample, conformance to, 30-2-313, 30-11-212
- security interest, goods free, 30-2-312
- third party beneficiary, 30-2-318
- tissues, human — warranty not implied, 50-33-102
- title, 30-2-312, 30-11-211, 30-11-222
- trademarks, 30-11-218
- uniform commercial code, applicability, 30-11-224
- usage of trade, 30-2-314
- written instruments, 30-11-220

War risk insurance, 30-2-320
Water, See **WATER USE**
Weighing devices, 30-12-205
Weights, measures, and grades of products, Title 30, chapter 12
What may be sold, 30-11-102
Youth correctional facility industries programs, goods and services, 52-5-120, 52-5-121

SANITARIANS
Advertising, 37-40-312

SANITARIANS (Continued)

Board of, 2-15-1861, 37-40-201 — 37-40-203
Campgrounds and trailer courts
    access to establishments, 50-52-303
    enforcement authority, 37-40-101, 50-52-302
    funding, 50-52-302
    inspections by, 50-52-103, 50-52-302
    investigations by, 50-52-301
    license application, validation by, 50-52-201
    performance standards, 50-52-302
Crematoriums and crematory operators, applicability, 37-19-703
Enforcement of provisions, 37-40-312
Exemptions from provisions, 37-40-102
Fines, 37-40-312
Food establishments
    access to establishment, 50-50-302
    enforcement of provisions, 37-40-101, 50-50-305
    injunction, action brought by, 50-50-106
    inspections by, 50-50-301, 50-50-302
    investigations by, 50-50-301, 50-50-302
    licenses, validation by, 50-50-201
    nonprofit organizations, registration, 50-50-202
    performance standards, 50-50-305
    report of violations, 50-50-304
Hotels and motels
    access to premises, 50-51-302
    enforcement by, 50-51-303
    funding, 50-51-303
    inspections and investigations by, 50-51-301 — 50-51-303
    license application, validation, 50-51-201
    performance standards, 50-51-303
Injunctions, 37-40-312
Licenses and licensing, Title 37, chapter 40, part 3
    applications, 37-40-302
    certificate of registration, 37-40-302
    discrimination in issuance prohibited, 49-3-204
    examinations, 37-40-302
    expiration and renewal, 37-40-304
    fees, 37-40-302, 37-40-304, 37-40-305
    interviews, 37-40-302
    lapse and reissuance, 37-40-304
    probationary certificate, 37-40-302
    qualifications, 37-40-101, 37-40-203, 37-40-302
    required, 37-40-301
    sanitarians-in-training, exemption, 37-40-101
Livestock, Department of — cooperative agreements with, 81-22-305
Mobile home courts, See **Campgrounds and trailer courts**
Mosquito Control Boards, ex officio members, 7-22-2411, 7-22-2419
Penalty for violations, 37-40-312
Practice the profession of sanitarian, 37-40-101, 37-40-301
"Registered sanitarian" defined, 37-40-101
Registration, See **Licenses and licensing**
Regulation generally, See **PROFESSIONS AND OCCUPATIONS**
Sanitarians-in-training, 37-40-101, 37-40-203
Standards, 37-40-203
Subdivision sanitation provisions, cooperation, 76-4-106, See also **SUBDIVISIONS**

SANITARIANS (Continued)

- **Swimming pools and swimming areas**
  - duties generally, 37-40-101
  - performance standards, 50-53-103, 50-53-218
- **Trailer courts**, See **Campgrounds and trailer courts**
- **Underground storage tank installations or closures**, inspection, 75-11-213
- **Violations**, penalty, 37-40-312
- **Water quality provisions**, cooperation, 75-5-106

SAPPHIRES, 1-1-505
- See generally **MINES AND MINING**; **STATE LANDS, Mining leases**

SAVINGS AND LOAN ASSOCIATIONS
- See **BUILDING AND LOAN ASSOCIATIONS**

SAVINGS BANKS
- See **BANKS AND TRUST COMPANIES**, generally

SCALES, PUBLIC, 7-21-3101 — 7-21-3108
- See also **PUBLIC SCALES**

SCHOOL DISTRICTS AND TRUSTEES
- See also **PUBLIC OFFICERS OR EMPLOYEES**
- **Abandonment**
  - counties, effect, 7-2-2253, 7-2-2727, 7-2-2728
  - districts, 20-3-205, 20-6-209, 20-6-210, 20-6-307, 20-9-604
- **Absence from district, trustees** — effect, 20-3-308
- **Actions**
  - districts, See also **CIVIL PROCEDURE, Governmental entities, actions involving**; **GOVERNMENT LIABILITY, Actions** entries
    - bond issues
      - authority, challenging, 20-9-466
      - to restrain, 20-9-465
    - bonds, to test validity, 20-9-464
    - corporal punishment or physical restraint of pupil, concerning, 20-4-302
    - security, not required to give, 25-1-402
  - trustees
    - against, 20-3-210, 20-3-332
    - collective, to be, 20-3-301, 20-3-322, 20-3-362
    - immunity from, when, 20-4-110
- **Administrative**
  - procedure and rules, applicability, 2-4-102
  - rules with financial impact, 20-2-115
- **Adult basic education**, funding, 20-7-712
- **Adult education**, duties, 20-3-324, 20-7-702 — 20-7-705, 20-7-713
- **Agents**, trustees acting as — prohibited, 20-1-201
- **ANB**, amounts established for, See **SCHOOL FINANCE, Average number belonging (ANB)**
- **Annexation**, See **Elementary districts**; **High school districts**
- **Appeals**, See **Controversy appeals**
- **Appeals by pupil or pupil's parent or guardian**, 20-5-201
- **Appeals by trustees**, 20-3-210, 20-4-208
- **Appointment of relative**, 2-2-302
- **Appointment of trustees**, 20-3-307, 20-3-309
  - additional positions, 20-3-353, 20-3-354
  - county high school unification, 20-6-313
  - districts
    - consolidation, 20-3-312, 20-6-203
    - new districts, creation, 20-3-312, 20-6-217, 20-6-325

SCHOOL DISTRICTS AND TRUSTEES (Continued)
Appointment of trustees (Continued)
    districts (Continued)
        high school, classification changes, 20-6-301
Architectural services contracts, Title 18, chapter 8, part 2
Attachment of
    elementary to high school district, See **K-12 districts**
    school property, service upon trustees, 27-18-406
Attorneys employed by, when, 20-1-204, 20-9-436
Audits, 20-9-203, 20-9-213; Title 2, chapter 7, part 5
Average number belonging, amounts established for, See **SCHOOL FINANCE**
Bequests, acceptance, 7-16-4109, 20-6-601
Bids, See **SCHOOLS, Sites and facilities**, contracts
Blind persons, employment policy of state, 49-4-202
Bonds and bond issues, 20-3-324, 20-6-101, See also **BONDS AND BOND ISSUES**; **SCHOOL ELECTIONS**; **SCHOOL FINANCE, Bonds and bond issues**
    bond payment funds, liability, 20-9-444 — 20-9-446
    petitions, receipt and consideration, 20-9-424, 20-9-425
Boundaries, generally, See also **Elementary districts**; **High school districts**
    adjustments, 20-6-103, 20-6-214
    changes
        actions concerning, 20-3-324
        bonded indebtedness, how affected, 20-6-411
        certification to election administrator, 13-3-103
        child care institution districts, 20-6-212
        effect, 20-3-312
        property disposition, 20-6-417
        property tax valuation after, 20-6-412
        reapportionment plan, effect, 13-3-102
        transfer of territory, 20-6-213
    existing, confirmation, 20-6-102
    high school boundary commission, See **High School Boundary Commission**
    legal descriptions, 20-6-103
    livestock disease control areas established by, 81-2-301
    record, permanent, 20-3-205, 20-6-103
Budgets, 20-3-324, See **SCHOOL FINANCE, Budget system**
Buildings, See **SCHOOLS, Sites and facilities**
Buses, prohibition of operation of amber or red lights when, 61-8-351, See also **SCHOOL TRANSPORTATION**
Cessation of district, 20-6-413, 20-6-418
Children's services, multiagency, Title 52, chapter 2, parts 2 and 3
City-county consolidation provisions, nonapplicability, 7-3-1101
Classification of districts, 20-3-205, 20-6-201, 20-6-301, 20-6-702
Clerk of the district
    appointment, 20-3-321, 20-3-325
    ballots, preparation, 20-20-401
    bonds, duties, 20-9-433, 20-9-434, 20-9-442
    budget amendment, signing, 20-9-165
    budget, duties, 20-9-113, 20-9-115, 20-9-133
    collective bargaining exclusion, 39-31-103
    county high school principal, execution of contract, 20-4-401
    district superintendent, execution of contract, 20-4-401
    duties, 20-3-325
    election administrator, as, 13-1-101, See **ELECTION ADMINISTRATOR**
    fines for violations, 20-1-203
    misappropriation of funds, 20-1-203
    officers' signatures or seals filed with, 2-16-114
    resignation of trustee, 2-16-502

SCHOOL DISTRICTS AND TRUSTEES (Continued)
Clerk of the district (Continued)

- successor, delivering materials to, 20-1-203
- teacher contracts, execution, 20-4-201
- trustees
  - nominations for candidacy, submission to, 20-3-305, 20-3-344
  - positions, publication of notice for increase, 20-3-341
- warrants, countersignature, 7-6-2801, 20-9-221

Closure of schools, 20-3-324, 20-6-505, 20-6-509
Coal mining
- impact areas, See **MINES AND MINING**, **Coal impact areas**
- permits, 77-3-321

Collective bargaining of employees, 20-4-203, 39-31-103, 39-31-304, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Community college districts, provisions applicable to — when, 20-15-403
Community homes for persons with severe disabilities, services for, 53-19-104
Community service corps and volunteer projects, 90-14-105
Conflict of interest, trustees, 20-9-204
Consolidation, See **Elementary districts**; **High school districts**
Contracts, 20-6-101
- advertising, bid requirements, 20-9-204, 20-10-110
- bid security, Title 18, chapter 1, part 2
- execution, 20-9-213
- materials, supplies, or equipment, See **PUBLIC CONTRACTS**, generally; **SCHOOLS**, **Sites and facilities**
- overdue accounts, interest assessment, 20-9-225 — 20-9-227
- professional services, state, Title 18, chapter 8, part 2
- teachers, See **TEACHERS**
- transportation, See **SCHOOL TRANSPORTATION**, **Contracts**; **Individual transportation**; **Private party contracts**

Controversy appeals
- joint boards, proration of expenses, 20-3-106, 20-3-362
- teachers
  - nontenure, termination, 20-4-206
  - tenured, 20-4-204, 20-4-208

Cooperative agreements, financial administration, See **SCHOOL FINANCE**, **Interlocal cooperative agreements**
Cooperatives, full service education, Title 20, chapter 7, part 4
Corporate powers, 20-6-101, 20-9-437
Correspondence study provided when, 20-7-116
Counties
- abandonment, effect, 7-2-2253, 7-2-2727, 7-2-2728
- creation of new county, effect on term of trustees, 7-2-2225
- division into, 7-5-2103, 20-6-303, 20-6-304

County High School Boundary Commission, See **High School Boundary Commission**
County high schools
- abandonment of counties, effect, 7-2-2728
- bonding authority, 20-6-101
- construction bonds, interest provisions, 7-6-2802
- high school districts, as, 20-6-101, See also **High school districts**
- principals, appointment or dismissal, 20-4-401
- unification, 20-3-205, 20-6-312, 20-6-313

County superintendent of schools
- assistance, 20-3-207
- money, approval regarding, 20-3-208
- reports to, 20-3-106, 20-3-324

County transportation committee, membership, 20-10-131

SCHOOL DISTRICTS AND TRUSTEES (Continued)

Creation of district, 7-5-2103, 20-6-303, 20-6-304, 20-6-325, See **Elementary districts; High school districts**
Curriculum for schools, establishment and maintenance, 20-3-324
Deaf and Blind, Montana School for the — liaison, 20-8-113
Deaf persons, employment policy of state, 49-4-202
Death of trustee, 20-3-308
Definitions, 20-1-101, 20-3-336, 20-6-101, 20-6-701, 20-7-305, 20-9-402, 20-9-512, 44-2-511
Developmental disabilities, persons with — community homes, authorization of services, 53-20-304
Devises, acceptance, 7-16-4109, 20-3-324, 20-6-601, 20-9-604
Disabled persons
  community home services for, 53-19-104
  employment, 39-30-103, 49-4-202
Discriminatory practices, See **DISCRIMINATION, Educational institutions; Government, state and local**
District superintendent, 20-1-101, 52-2-211
  appointment, 20-3-362, 20-4-401
  certification, See **TEACHERS, Certification**
  children's services, county interdisciplinary child information teams — formation, 52-2-211
  conflict of interest, 20-4-401
  contract, 20-4-401
  correspondence study, supervision, 20-7-116
  county superintendent of schools, reports to, 20-4-402
  dismissal, 20-4-401
  duties, 20-4-402
  instructional assistance requested by, 20-7-114
  K-12 districts, 20-6-711
  library books, selection, 20-7-204
  misappropriation of funds, 20-1-203
  municipal superintendent of schools, appointment as, 7-3-1348
  prayer to open school day, 20-7-112
  principals, duties, 20-3-324, 20-4-403
  pupils, duties, 20-4-302, 20-5-201
  report requirements, 20-4-402
  retirement, Title 19, chapter 20
  special education assistance, 20-7-403
  successor, delivering materials to, 20-1-203
  teachers, duties, 20-3-324, 20-4-204, 20-4-207, 20-4-301
  textbook dealers, complaints against, 20-7-605
  textbooks selected by, 20-7-602
Donations to, 20-6-601
Driver education, establishment of nonbudgeted fund, 20-3-324, 20-7-507, See also **SCHOOLS, Traffic education**
Drug Abuse Resistance Education (D.A.R.E) Program, 15-30-158; Title 44, chapter 2, part 7
Earthquake emergency plans and procedures, 20-7-1101
Educational associations, membership, 20-1-211
Election administrator, 13-1-101, See **ELECTION ADMINISTRATOR**
Election of trustees, 20-3-301, See also **SCHOOL ELECTIONS**
Elections, See also **SCHOOL ELECTIONS**
  duties, See **School elections**
  initiative petitions, signature gathering, 13-13-122, 13-35-211, 13-35-218
Electronic voting systems, 20-20-421
Elementary districts, 20-6-101
  abandonment, 20-3-205, 20-6-209, 20-6-210, 20-9-604
  annexation
    bonded indebtedness, 20-6-206, 20-6-207, 20-6-411

SCHOOL DISTRICTS AND TRUSTEES (Continued)
Elementary districts (Continued)
  annexation (Continued)
    conditions for, 20-6-204
    hiring preference for employees, 20-6-410
    K-12 district dissolution, upon, 20-6-704
    procedures, 20-6-205
    tenure protection, 20-6-410
    tuition debt, assumption, 20-6-413
  attachment to high school district, 20-6-101, 20-6-701, 20-6-703
  boundaries, 20-6-214, 20-6-215
  boundary changes, 20-6-202, 20-6-212, 20-6-213, 20-6-215
  classification, 20-3-205, 20-6-201, 20-6-702
  community college service regions, designation, 20-15-241
  consolidation
    bonded indebtedness, 20-6-206, 20-6-207, 20-6-411, 20-6-414
    cash disposition following, 20-6-414
    hiring preference for employees, 20-6-410
    joint districts, for, 20-6-208
    K-12 district dissolution, upon, 20-6-704
    procedures, 20-6-203, 20-6-208
    tenure protection, 20-6-410
    tuition debt, assumption, 20-6-413
  county high school unification, 20-6-312, 20-6-313
  creation, 20-6-216, 20-6-217, 20-6-415
    moratorium, 20-6-104
  dissolution of joint districts, 20-6-211
  high school districts
    abandonment, effect, 20-6-307
    as, when, 20-6-101
    attachment of elementary district, 20-6-101, 20-6-701, 20-6-703
  inactive when, 20-6-101, 20-6-701
  joint
    abandonment, 20-6-210
    consolidation to create, 20-6-208
    dissolution, 20-6-211
    high school districts, joint — established from, 20-6-308, 20-6-309
    transfer of territory, creation by, 20-6-213
  K-12 districts, See **K-12 districts**
  relocation of school within, 20-6-218
  state land equalization payments, 77-1-506, 77-1-507
  transfer of territory, 20-6-213, 20-6-416
  trustee positions, See **Positions of trustees**; **SCHOOL ELECTIONS**, **Trustees**
  tuition, See **SCHOOLS**, **Tuition**
Eligibility for office of trustee, 20-3-305
Emergency, unforeseen
  bid requirements, exception, 20-9-204
  meetings, 20-3-322
Eminent domain, public uses, 70-30-102
Employees and officers, See also **PUBLIC OFFICERS OR EMPLOYEES**
  agents or solicitors, acting as — prohibited, 20-1-201
  bonds
    payment funds, liability, 20-9-444 — 20-9-446
    sale money, nonpayment by trustees to county treasurer, 20-9-435
  budget expenditures, liability, 20-9-133
  collective bargaining, 39-31-103, 39-31-304, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
  convention expenses allowed when, 20-1-211

SCHOOL DISTRICTS AND TRUSTEES (Continued)
Employees and officers (Continued)

- corporal punishment or physical restraint of pupils, 20-4-302
- county transportation committee, membership, 20-10-131
- employment or dismissal generally, 20-3-324, 20-6-711
- expenditures, liability, 20-9-133
- fines for violations, 20-1-201
- group insurance, 2-18-702, 20-3-331, See **INSURANCE, LIFE, Group life; Groups and group requirements; PUBLIC OFFICERS OR EMPLOYEES, Group benefits**
- hiring preference when, 20-6-410, 20-6-711
- hours of employment, 39-4-107
- incentive awards program, Title 7, chapter 4, part 5
- K-12 districts, tenure and hiring provisions, 20-6-711
- missing child investigations, confidentiality when, 44-2-511
- records, destruction allowed when, 20-9-215
- retirement, Title 19, chapters 3 and 20
- sick leave, fund for payment upon termination of employment, 20-9-512
- technical training, fund for, 20-9-533
- textbook dealers' emoluments or inducements, acceptance prohibited, 20-7-608
- travel expenses, 20-1-211
- vacation leave, fund for payment upon termination of employment, 20-9-512
- workers' compensation, Title 39, chapter 71, See **WORKERS' COMPENSATION, Public employers**

Engineering services contracts, Title 18, chapter 8, part 2
Enrollment in schools
- excused when, 20-5-102
- nonpublic nonaccredited school, from — assessment policy, 20-3-324, 20-5-110

Executive officer of trustees, 20-4-402
Existing districts, confirmation, 20-6-102
Expenses of trustees, 20-1-211, 20-3-311
Facilities, See **SCHOOLS, Sites and facilities**
Fair Practices, Code of, Title 49, chapter 3
Federal land, effect of sale or transfer, 77-2-401
Financial administration of schools, See **SCHOOL FINANCE**
Fines for trustees' violations, 20-1-201, 20-1-203, 20-6-624, 20-9-435
Fish, wildlife, and parks — departmental funds allocated to, when, 87-1-603, 87-1-604
Five-year-old schooling, establishment, 20-7-117
Flag, American — procurement and display, 20-3-324
Food services, 20-3-324, 20-10-204, See also **SCHOOLS, Food services**
Forms distributed to, 20-3-105
Foster Care Review Committee, representation on, 41-3-1115
Funds, 20-3-324, See also **SCHOOL FINANCE, Funds**
- adult education, establishment, 20-7-705
- investment, 20-9-213
- litigation reserve, establishment, 20-9-515
- misappropriation, 20-1-203, 20-3-332
- traffic education, establishment, 20-7-507

Gifted and talented children programs, See **SCHOOLS**
Gifts, acceptance, 20-3-324, 20-6-601, 20-7-803, 20-9-604, 20-10-204
Governance by trustees, 20-3-323
Governmental facilities, closure or retrenchment — impact statement required, 39-2-1003
Grade assignments, designation, 20-6-501
Grants, acceptance, 20-6-601
Group homes, authorization of services to, 53-20-304
Handicapped persons, employment, 39-30-103, 49-4-202
Hard-rock mining impact areas, Title 90, chapter 6, parts 3 and 4
Hard-Rock Mining Impact Board, representation on, 2-15-1822

SCHOOL DISTRICTS AND TRUSTEES (Continued)

Health
  local health boards, contributions to, 50-2-108, 50-2-113, 50-2-116
  state regulations, copies to, 50-1-206
Hearings, 20-3-337, 20-4-204, 20-4-207, 20-4-208, 20-5-110
High School Boundary Commission
  composition, 20-3-206, 20-6-304
  duties, 20-6-304
  hearings, 20-6-304
  high school districts
    boundaries, establishment, 20-6-101, 20-6-304
    creation, 20-6-304, 20-6-313, 20-9-402, 20-9-451
  orders by, 20-3-106, 20-6-304, 20-6-311
  trustee positions, designation of trustees, 20-3-351
High school districts, 20-6-101
  abandonment, 20-3-205, 20-6-307, 20-9-604
  annexation, 20-6-314, 20-6-316 — 20-6-319
    hiring preference and tenure protection for employees, 20-6-410
    joint districts, 20-6-314
    K-12 district dissolution, upon, 20-6-704
    tuition debt, assumption, 20-6-413
  attachment of elementary district, 20-6-101, 20-6-701, 20-6-703
  boundary changes, 20-6-308, 20-6-309, 20-6-314, 20-6-321
  classification, 20-3-205, 20-6-301
  community college service regions, designation, 20-15-241
  consolidation, 20-6-314
    cash disposition following, 20-6-414
    K-12 district dissolution, upon, 20-6-704
    order for, 20-6-315
    procedures, 20-6-315, 20-6-318, 20-6-319, 20-6-410
    tuition debt, assumption, 20-6-413
    two or more counties, districts in, 20-6-321
  counties, division into, 20-6-303, 20-6-304, 20-6-311
  county high schools as, 20-6-101, See also **County high schools**
  county transportation committee, representation on, 20-10-131
  creation, 20-6-303, 20-6-304, 20-6-311, 20-6-314, 20-6-325
    moratorium, 20-6-104
  elementary districts
    as high school district when, 20-6-101
    attachment, 20-6-101, 20-6-701, 20-6-703
  existing districts, creation from, 20-6-325
  joint
    annexation, 20-6-314
    creation, 20-6-308, 20-6-321
    organization, 20-6-308, 20-6-309
  K-12 districts, See **K-12 districts**
  reincorporation of territory, 20-6-325
  transfer of territory, 20-6-308, 20-6-320, 20-6-416
  trustee positions, See **Positions of trustees; SCHOOL ELECTIONS, Trustees**
Highway traffic safety program, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Traffic safety program**
Home guard, school property available to, 10-1-703
Immunity from liability
  districts, See **GOVERNMENT LIABILITY**
  trustees
    damages, 20-3-332

SCHOOL DISTRICTS AND TRUSTEES (Continued)
Immunity from liability (Continued)
  trustees (Continued)
    legislative acts, 2-9-111
    suit, when, 20-4-110
Indian
  land
    elementary districts, 20-6-213, 20-6-216
    high school districts, 20-6-320
  studies
    in-service training courses, 20-4-211
    requirements, enforcement and administration, 20-4-213, 20-4-214
  tribes, compulsory school attendance — authorization, 20-5-108
Industrial arts program, funding, 20-7-305, 20-7-306
Instructional programs, recommendations for, 20-4-402
Instructional services, establishment, 20-3-324
Insurance, See also **GOVERNMENT LIABILITY, Insurance**
  blanket disability, See **INSURANCE, DISABILITY, Blanket disability insurance**
  employees' group insurance, 2-18-702, 20-3-331, See **INSURANCE, LIFE, Group life; Groups and group requirements; PUBLIC OFFICERS OR EMPLOYEES, Group benefits**
  farm mutual insurers, for rural schools, 33-4-501, 33-4-511
  liability, requirements, 20-3-331, 20-10-109, 20-10-124
  property, requirements, 20-6-608
  school buses, 20-3-331, 20-10-107, 20-10-109, 20-10-124, 20-10-143
  school transportation requirements, 20-10-107, 20-10-109, 20-10-124, 20-10-143
  self-insurance plan, 20-3-331
  special education, proration, 20-7-435
Interest assessment on overdue accounts, 20-9-225 — 20-9-227
Interlocal cooperative agreements, administration, 20-3-324, See **SCHOOL FINANCE**; See also **INTERLOCAL COOPERATION**
Interstate school agreements, joint, 20-9-705
Isolation status, See **SCHOOL FINANCE**
Joint boards of trustees
  budget procedures, See **SCHOOL FINANCE, Joint districts**
  clerk, 20-3-206
  dissolution when, 20-3-361
  district superintendent, appointment, 20-3-362, 20-4-401
  existence, period of, 20-3-361
  junior high schools, opening or closing, 20-3-362, 20-6-505, 20-6-509
  organization and officers, 20-3-361
  powers, 20-3-362
  secretary, compensation, 20-3-311, 20-3-361
  special education services, 20-3-362, 20-7-457
  teachers or specialists, employment, 20-3-362, 20-4-201
  voting membership, 20-3-361
Joint districts
  abandonment of counties, created by, 7-2-2727
  dissolution, 20-6-211
  financing, See **SCHOOL FINANCE**
  generally, See **Elementary districts**; **High school districts**
Judgments against, funding, 2-9-316, 20-9-161, 20-9-403, 20-9-435, 20-9-471, See also **SCHOOL FINANCE, Bonds and bond issues; Budget amendments**
K-12 districts, 20-6-701
  attachment of elementary to high school district, 20-6-101, 20-6-701, 20-6-703
  bonded indebtedness, 20-9-406
  county transportation committee, representation on, 20-10-131
  creation, moratorium not applicable when, 20-6-104
  dissolution, 20-6-704

SCHOOL DISTRICTS AND TRUSTEES (Continued)
K-12 districts (Continued)

  funding and funds, 20-6-702 — 20-6-704
  hiring preference, 20-6-711
  number of trustees, 20-6-702
  property, 20-6-703, 20-6-704
  records, 20-6-703
  tenure protection, 20-6-704, 20-6-711
  transitions after formation, 20-6-703
  trustees, 20-6-702, 20-6-704
Kindergartens, establishment, 20-7-117
Kindergarten through grade 12 system, establishment, 20-6-508
Labor organizations, 39-31-103, 39-31-304, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Land surveying services contracts, Title 18, chapter 8, part 2
Lease-purchase agreements, 20-6-609
Leases, oil and gas, 82-10-201 — 82-10-204, See also **SCHOOLS, Property**; **Sites and facilities**
Legacies for school purposes, 20-9-604
Legal adviser, 20-1-204, 20-1-205
Levies, 20-3-324, 20-7-705, See **SCHOOL FINANCE**
Liability
  bond payment funds, 20-9-444 — 20-9-446
  bonds, for, 20-9-437, See also **GOVERNMENT LIABILITY**
  budget, expenditures, 20-9-133
  insurance, requirements, 20-3-331, 20-10-109, 20-10-124, 20-10-143
  legislative acts, immunity from, 2-9-111, See also **GOVERNMENT LIABILITY**
  personal, 20-3-332
Libraries
  book selection, 20-4-402, 20-7-204
  establishment and maintenance, 20-7-202
  interlibrary loan reimbursement, 22-1-328
  policies, 20-7-203
  records confidentiality, 22-1-1101 — 22-1-1103, 22-1-1111
  reports, 20-7-205
  services, contracts and cooperation for, 22-1-309, 22-1-312
Loans, long-term — replacement of property, 20-6-640
Meetings of trustees, 20-3-322
  bond issue petitions, consideration, 20-9-425
  budget, 20-3-322, 20-9-113, 20-9-115, 20-9-131
  budget amendment, 20-9-163, 20-9-165
  county superintendent of schools, called by, 20-3-205, 20-3-311
  elections, to call, 20-20-203
  failure to attend, 20-3-308
  minutes, 20-3-323, 20-6-703
  organization, 20-3-321, 20-3-322
  teachers, tenured — termination hearings, 20-4-204
  transportation contracts, for, 20-10-125
  travel expenses, 20-3-311
Merger, See **Elementary districts**, consolidation; **High school districts**, consolidation
Militia, school property available to, 10-1-703
Mining impact areas, See **MINES AND MINING, Coal impact areas**; **Metal mines impact areas**
Minorities, voting rights — protection, 20-3-336, 20-3-337
Misappropriation of funds, 20-1-203, 20-3-332
Missing children, duties, 44-2-506, 44-2-511
Model School Integrated Pest and Pesticide Management Safety Program, Title 80, chapter 8, part 4, See **PESTS AND PESTICIDES**

SCHOOL DISTRICTS AND TRUSTEES (Continued)

Motor vehicles
  gross vehicle weight fee exemption, 61-10-214
  license plates, 61-3-332, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, License plates**
  new vehicle sales tax, exemption, 61-3-502
  registration fees, exemption, 61-3-321
  special fuel license tax, refund, 15-70-356, 15-70-361, 15-70-364
  weed control fee, exemption, 61-3-510
Municipal superintendent of schools, 7-3-1348
Name of district, 20-6-101
Neglect of duty by trustees, 20-9-444
Nepotism provisions, nonapplicability when, 2-2-302
New districts, See **Elementary districts**, creation; **High school districts**, creation by boundary change; **K-12 districts**
New duties, financing, 1-2-113
Nonoperating districts, See **Elementary districts**, abandonment; **High school districts**, abandonment
Nonpublic nonaccredited school placement of child in public school, assessment policy, 20-3-324, 20-5-110
Nonsmoking areas, designation, 50-40-107, 50-40-201
Nurses, employment or dismissal, 20-3-324
Oath of office, trustees, 20-1-202, 20-3-205, 20-3-307, 20-3-309
Officers, See **Employees and officers**
Oil and gas leases, 82-10-201 — 82-10-204
Opening or reopening schools, 20-3-324
    elementary schools, 20-6-502
    high schools, 20-3-106, 20-6-503
    junior high schools, 20-3-106, 20-6-504, 20-6-505
    middle schools, 20-6-507
Out-of-district attendance agreements, 20-5-101, 20-5-320 — 20-5-324
Overdue accounts, interest assessment, 20-9-225 — 20-9-227
Personnel, See **Employees and officers**
Physicians retained by, when, 20-3-324
Playgrounds, See **Public recreation programs**
Policies, prescription and enforcement, 20-3-323
Positions of trustees
  additional, 20-3-302, 20-3-341, 20-3-343, 20-3-352, 20-6-201, 20-6-301
    redetermination, 20-3-205, 20-3-354
  boundary changes, effect, 20-3-312
  elementary districts, 20-3-302, 20-3-341, 20-3-352, 20-6-201
  high school districts, 20-3-302, 20-3-351
    additional, request and determination, 20-3-205, 20-3-352, 20-6-301, 20-6-313
    alternative method of election, 20-3-352
    county high school, operating, 20-3-356
    nominating districts, establishment and purpose, 20-3-205, 20-3-353, 20-3-354, 20-3-356, 20-6-313
    nonvoting, establishment when, 20-3-352
  K-12 districts, 20-6-702, 20-6-704
  number prescribed, 20-3-301, 20-3-341, 20-3-351, 20-6-702
  reduction, 20-3-341
  term, See **Term of office of trustee**
  vacated, See **Vacancy in office of trustee**
  variance in number, 20-3-301, 20-3-341, 20-3-351
Powers and duties of trustees, 20-3-324, 20-6-101
  actions to be collective, 20-3-301, 20-3-322, 20-3-362
  boundary changes, effect, 20-3-312
  joint boards, 20-3-362

SCHOOL DISTRICTS AND TRUSTEES (Continued)

Preschool programs, establishment, 20-7-117, 20-7-411
Presiding officer of trustees
    bonds, execution, 20-9-433
    budget amendment, signing, 20-9-165
    budget form, signing, 20-9-113, 20-9-133
    county high school principal, execution of contract, 20-4-401
    district superintendent, execution of contract, 20-4-401
    joint board, 20-3-361
    selection, 20-3-321
    teacher contracts, execution, 20-4-201
    transportation contracts, signing, 20-10-124
    warrants, countersignature, 20-9-221
Principals, employment or dismissal, 20-3-324
Prison industries training program services and products, use, 53-30-131, 53-30-133
Property, See also **SCHOOLS, Property**
    attachment, service upon trustees, 27-18-406
    authority, 20-3-324, 20-6-417, 20-6-602, 20-6-604, 20-6-609, 20-6-703
Public Education, Board of — enforcement and reports, 20-3-323, 20-3-324
Public recreation programs, See also **RECREATION**
    activities, conduct, 20-7-803
    authorization, 20-7-801
    board of recreation, creation, 20-7-802
    directors and instructors, 20-7-803, 20-7-804
    funding, 7-16-4107, 20-7-801
    gifts, acceptance, 7-16-4109, 20-7-803
    operation, 7-16-4108, 20-7-802
    school property, 20-7-804, 20-7-805
Pupil instruction days, variance, 20-1-301
Pupils
    absences, policies, 20-5-103, 44-2-507
    age requirements, 20-1-101, 20-5-101
    attendance, 20-3-324, 20-5-105
    duties of pupils, 20-5-201
    expulsion, authority for, 20-5-202
    governance generally, 20-3-324
    health conditions and records, 20-3-324
    immunization requirements, 20-5-402 — 20-5-410
    indian children, 20-5-108
    sanctions, 20-5-201
    suspension, 20-4-302, 20-4-402, 20-4-403, 20-5-202
    truancy or incorrigibility, 20-4-302
Qualifications of trustees, 20-3-305, 20-3-307 — 20-3-309
Recall Act, Title 2, chapter 16, part 6
Records, 2-6-401 — 2-6-404, 20-3-323
    accounting, 20-9-213
    cessation of district, surrender, 20-6-418
    K-12 districts, transitions after formation, 20-6-703
    old, destruction when, 20-1-212, 20-9-215
    retention, 20-1-212, 20-7-101, 20-9-215
Recreation, Board of — creation, 20-7-802
Recreation programs, See **Public recreation programs**; See also **RECREATION**
Relatives, appointment, 2-2-302
Religious instruction released time program provisions, 20-1-308
Removal of trustees from office, 20-3-308, 20-3-310, 20-3-332, 20-7-608
Renumbering of district when, 7-2-2727

SCHOOL DISTRICTS AND TRUSTEES (Continued)

Reorganization of district generally
  bonded indebtedness, effect of boundary changes, 20-6-411
  cash disposition, 20-6-413 — 20-6-416
  K-12 districts, formation, See **K-12 districts**
  property disposition, 20-6-417, 20-6-703
  property tax valuation, effect of boundary changes, 20-6-412
  tuition debt, levy for — when, 20-6-413
Reports
  distribution to, 20-3-105
  failure to make, 20-9-344
  fiscal, 20-3-106, 20-7-306, 20-9-213
  preparation, 20-3-325
  required when, 20-3-324, 20-5-324, 20-9-344
  special education expenditures, 20-7-431
Residence of trustee changed, effect, 20-3-308
Resignation of trustee, 2-16-502, 20-3-308
Retirement, Title 19, chapters 3 and 20
Rules with financial impact, 20-2-115
Rural school districts
  proposed subdivision, preliminary plat to trustees, 76-3-601
  residential impact payments, 20-9-508, 20-9-615
Safety patrols, organization, 20-1-408
School elections
  canvass of votes, 20-20-415
  certificate of, issuance, 20-20-416
  county election administrator requested to conduct, 20-20-401, 20-20-417
  duties generally, 20-3-324, 20-20-401
  electronic voting systems, 20-20-421
  judges, 20-20-107, 20-20-203
  notice, 20-20-204
  poll hours, 13-1-106, 20-20-106, 20-20-203
  polling places, 13-1-106, 20-20-106, 20-20-203
  resolutions for, 20-20-201, 20-20-203
  voting machines, 20-20-421
School finance, duties generally, 20-3-324, See **SCHOOL FINANCE**
School lunch programs, See **SCHOOLS, Food services**
School transportation
  bus drivers, certification, 20-10-103
  buses, 20-10-109, 20-10-110
  contracts, 20-10-104, 20-10-107
  county transportation committee, 20-10-131
  duties generally, 20-3-324, 20-10-107, 20-10-121
  mileage distances, controversy, 20-10-106
  out-of-district attendance agreements, 20-5-320 — 20-5-324
  policies or rules, 20-10-104
  residence of transportee, controversy, 20-10-105
Secretary of trustees, 20-3-311, 20-3-321, 20-3-361
Service of process on, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
Single-member trustee districts, 20-3-336 — 20-3-338
Sites and facilities, 20-3-324, See **SCHOOLS**
Social security reporting entities, request for merger, 19-1-815
Solicitors, trustees acting as — prohibited, 20-1-201
Special education, See also **SCHOOLS, Special education**
  allowable costs, reimbursement — application for, 20-9-321

SCHOOL DISTRICTS AND TRUSTEES (Continued)
Special education (Continued)

  assistance, 20-7-403
  attendance, 20-7-421, 20-7-422
  cooperative contracts, See **SCHOOLS**, **Special education**, cooperatives
  determination of children in need, 20-7-414
  establishment of programs, 20-3-324, 20-7-411, 20-7-412
  expenditures, accounting, 20-7-431
  surrogate parent, 20-7-461
Specialist certification, See **TEACHERS**, generally
State land equalization payments, 77-1-501 — 77-1-507
State mandates to districts, 1-2-113
State procurement provisions, adoption, 18-4-124
State-Tribal Cooperative Agreements Act, Title 18, chapter 11, part 1
Statutes imposing new duties, means of financing, 1-2-113
Successor trustees, delivering materials to, 20-1-203
Superintendent, district, See **District superintendent**
Superintendent of public instruction, reports and rules, 20-3-323, 20-3-324
Supervision, 20-3-106, 20-3-207; Const., X, 8
Suspension of trustees, 20-3-310
Teacher aides, employment or dismissal, 20-3-324
Teachers, See also **TEACHERS**
  administrative positions, transfer from — hearing and appeal, 20-4-208
  certificate suspension or revocation, 20-4-110, 20-4-113, 20-4-114
  dismissal, 20-3-324, 20-4-207
  employment, 20-3-324, 20-4-110, 20-4-201
  in-service training, 20-4-304
  K-12 districts, 20-6-704, 20-6-711
  nontenure, duties, See **TEACHERS**
  pupil's truancy, incorrigibility, or suspension — notification, 20-4-302
  reinstatement, 20-4-207
  reprimand, letters of, 20-4-110
  salary withheld when, 20-4-301
  tenure provisions, See **TEACHERS**
  termination, 20-3-210, 20-4-110, 20-4-204, 20-4-206
Teachers' retirement system, participation, 20-3-324
Telecommunications network (METNET), 20-9-343, 20-32-101 — 20-32-104
Term of office of trustee
  abandonment of counties, effect, 7-2-2727, 7-2-2728
  additional positions, 20-3-355
  elementary districts
    classification changed, determination, 20-3-343
    creation and consolidation, determination, 20-3-342
  expiration, legislative intent, 20-3-302
  generally, 20-3-301
  lot, drawn by — when, 20-3-342, 20-3-343, 20-3-352, 20-3-355
  new counties, creation — effect, 7-2-2225
  vacated position, election or appointment to fill, 20-3-303, 20-3-309
Textbook dealers' emoluments or inducements, acceptance prohibited, 20-7-608
Textbooks, 20-3-324, 20-4-402, 20-7-601, 20-7-602, See also **SCHOOLS**
Tobacco-free areas, designation, 50-40-107, 50-40-201
Torts, See **GOVERNMENT LIABILITY**, **Claims**; **Immunity**; **TORTS**
Traffic education, establishment of nonbudgeted fund, 20-3-324, 20-7-507, See also **SCHOOLS**, **Traffic education**
Traffic safety program, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, **Traffic safety program**; **SCHOOLS**, **Traffic education**
Transfer of territory, See **Elementary districts**; **High school districts**

SCHOOL DISTRICTS AND TRUSTEES (Continued)

Treasure state living cultural treasures program, participation, 2-15-238
Tuition, duties, 20-3-324, 20-5-320 — 20-5-324
Unfair labor practices, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Union organization, 39-31-103, 39-31-304, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Vacancy in office of trustee, 20-3-308, 20-3-309
  election to fill, See **SCHOOL ELECTIONS, Trustees**
  term after election or appointment, 20-3-303, 20-3-309
  unfilled when, 20-6-301
Veterans, See also **VETERANS**
  employment preference, Title 39, chapter 29
  reemployment, Title 10, chapter 2, part 2
Violations by trustees
  agents or solicitors, acting as, 20-1-201
  bonds, nonpayment of sale money to county treasurer — penalty, 20-9-435
  building plans and specifications, violations concerning, 20-6-624
  contracts, pecuniary interest, 20-9-204
  district, employment by, 20-9-204
  misappropriation of funds, 20-1-203, 20-3-332
  successor, nondeliverance of materials to, 20-1-203
  supplies, association with furnishing to schools, 20-9-204
  teachers, employment relationship — report of termination or nonrenewal, failure to make, 20-4-114
  textbook dealers' emoluments or inducements, acceptance, 20-7-608
Visitation of schools, 20-3-324
Visually disabled persons, employment policy of state, 49-4-202
Vocational education, K-12, duties, 20-3-324, 20-7-302.1, 20-7-303, 20-7-305, 20-7-306
Vocational-technical secondary schools, construction and ownership, 20-9-404, 20-9-405
Voting machines, 20-20-421
Voting rights of minorities, protection, 20-3-336, 20-3-337
Warrants, See **SCHOOL FINANCE**
Workers' compensation, Title 39, chapter 71, See **WORKERS' COMPENSATION, Public employers**
Youth, community-based services — funding and services, 41-3-1132
Youth Placement Committee, representation on, 41-5-525

SCHOOL ELECTIONS
Absentee ballots, 20-20-204, 20-20-401
Annual, to be, 20-3-304, 20-20-105
Ballots, form
  annexation of district, 20-6-206, 20-6-207
  bond issues, 20-9-426
  building reserve proposition, 20-9-502
  community college districts
    annexation, 20-15-231
    trustee election, 20-15-206, 20-15-220
  consolidation of district, 20-6-206, 20-6-207
  county high school unification, 20-6-312
  general fund budget, voted amount of financing, 20-9-353
  interstate school agreements, joint, 20-9-705
  trustee elections, 20-3-306
Ballots generally, 20-20-103, 20-20-204, 20-20-401
Bond issues
  affidavit, 20-9-423
  authorization, 20-9-421, 20-9-466, 20-9-467
  ballots, preparation and form, 20-9-426
  canvassing of votes, 20-9-428

SCHOOL ELECTIONS (Continued)
Bond issues (Continued)

- certification, 20-9-429
- county high schools, 20-9-452 — 20-9-454
- determination of approval or rejection, 20-9-428
- industrial facility agreements, approval for issues in excess of maximum, 20-9-407
- introduction, methods, 20-9-421
- loans to secure, 20-9-466, 20-9-467
- notice, requirements and form, 20-9-427
- petition for, 20-9-421 — 20-9-425, 20-9-452
- resolution for, 20-9-421, 20-9-422, 20-9-466, 20-9-467

Building reserve proposition, 20-9-502
Buildings, See **Sites and facilities**
Bus depreciation reserve cash balance transfers, for, 20-10-147
Bus transportation areas or routes, district territory transfers — for, 20-10-126
Calling of

- bond issues, 20-9-421, 20-9-453
- bus depreciation reserve cash balance transfers, 20-10-147
- community college district organization, 20-15-203, 20-15-225
- county high school unification, 20-6-312
- districts
  - annexation, 20-6-205, 20-6-317
  - consolidation, 20-6-203, 20-6-315
  - joint, dissolution, 20-6-211
  - transportation areas or routes, transfers, 20-10-126
- general fund budget, voted amount of financing, 20-9-308, 20-9-353
- generally, 20-3-324
- junior high schools, opening, 20-6-505
- resolution for, 20-20-201
- school sites and facilities, 20-6-603, 20-6-621
- trustee elections, 20-3-306, 20-3-352

Campaign practices exceptions, 13-37-206
Cancellation when, 20-20-108
Canvassing of votes

- annexation election, 20-6-206, 20-6-318
- bond issues, 20-9-428
- community college district annexation proposition, 20-15-231
- consolidation election, 20-6-206, 20-6-318
- generally, 20-20-415

Certificate of election, 20-3-324, 20-20-416

- bond issues, 20-9-428
- community college districts
  - annexation, 20-15-231
  - organization, 20-15-209
  - trustees, 20-15-222
- county high school unification, 20-6-312
- districts
  - annexation, 20-6-205, 20-6-317
  - consolidation, 20-6-203, 20-6-208, 20-6-315
  - joint
    - creation, 20-6-321
    - dissolution, 20-6-211
  - K-12, dissolution, 20-6-704
- trustees, 20-3-307

Clerk, 20-20-402
Community college district annexation or disannexation, 20-15-231
Community college district optional voted levy proposition, 20-15-311

SCHOOL ELECTIONS (Continued)

Community college district organization
  authority for, 20-15-103
  call for, 20-15-203
  conduct of election, 20-15-208
  cost of election, 20-15-208
  notice, 20-15-207
  petition, 20-15-202, 20-15-203
  proposition, 20-15-203, 20-15-209
  requirements, 20-15-201
  service regions, for designation, 20-15-241
Community college district trustees, See also **Trustees, election of**
  ballot, 20-15-206, 20-15-220
  candidates
    declaration of candidacy, 20-15-221
    nominations, 20-15-205, 20-15-206, 20-15-219
    qualifications, 20-15-219
  certificate of election, 20-15-222
  conduct of election, 20-15-208, 20-15-221
  cost of election, 20-15-208
  districts from which elected, 20-15-204
  held when, 20-15-221
  notice, 20-15-207, 20-15-221
  number to be elected, 20-15-204
  qualifying, 20-15-222, 20-15-223
  results of election, 20-15-222
  title 20 provisions, adherence to, 20-15-404
  vacancy, to fill, 20-15-223
Community college service regions, for designation, 20-15-241
Conduct of, 20-3-324, 20-20-411
  bond issues, 20-9-427
  building reserve election, 20-9-502
  bus depreciation reserve cash balance transfers, 20-10-147
  community college district
    annexation election, 20-15-231
    organization and trustees, 20-15-208, 20-15-221
  county election administrator, by, 20-20-401, 20-20-417, See **ELECTION ADMINISTRATOR**
  county high school unification, 20-6-312
  districts
    annexation, 20-6-205, 20-6-317
    consolidation, 20-6-203, 20-6-315
    joint, dissolution, 20-6-211
    transportation areas or routes, transfers, 20-10-126
  general fund budget, voted amount of financing, 20-9-353
  interstate school agreements, joint — election for, 20-9-705
  junior high schools, opening, 20-6-505
  school sites and facilities, 20-6-603, 20-6-621
  time limitation, 20-20-202
  trustee elections, 20-3-306, 20-3-352
Conflict of laws, 20-20-102
County high schools
  bond issues, See **Bond issues**
  unification, 20-6-312
Date, 13-1-104, 20-3-304, 20-20-105
Defined, 20-20-101
Disaster, declaration of — cancellation of election, 20-20-108

SCHOOL ELECTIONS (Continued)

Election administrator, 13-1-101, 20-20-401, 20-20-417, See **ELECTION ADMINISTRATOR**
Electors
- bond issues, special — petitions, 20-9-421, 20-9-423, 20-9-452
- challenges, 20-20-303
- community college districts
  - annexation petitions, 20-15-231
  - disannexation procedure, 20-15-231
  - organization petitions, 20-15-202
- elementary districts
  - annexation petitions, 20-6-205, 20-6-317
  - consolidation petitions, 20-6-203, 20-6-315
  - joint, dissolution, 20-6-211
  - transfer of territory, 20-6-213
- false swearing before election judge, 20-20-303
- high school districts, joint — establishment, 20-6-309
- meetings, disturbing unlawful, 13-35-213
- nominating districts, high school — requirements, 20-3-353
- qualifications, 20-3-338, 20-20-301, 20-20-303
- registered, lists of, 20-20-201, 20-20-312, 20-20-313
- registration, closure, 20-20-311
- transportation areas or routes, petition for transfer, 20-10-126
- trustees, alternative method of election — petition requesting, 20-3-352

Electronic voting systems, 20-20-421
Elementary districts
- annexation, 20-6-205
  - bonded indebtedness, assumption of, 20-6-206, 20-6-207
- consolidation, 20-6-203
  - bonded indebtedness, assumption of, 20-6-206, 20-6-207
  - joint districts, for, 20-6-208
- joint districts
  - consolidation to create, 20-6-208
  - dissolution, 20-6-211
- transfer of territory, 20-6-213

Emergency, declaration of — cancellation of election, 20-20-108
Expenses, 13-37-206, 20-15-208, 20-15-221, 20-20-107, 20-20-313
Forms, 20-20-104
General fund budget, voted amount of financing, 20-9-353
Held when, 13-1-104, 20-3-304, 20-20-105
High school districts
- annexation, 20-6-317
  - bonded indebtedness, assumption of, 20-6-317 — 20-6-319
- consolidation, 20-6-315
  - bonded indebtedness, assumption of, 20-6-315, 20-6-318, 20-6-319, 20-6-321
  - joint districts, creation, 20-6-321
- joint, consolidation to create, 20-6-321

Interstate school agreements, joint, 20-9-705
Judges
- absentee, appointment for, 20-20-402
- appointment, 20-20-203
- lists of registered electors, delivery, 20-20-313
- oath, 20-20-410
- payment, 20-15-221, 20-20-107

Junior high schools, opening, 20-6-505
K-12 districts, dissolution, 20-6-704
Levies, increase in maximum number of mills — approval, 15-10-412

SCHOOL ELECTIONS (Continued)

Mail ballot elections, procedures, Title 13, chapter 19
Minorities, voting rights — protection, 20-3-336, 20-3-337
Notice for, 20-20-203, 20-20-204
  bond elections, 20-9-427
  canceled election, 20-20-108
  community college districts
    organization and trustee elections, 20-15-207, 20-15-221
    trustee nominations, 20-15-205
  elementary districts
    creation of new, hearings, 20-6-217
    transfer of territory, 20-6-213
Petitions for
  bond issues, See **Bond issues**
  community college district organization, 20-15-202
  community college district trustee nominations, 20-15-219
  county high schools
    bond issues, 20-9-452
    unification, 20-6-312
  districts
    annexation, 20-6-205, 20-6-317
    consolidation, 20-6-203, 20-6-208, 20-6-315
    joint, dissolution, 20-6-211
    transportation areas or routes, transfers, 20-10-126
  trustees, alternative method of election, 20-3-352
Poll hours, 13-1-106, 20-20-106, 20-20-203, 20-20-204
Polling places, 13-1-106, 20-20-106, 20-20-203, 20-20-204, 20-20-401
Precedence of provisions, 20-20-102
Precinct register book, 20-20-312
Preparation generally, Title 20, chapter 20, part 2
Procedures, Title 20, chapter 20, part 4
Register book, precinct, 20-20-312
Registration, closure, 20-20-311
Rescheduling when, 20-20-108
Residence requirements, 20-3-338, 20-20-301
Resolutions for
  bond issues, 20-9-421, 20-9-422, 20-9-452, 20-9-466, 20-9-467
  building reserve, 20-9-502
  calling of election generally, 20-20-201
  poll hours, polling places, and judges — for, 20-20-203
Results, publication, 20-20-416
Sites and facilities
  acquisition or disposal, 20-6-603
  approval of site, 20-6-621
  land use, cessation, 20-6-605
  leases, for, 20-6-625
Special, 20-20-105
Supervision, 20-20-401
Supplies, 20-20-401
Trustees, election of, See also **Community college district trustees**
  alternative method of election, 20-3-352
  annual, to be, 20-3-304
  appointments subject to election, 20-3-353, 20-3-354, 20-6-203, 20-6-217, 20-6-301, 20-6-313
  ballot, form, 20-3-306
  call for election, 20-3-306, 20-3-352
  certificate of election, 20-3-307, 20-20-416

SCHOOL ELECTIONS (Continued)
Trustees, election of (Continued)

- conduct of election, 20-3-306
- district's classification changed, 20-3-302
- elementary districts, 20-3-302
    - additional positions when, 20-3-302, 20-3-341
    - consolidation, 20-3-302
    - first-class, nomination by petition, 20-3-344
    - new, creation, 20-3-302, 20-6-217
- held when, 20-3-304, 20-3-306, 20-3-352
- high school districts, 20-3-302
    - additional positions when, 20-3-302, 20-3-353, 20-3-354, 20-6-313
    - alternative method of election, 20-3-352
    - county high school, operating, 20-3-356
    - nominating districts, 20-3-205, 20-3-353, 20-3-354, 20-3-356, 20-6-313
- majority, legislative intent to elect less than, 20-3-302
- nominating districts, establishment and purpose, 20-3-205, 20-3-353, 20-3-354, 20-3-356, 20-6-313
- nomination for candidacy, 20-3-305, 20-3-338, 20-3-344, 20-3-356
- petition, nomination by — when, 20-3-344
- qualification, 20-3-307, 20-3-308, 20-3-338
- single-member trustee districts, 20-3-336 — 20-3-338
- vacancies, filling, 20-3-302, 20-3-308

Voting machines, 20-15-221, 20-20-421
Voting rights of minorities, protection, 20-3-336, 20-3-337
Write-in candidates, declaration of intent — filing, 13-10-211

SCHOOL FINANCE
Accountability of school district, 20-9-213
Accounting

- adult basic education funds, 20-7-712
- apportionment of money, 20-9-212
- budget form, format, 20-9-103
- building fund, 20-9-508
- county basic special tax revenue, 20-9-333
- county basic tax revenue, 20-9-331
- county equalization aid, 20-9-361
- extracurricular fund, 20-9-504
- funds generally, 20-9-212, 20-9-213
- guaranteed tax base aid, 20-9-369
- industrial arts programs, 20-7-305
- miscellaneous programs fund, 20-9-507
- receipts and expenditures, 20-3-208, 20-3-325, 20-7-431, 20-9-201, 20-9-212, 20-9-213, 20-9-504
- records, 20-9-203, 20-9-213; Title 2, chapter 7, part 5
- special education expenditures, 20-7-431, 20-9-303
- telecommunications network, 20-32-102
- vocational education, secondary, 20-7-305

Accounts

- clearing accounts, 20-9-220
- end-of-year balances, disposition, 20-9-331, 20-9-333
- extracurricular fund, bank account, 20-9-504
- overdue, interest assessment, 20-9-225 — 20-9-227
- transactions, recording, 20-9-213

Accreditation, lack of — effect, 20-9-311
Acts of God

- budget amendments, 20-9-161
- closure of school, 20-9-802

SCHOOL FINANCE (Continued)

Administration
  application of provisions, 20-9-201
  joint districts, 20-9-202
  supervision, 20-3-106, 20-9-201
  trustees, by, 20-3-324
Administrative rules with financial impact, 20-2-115
Adult basic education, 20-7-711, 20-7-712
Adult education
  budget, 20-7-705, 20-7-713
  fund, 20-3-324, 20-7-705, 20-7-713, 20-9-201, See also **Funds generally**
  levy requirements, 20-7-705
  tuition and fees, 20-7-704
Agency fund, nonbudgeted fund, 20-9-201, See also **Funds generally**
ANB, See **Average number belonging (ANB)**
Annexation of districts, 20-6-413
Apportionment of money
  accounting, 20-9-212
  county bond proceeds, 20-9-454
  county equalization, 20-3-205, 20-5-316, 20-9-334, 20-9-335, 77-1-507
  county superintendent of schools, by, 7-6-2801, 20-3-205, 20-9-334
  county treasurer, 20-3-205, 20-9-121, 20-9-212
  elementary district, new — fund cash balances, 20-6-415
  emergency school closure, effect, 20-9-801, 20-9-804 — 20-9-806
  state equalization aid, 20-3-106, 20-3-205
  superintendent of public instruction, by, 20-3-106, 20-9-212, 20-9-335, 20-9-346
  transportation reimbursements, 20-10-145, 20-10-146
  vocational education, K-12 — basis for, 20-7-301
Appropriations
  adult basic education programs, 20-7-712
  audiovisual and media library account, 20-7-201
  BASE aid, deficiency, 20-9-351
  bond payment funds, 20-9-412, 20-9-445
  budget amendments, preparation, 20-9-165
  county equalization revenue, 20-9-361
  endowment fund income, 20-9-604
  federal money for public schools, 20-9-603
  final budget, 20-9-133
  food commodity state special revenue account, 20-10-203
  general fund spending reductions, 17-7-140
  gifted and talented children programs, 20-7-903
  guaranteed tax base aid, 20-9-369
  industrial arts programs, 20-7-305, 20-7-306
  interlocal cooperation agreements, for, 7-11-108, See also **INTERLOCAL COOPERATION**
  lapse and exceptions, 20-9-209, 20-9-603
  preliminary budget, 20-9-113
  public school fund, 20-9-601
  special education, 17-7-140, 20-7-422, 20-7-431, 20-7-435, 20-9-303, 20-9-307
  state equalization aid, 20-9-343, 20-9-361
  supplemental, 20-9-351
  transfers, 20-9-133, 20-9-208
  transportation, 20-10-143, 20-10-145
  vocational education
    K-12, 20-7-301
    secondary, 20-7-305, 20-7-306
Attachment of elementary to high school districts, 20-6-702, 20-6-703

SCHOOL FINANCE (Continued)

Audits, 20-3-205, 20-9-203, 20-9-213, 20-10-202; Title 2, chapter 7, part 5
Average number belonging (ANB), 20-1-101, 20-3-324
  adult basic education, 20-7-701
  adult education, 20-7-701
  basic entitlement, 20-9-306, 20-9-314
  bonded indebtedness, limitation, 20-9-406
  calculation, 20-1-101, 20-6-702, 20-9-311
  elementary districts, new — limitations on creation, 20-6-216
  elementary schools with ANB of 9 or fewer pupils, 20-9-141, 20-9-303
  equivalent ANB, 20-9-311
  five-year-old schooling, calculation for, 20-7-117, 20-9-311, 20-9-313
  general fund per-ANB budget, 20-9-308
  guaranteed tax base aid provisions, 20-9-366 — 20-9-369, See **Guaranteed tax base aid**
  increases, 20-3-106, 20-3-205, 20-9-313, 20-9-314, 20-9-407
  industrial arts programs, 20-7-305, 20-7-306
  isolated school classification, 20-9-302, 20-9-303
  joint districts, 20-9-305, 20-9-501, 20-10-144
  K-12 districts, 20-6-702
  kindergartens, calculation for, 20-7-117, 20-9-311, 20-9-313
  opening or reopening schools, 20-3-205, 20-6-502 — 20-6-504, 20-6-506, 20-6-507, 20-9-313
  religious instruction released time programs, effect, 20-1-308
  retirement fund levy, proration, 20-9-501
  school facility entitlement, 20-9-370, 20-9-371
  special education, 20-9-311, 20-9-321
  teacher's register, information from, 20-4-301
  total per-ANB entitlements, 20-5-324, 20-6-702, 20-9-306, 20-9-314, 20-9-366 — 20-9-368
  transfer, requests for, 20-3-205
  transportation fund budget, county revenue requirement proration, 20-10-144
  vocational education, secondary — calculation, 20-7-305, 20-7-306
BASE aid, 20-9-306, 20-9-307
  county taxes to support, 20-9-212
  deficiency, funding, 20-9-351
  distribution and administration, 20-2-121, 20-3-106, 20-9-344, 20-9-346, 20-9-347
  state equalization aid, 20-9-343
BASE budget, 20-9-141, 20-9-303, 20-9-306, 20-9-308
  guaranteed tax base aid, 20-9-366 — 20-9-369
  levy, 20-3-324, 20-6-702, 20-9-104, 20-9-141, 20-9-306, 20-9-308, 20-9-515
  over-BASE budget amount or levy, 20-3-324, 20-9-104, 20-9-141, 20-9-306, 20-9-308, 20-9-353
BASE funding program, 20-9-306, 20-9-307, 20-9-347
  administrative rules with financial impact, funding, 20-2-115
  appropriation, 17-7-140
  average number belonging (ANB) used to establish, 20-9-314
  budget amendments, aid for, 20-9-166
  elementary districts, county equalization, 20-9-331, See **County equalization aid**
  elementary schools with ANB of 9 or fewer pupils, 20-9-141, 20-9-303
  high school districts, county equalization, 20-9-333, See **County equalization aid**
  joint districts, 20-9-305
  junior high schools, proration of amount when, 20-6-506
  K-12 districts, 20-6-702
  nonaccredited schools, 20-9-311
  opening or reopening schools, 20-6-502 — 20-6-504, 20-6-507
  out-of-district attendance agreements, reimbursements, 20-5-324
  state equalization aid, 20-9-343, 20-9-348
Basic entitlement, 20-9-306, 20-9-311, 20-9-314, 20-9-367, 20-9-368
Bequests, 20-6-601, 20-8-111, 20-9-601

SCHOOL FINANCE (Continued)

Bids, See **SCHOOLS**, **Sites and facilities**, contracts
Bonded indebtedness
  boundary changes, effect, 20-6-411
  budget adoption, payment after, 20-9-133
  cessation of district, payment, 20-6-413
  consolidation of districts, effect, 20-6-414
  creation of new elementary district, effect, 20-6-415
  elementary district consolidation or annexation, 20-6-206, 20-6-207, 20-6-411, 20-6-414
  high school district consolidation or annexation, 20-6-315, 20-6-317 — 20-6-319, 20-6-321
  limitations, 20-9-406, 20-9-471, 90-6-310
  school facilities, state advance or reimbursement, 20-9-370, 20-9-371
Bonds and bond issues, See also **BONDS AND BOND ISSUES**, generally
  actions
    enforcement of public officers' liability, 20-9-446
    restrain, to — time limitation, 20-9-465
  affidavit, 20-9-423
  amortization, levy for, 15-1-402
  amount, limitations, 20-9-406, 20-9-467, 20-9-471
  applicable provisions, 20-6-101, 20-9-401
  bid requirements, 20-9-412, 20-9-429, 20-9-430, 20-9-432
  building fund, 20-9-435, 20-9-508
  building reserve, issue made for purpose of, 20-9-502
  city-county consolidated government sinking fund, investment in, 7-3-1322
  coal severance tax school bond contingency loan fund, 17-5-703, 17-5-704, 20-9-466, 20-9-467
  community college district trustees, adherence to provisions, 20-15-404
  consolidation, 20-6-640; Title 17, chapter 5, part 16
  conflict of laws, 20-9-401
  county high school bonds
    abandonment of counties, procedure following, 7-2-2728
    applicability of provisions, 7-7-2203, 20-6-101, 20-9-451
    budget prohibition, 20-9-456
    construction, investment of proceeds, 7-6-2802
    election, See **SCHOOL ELECTIONS, Bond issues**
    issuance, 20-9-453
    payment, 20-9-455
    proceeds, 7-6-2802, 20-9-454
    purposes, 7-7-2203, 20-9-435, 20-9-452
    unification of schools, effect, 20-6-313
  debt service fund, See **Debt service fund**
  elections, See **SCHOOL ELECTIONS**
  endowment fund money invested in, 20-9-604
  execution, 20-9-429, 20-9-433
  forms, 20-9-408, 20-9-433
  hard-rock mining local government facility, 90-6-310
  hospital districts, applicability of provisions, 7-34-2131
  industrial facility agreements, 20-9-407
  insurers, investment in, 33-2-812
  interest and principal
    accrued interest, refund or deduction, 20-9-411
    amortization bonds, 20-9-408
    fund for, See **Debt service fund**
    industrial facilities, paid by — when, 20-9-407
    obligations, on, 20-9-471

SCHOOL FINANCE (Continued)
Bonds and bond issues (Continued)
- interest and principal (Continued)
  - payments
    - budget for, 20-9-438
    - county high school unification, effect, 20-6-313
    - entries and notification, 20-9-442
    - made when, 20-9-440
    - state treasurer, to — when, 20-9-440
    - tax levy for, 20-9-401, 20-9-439
  - rate of interest, 17-5-101 — 17-5-104, 20-9-410
  - termination of interest, when, 20-9-440
- interstate school agreements, joint, 20-9-705
- investment in, 7-3-1322, 7-7-123
- issuance
  - applicable provisions, 20-9-401, 20-9-466, 20-9-467
  - authorization, 20-9-421, 20-9-428
  - date, 20-9-411
  - form, 20-9-433
  - limitations, 20-9-406, 20-9-467
  - obligations, 20-9-471
  - purpose, 20-6-603, 20-9-403
  - refunding bonds, 20-9-412
  - resolution for, 20-9-429
  - term, limitation and commencement, 20-9-410
  - trustees, by, 20-3-324
- joint interstate school agreements, for, 20-9-705
- judgment liability, payment, 2-9-316
- liability, 20-9-437, 20-9-444 — 20-9-446
- loans, state — to secure, 20-9-466, 20-9-467
- marketability, provisions to improve, 20-9-461 — 20-9-465
- maximum amount, 20-9-406, 20-9-407
- notes, sale in anticipation of federal or state revenue, 7-7-109
- obligations, issuance, 20-9-471
- outstanding, 20-9-406, 20-9-441
- payment
  - amortization bonds, 20-9-408
  - county high school bonds, 20-9-455
  - date for, 20-9-411
  - fund for, liability, 20-9-444 — 20-9-446, See also **Debt service fund**
  - industrial facilities, by — when, 20-9-407
  - obligations, 20-9-471
  - refunding bonds, 20-9-406
  - serial bonds, 20-9-408
  - state loans to secure bonds, 20-9-466
  - tax levy for, 20-9-439
- preservation, copies for, 20-9-434
- proceedings
  - certified copies, 20-9-462, 20-9-463
  - transcripts, 20-9-436
- public fund deposits, security for, 17-6-103
- purchaser, delivery to, 20-9-435
- purposes, 2-9-316, 20-9-403, 20-9-435, 20-9-452
- redemption, 20-9-401, 20-9-441
  - county high school unification, effect, 20-6-313
  - funding for, 20-9-403, 20-9-435, 20-9-508
  - maturity, prior to — when, 17-6-213
  - optional method, 17-5-105

SCHOOL FINANCE (Continued)
Bonds and bond issues (Continued)
  redemption (Continued)
    trustees, by, 20-3-324
  refunding bonds
    advance refunding bonds, 20-9-412
    applicable provisions, 20-9-401, 20-9-466
    crossover refunding bonds, 17-5-2101, 17-5-2102
    issuance, 20-3-324, 20-9-412
    payment, 20-9-406
    sale, 20-9-412
    term, limitation and commencement, 20-9-410
  registration, 20-9-434; Title 17, chapter 5, part 11
  restrain, action to — time limitation, 20-9-465
  retirement and interest, 20-9-121, 20-9-438
  sale, 20-9-401, 20-9-466
    bids, 20-9-412, 20-9-429, 20-9-430, 20-9-432
    high school districts, money from — use restricted, 20-9-403
    investments from, interest, 20-9-213
    money, disposition, 20-9-435, 20-9-508
    negotiation and preparation, 20-9-432
    notice, 17-5-106, 20-9-430, 20-9-431
    obligations, 20-9-471
    purchaser, delivery to, 20-9-435
    resolution for, 20-9-429
    trustees, by, 20-3-324
  school districts, 20-6-101, 20-9-401, 20-9-402, 20-9-437, 20-9-439
  self-insurance reserve fund, to fund, 2-9-211
  state loans to secure, 20-9-466, 20-9-467
  tax protest refunds, for, 15-1-402
  tax protests lost, for repayment, 2-9-316, 15-1-402, 15-10-412, 20-9-403, 20-9-406, 20-9-421, 20-9-435
  tort claims, payment of judgment liability, 2-9-316
  validation, Title 17, chapter 5, part 2
  validity, 20-9-411, 20-9-463, 20-9-464
  vocational-technical secondary schools, joint construction, 20-9-404, 20-9-405
Budget amendments, 20-3-106, 20-9-161 — 20-9-165
  budgeted funds, transfer among appropriated items, 20-9-208
  direct state aid for, 20-3-106
  emergency tax levy to finance, 20-9-168
  filing, 20-3-205
  final budget, 20-9-208
  lapse of appropriations, 20-9-209
  state aid, 20-9-166
  transportation fund budget, 20-9-165, 20-9-166, 20-10-143
Budget board, 20-6-502, 20-9-302, 20-9-344
Budgeted funds, See **Funds generally**
Budget system
  administrative rules with financial impact, 20-2-115
  adult education fund, 20-7-705, 20-7-713
  applicability of provisions, 20-9-101
  appropriations, See **Appropriations**
  BASE budget, See **BASE budget**
  budget amendments, See **Budget amendments**
  "budgeted fund" defined, 20-9-201, See **Funds generally**
  building reserve fund, 20-9-502, 20-9-503
  bus depreciation reserve fund, 20-10-147
  claims, unpaid — effect, 20-9-209

SCHOOL FINANCE (Continued)
Budget system (Continued)
- community college districts, See **COMMUNITY COLLEGE DISTRICTS AND TRUSTEES, Finance**
- cooperatives, full service education, 20-7-452
- county high school bonds, budget prohibition, 20-9-456
- county superintendent of schools, general duties, 20-3-205
- debt service fund, 20-9-133, 20-9-438
- expenditures, See **Expenditures**
- failure to submit, 20-9-344
- final budget, See **Final budgets**
- form of budget, 20-3-106, 20-9-103, 20-9-123
- general fund budget, See **General fund budget**
- guaranteed tax base aid, 20-9-369
- hard-rock mining impact payments, 90-6-323
- industrial arts programs, 20-7-305, 20-7-306
- interlocal cooperative agreement expenditures, 20-9-704
- joint districts, See **Joint districts**
- junior high school operated by elementary and high school districts, 20-6-506
- K-12 districts, 20-6-702, 20-6-704
- "nonbudgeted fund" defined, 20-9-201, See **Funds generally**
- nonoperating fund budget, 20-9-506
- obligations, issuance, 20-9-471
- opening or reopening schools, 20-6-502 — 20-6-504, 20-6-507
- preliminary budget, See **Preliminary budgets**
- retirement fund budget, See **Retirement fund budget**
- rules with financial impact, 20-2-115
- special education, 20-7-435, 20-7-443, 20-9-303, 20-9-501
- supervision, 20-3-106, 20-9-102
- technology acquisition fund budget, 20-9-533
- traffic education fund, nonapplicability, 20-7-507
- transportation fund budget, See **Transportation fund budget**
- trustees' duties generally, 20-3-324
- vocational education, secondary, 20-7-305, 20-7-306

Building fund, 20-9-508
- bonds, sale money, 20-9-435, 20-9-508
- establishment and administration, 20-3-324
- interest credited to, when, 20-9-213, 20-9-508
- nonbudgeted fund, as, 20-9-201, 20-9-508, See also **Funds generally**
- property sale or disposal proceeds, deposit, 20-6-604
- rural residential impact payments, 20-9-508, 20-9-615
- vocational-technical secondary schools, money from sale or lease of district's interest, 20-9-405

Building reserve fund
- budgeted fund, as, 20-9-201, See also **Funds generally**
- budgeting, tax levy, and use, 20-3-324, 20-9-503
- establishment and administration, 20-3-324
- investment of money from, 20-9-503
- purpose, authorization, and limitations, 20-9-502

Bus depreciation reserve fund, 20-10-147
- budgeted fund, as, 20-9-201, See also **Funds generally**

Business incubators, tax exemption — applicability, 15-24-1802
Cessation of district, cash disposition and tuition debt, 20-6-413
Claims, 20-9-209, 20-9-225 — 20-9-227, See also **GOVERNMENT LIABILITY, Claims**
Clearing accounts, 20-9-220
Closure of schools, See **Emergency school closure**
Coal severance tax school bond contingency loan fund, 17-5-703, 17-5-704
Common school fund, See **County school funds**

SCHOOL FINANCE (Continued)

Community college districts, See **COMMUNITY COLLEGE DISTRICTS AND TRUSTEES**, **Finance**; **Funds**
Community college district trustees, adherence to provisions, 20-15-404
Compensated absence liability fund, 20-9-512
Consolidation of districts, 20-6-413, 20-6-414
Contracts, See **SCHOOLS**, **Sites and facilities**; **SCHOOL TRANSPORTATION**, **Contracts**; **Individual transportation**; **Private party contracts**
Cooperatives, full service education, 20-7-451, 20-7-452, 20-7-455, 20-7-457
Cost sharing, junior high school operated by elementary and high school districts, 20-6-506
County equalization aid
  administration, 20-9-346
  aircraft fee in lieu of tax, 20-9-331, 20-9-333, 67-3-205
  apportionment, 20-3-205, 20-5-316, 20-9-334, 20-9-335, 77-1-507
  BASE funding program, 20-9-306, 20-9-307
  boat fees in lieu of tax, 20-9-331, 20-9-333, 23-2-518
  coal gross proceeds tax, 20-9-331, 20-9-333
  county basic special tax, 15-16-802, 15-24-1402, 15-24-1703, 15-24-1802, 15-24-1902, 15-24-2002, 20-5-316, 20-6-702, 20-9-212, 20-9-333, 20-9-347, 90-6-309, 90-6-403, 90-6-404
  county basic tax, 15-16-802, 15-24-1402, 15-24-1703, 15-24-1802, 15-24-1902, 15-24-2002, 20-5-316, 20-5-324, 20-6-702, 20-9-212, 20-9-331, 20-9-333, 20-9-347, 20-10-144, 90-6-309, 90-6-403, 90-6-404
  direct state aid, 20-9-306
  distribution, 20-9-346
  elementary districts, 20-5-316, 20-9-331, 20-9-332, 20-9-335
  entitlement, 20-9-346
  federal or state money in lieu of property tax, 20-9-331, 20-9-333
  fines and penalties paid to county, revenue from, 20-9-331, 20-9-332
  flood control act, federal — allocation of money from, 17-3-231, 17-3-232, 20-9-331
  forest reserve money, federal — apportionment, 17-3-213, 20-9-331, 20-9-333
  general fund budget, 20-9-308
  high school districts, 20-5-316, 20-9-333 — 20-9-335
  large scale mineral development, 90-6-309, 90-6-403, 90-6-404
  motorcycle fee in lieu of tax, 20-9-331, 20-9-333
  motor vehicle taxes, 15-24-102, 20-9-331, 20-9-333, 61-3-509
  off-highway vehicle fee in lieu of tax, 20-9-331, 20-9-333, 23-2-803
  oil and gas local government severance tax, revenue from, 15-36-325
  oil and natural gas production tax, revenue from, 15-36-324, 20-9-331, 20-9-333
  reduction when, 20-1-301
  retirement systems, high school obligations — county tax, 20-9-212
  revenues for, 15-24-102, 20-9-331, 20-9-333, 20-9-361
  state advance, 20-9-212, 20-9-331, 20-9-333, 20-9-334, 20-9-344, 20-9-346, 20-9-347
  surplus, 20-9-331, 20-9-333
  taylor grazing act money, allocation, 17-3-222, 20-9-331
  transportation, high school — county tax, 20-9-212
  withheld when, 20-9-344
County hard-rock mine trust reserve account, allocation of funds when, 7-6-2225
County high school bonds, See Bonds and bond issues
County high school unification, transactions following, 20-6-313
County school funds
  abandonment of counties, transfer of funds, 7-2-2728
  accounting, 20-9-212
  basic county tax account, 20-5-324
  cash balance statements, 20-9-121
  common school fund
    drainage district assessments for state lands, payment from, 85-8-612

SCHOOL FINANCE (Continued)
County school funds (Continued)
- common school fund (Continued)
  - flood control act, federal — money from, 17-3-231, 17-3-232, 20-9-331
  - passenger carriers, penalties from, 69-11-202
  - taylor grazing act, money from, 17-3-222, 20-9-331
- forest lands, state — profits from, 77-1-216
- new counties, creation — transfer of funds, 7-2-2253
- transfers, 7-2-2253, 7-2-2728

Debt service
- bonds secured by state loans, 20-9-466
- cash, investment, 20-9-439
- obligations, payment, 20-9-440, 20-9-471, See also **Debt service fund**
- state equalization aid, availability, 20-9-346

Debt service fund
- bonds, sale money, 20-9-435, 20-9-508
- boundary changes, use of fund, 20-6-411
- budget, 20-9-133, 20-9-438
- budgeted fund, as, 20-9-201, See also **Funds generally**
- cessation of district, use of fund, 20-6-413
- consolidated districts, 20-6-414
- county high school bonds outstanding at time of unification, effect, 20-6-313
- elementary district, new — creation, cash disposition, 20-6-415
- end-of-the-year balance, reappropriation, 20-9-438
- grant or loan proceeds, 7-7-109
- hard-rock mining local government facility impact bonds, 90-6-310
- interest credited to, when, 20-9-213, 20-9-503
- investment of money from, 20-9-441
- lease and rental money, deposit, 20-9-509
- legal bonded debt payments after budget adoption, 20-9-133
- levy requirements, 20-9-439, 20-9-440, 20-9-466, 20-9-506
- nonoperating budget, inclusion, 20-9-506
- nonoperating fund, balance not transferred to, 20-9-505
- operating reserve, limited, 20-9-438
- payments from, 20-9-406, 20-9-440
- property sale or disposal proceeds, deposit, 20-6-604
- purpose, 20-9-440
- refunding bonds, payments, 20-9-406, 20-9-412
- remaining, disposition, 20-9-443
- school facilities, state advance or reimbursement, 20-9-367, 20-9-370, 20-9-371, 20-9-422
- special improvement district assessments, 20-9-438, 20-9-440
- state equalization aid, availability, 20-9-346
- tuition rates, determination, 20-5-323
- vocational-technical secondary schools, money from sale or lease of district's interest, 20-9-405

Debt service fund budget, 20-9-133, 20-9-346, 20-9-438
Definitions
- administrative school district employee, 20-9-512
- BASE funding program, 20-9-306
- bonds, forms, 20-9-408
- budget amendment, 20-9-161
- emergency school closure provisions, 20-9-802
- fund, budgeted fund, or nonbudgeted fund, 20-9-201
- guaranteed tax base aid provisions, 20-9-366
- interest and income money, 20-9-341
- interest assessment provisions, 20-9-225
- interlocal cooperative agreement provisions, 20-9-701
- qualified energy project, 20-9-471
- rural school district, 20-9-615

SCHOOL FINANCE (Continued)
Definitions (Continued)

    school district, 20-7-305, 20-9-402
    school facility entitlement provisions, 20-9-370
    state equalization aid, 20-9-343
Devises, 20-9-604
Direct state aid, See **State aid, direct**
Disbursements, See **Expenditures**
Donations to schools, 20-9-601
Educational impact statements, 20-1-208, 20-1-209, 20-9-407
Emergency budget amendment tax levy, 20-9-168
Emergency school closure
    apportionment entitlement, 20-9-804, 20-9-805
    declaration of emergency, closure by, 20-9-806
    definitions, 20-9-802
    interpretation of provisions, 20-9-801
    purpose of provisions, 20-9-801
    unforeseen emergency, 20-9-802, 20-9-803
Emergency transportation fund budget, 20-10-124
Endowment fund, 20-9-604
    nonbudgeted fund, as, 20-9-201, See also **Funds generally**
Enterprise fund, nonbudgeted fund, 20-9-201, See also **Funds generally**
Entitlements
    BASE aid, 20-9-344, 20-9-346
    basic, 20-9-306, 20-9-311, 20-9-314, 20-9-367, 20-9-368
    county equalization aid, 20-9-346
    guaranteed tax base aid, 20-9-369
    industrial arts, 20-7-306
    school facility, 20-9-366, 20-9-370, 20-9-371
    state equalization aid, 20-9-346, 20-9-801, 20-9-805
    total per-ANB, 20-5-324, 20-6-702, 20-9-306, 20-9-314, 20-9-366 — 20-9-368
    vocational education, secondary, 20-7-306
Equalization aid, Title 20, chapter 9, part 3
    average number belonging, See **Average number belonging (ANB)**
    BASE funding program, See **BASE funding program**
    county, See **County equalization aid**
    general fund, See **General fund**
    general fund budget, See **General fund budget**
    guaranteed tax base aid, See **Guaranteed tax base aid**
    interest and income money, 20-9-341 — 20-9-343
    state, See **State aid generally; State equalization aid**
Equitable funding of education required, 20-9-307; Const., X, 1
Expenditures
    accounting, 20-3-325, 20-7-431, 20-9-201, 20-9-212, 20-9-213, 20-9-504
    adult education fund, 20-7-705
    annual report, 20-3-205
    authority, 20-9-213
    bond proceeds, approval, 20-9-454
    budget amendment, 20-9-163, 20-9-165
    building reserve fund, 20-9-503
    bus depreciation reserve fund, 20-10-147
    clerk of the district, 20-3-325
    county superintendent of schools, 20-3-208
    debt service fund final budget expenditure amounts, 20-9-438
    documentation, 20-3-323, 20-9-207
    extracurricular fund, 20-9-504
    federal money, 20-3-106, 20-3-208, 20-9-331, 20-9-603, 20-10-201, 20-10-204

SCHOOL FINANCE (Continued)
Expenditures (Continued)

- flood control act, federal — funds, 17-3-232, 20-9-331
- food services money, 20-10-201, 20-10-204
- industrial arts programs, 20-7-306
- interlocal cooperative agreements, 20-9-703, 20-9-704
- lease or rental agreement fund, 20-9-509
- limitations, 20-9-133
- metal mines tax reserve fund, 20-9-231
- miscellaneous programs fund, 20-9-507
- nonbudgeted funds, 20-9-201, 20-9-210
- nonoperating fund, 20-9-505
- obligations, issuance for payment, 20-9-471
- preliminary budget, as, 20-9-113
- retirement fund final budget expenditure amounts, 20-9-501
- social security contributions, priority, 19-1-814
- special education, accounting, 20-7-431, 20-9-303
- traffic education fund, 20-7-507
- transportation, 20-5-323, 20-10-143 — 20-10-145
- vocational education, secondary — programs, 20-7-306

Extracurricular fund, 20-9-504
- audit of, Title 2, chapter 7, part 5
- nonbudgeted fund, as, 20-9-201, See also **Funds generally**

Federal money
- acceptance, 20-3-106, 20-3-208, 20-9-603
- adult education, for, 20-7-705, 20-7-711
- community college districts, See **COMMUNITY COLLEGE DISTRICTS AND TRUSTEES, Funds**
- debt service fund levy requirements, 20-9-439
- expenditure, 20-3-106, 20-3-208, 20-9-331, 20-9-603, 20-10-201, 20-10-204
- flood control, 17-3-231, 17-3-232, 20-9-331
- forest reserve, apportionment, 17-3-213, 20-9-331, 20-9-333, 20-10-146
- funds for, See **Building fund**; **Miscellaneous programs fund**
- indian education programs, 20-4-213
- indigent children, for, 20-3-205, 20-10-205
- interlocal cooperative agreements, 20-9-703
- property tax, in lieu of, 20-9-143, 20-9-331, 20-9-333, 20-10-204, 20-10-205
- property tax reduction, availability for, 20-10-144
- school food services, for, 20-3-106, 20-3-205, 20-10-201, 20-10-204, 20-10-205
- taylor grazing act, 17-3-222, 20-9-331
- title I money, 20-9-143, 20-9-507, 20-9-514, 20-10-144
- vocational education, K-12, 20-7-301, 20-7-303, 20-7-321

Fees, pupils, 20-9-214

Final budgets
- adjustment procedures, 20-9-132
- adoption, 20-9-131, 20-9-133
- adult education fund, inclusion, 20-7-705
- appropriations, See **Appropriations**
- budget amendments, 20-9-165, 20-9-208
- budgeted funds, See **Funds generally**
- building reserve fund, 20-9-503
- completion, 20-3-205, 20-3-209, 20-9-134
- debt service fund, 20-9-133, 20-9-438, 20-9-439
- deficit spending, 20-9-133
- expenditures, See **Expenditures**
- filing, 20-3-205, 20-9-134, 20-9-344
- interlocal cooperative fund, transfers to — applicability, 20-9-703
- joint districts, 20-9-151, 20-9-152

SCHOOL FINANCE (Continued)
Final budgets (Continued)

- lease requirements, provision for, 20-6-625
- levy to finance, 20-9-142
- meetings, 20-3-205, 20-9-115, 20-9-131
- nonoperating fund, 20-9-506
- retirement fund budget, 20-9-501

Fines and penalties, 20-9-331, 20-9-332, 20-9-435
Fiscal year, 20-1-301
Fish, wildlife, and parks — departmental funds allocated to district when, 87-1-603, 87-1-604
Flood Control Act, Federal — money from, 17-3-231, 17-3-232, 20-9-331
Forest reserve money, federal — apportionment, 17-3-213, 20-9-331, 20-9-333, 20-10-146
Funds generally, See also specific fund

- abandonment of counties, disposition following, 7-2-2727
- accounting, 20-9-212, 20-9-213
- appropriations, See **Appropriations**
- budget amendments for, See **Budget amendments**
- budgeted funds, 20-9-201
  - accounting, 20-9-212
  - adult education fund, 20-7-705, 20-9-201
  - coal gross proceeds taxes, reallocation when, 15-23-703
  - enrollment increase, budget amendments, 20-9-161, 20-9-162, 20-9-165, 20-9-166
  - K-12 districts, 20-6-702
  - lapse of appropriations, 20-9-209
  - nonoperating fund, 20-9-201, 20-9-505
  - oil and natural gas production tax, revenue from, 15-36-324
  - transfer among appropriated items, 20-9-208
  - tuition, calculation, 20-5-323
  - warrants, 20-9-212, 20-9-213
- budgeting for, See specific budget or fund in this main category
- cash balances, 20-3-205, 20-6-702, 20-9-121, 20-9-201
- classification, 20-9-201
- clearing accounts, 20-9-220
- closing, 20-9-201
- compensated absence liability fund, 20-9-512
- county, See **County school funds**
- definitions, 20-9-201
- end-of-the year balance, reappropriation, 20-9-438
- inactive, 20-9-201
- interlocal cooperative agreements, support for, 20-9-703, 20-9-704
- investment by state, 17-6-203, 17-6-204; Const., VIII, 13
- K-12 districts, 20-6-702, 20-6-704
- levy requirements, See **Levies**; See also specific fund
- management, 7-6-2801
- nonbudgeted funds, 20-9-201
  - accounting, 20-9-212
  - building fund, 20-9-201, 20-9-508
  - expenditure, limitation, 20-9-210
  - fees, pupil — deposit, 20-9-214
  - impact aid fund, 20-3-324, 20-9-143, 20-9-201, 20-9-514
  - interlocal cooperative agreement fund, 20-9-201, 20-9-511
  - K-12 districts, 20-6-702
  - lease or rental agreement fund, 20-9-201, 20-9-509
  - litigation reserve fund, 20-9-201
  - metal mines tax reserve fund, 20-9-201, 20-9-231
  - miscellaneous programs fund, 20-9-201, 20-9-507
  - school food services fund, 20-9-201, 20-10-207

SCHOOL FINANCE (Continued)
Funds generally (Continued)
  nonbudgeted funds (Continued)
    traffic education fund, 20-7-507, 20-9-201, 20-9-510
  property sale or disposal proceeds, deposit, 20-6-604
  real property conveyances, fine for noncompliance when change of name, 70-20-109
  records, See **Records**
  revenue estimates, 20-3-205, 20-9-123
  special purpose funds, Title 20, chapter 9, part 5, See also specific fund
  transfers between, when, 20-9-133, 20-9-208
  warrants, 20-9-221
General bonus payments upon annexation or consolidation of districts, 20-9-104
General fund
  average number belonging (ANB) established for, 20-3-324
  BASE budget levy requirement, 20-9-141
  budget, See **General fund budget**
  budget amendments, state aid, 20-9-166
  budgeted fund, as, 20-9-201, See also **Funds generally**
  debt service fund money transferred to, when, 20-9-443
  end-of-the-year balance, 20-9-104
  fees, pupil — deposit, 20-9-214
  foundation program amount, See **General fund budget**
  funds, cash balances — transfer to, 20-9-201
  investment of general fund cash, interest earnings, 20-9-141
  joint districts, calculation, 20-9-305
  judgments, payment, 2-9-316
  lease and rental money, deposit, 20-9-509
  levy requirement, 20-3-205, 20-9-141, 20-9-142
  litigation reserve fund, transfer to or reversion from, 20-9-515
  operating reserve, 20-3-324, 20-9-104, 20-9-505
  property sale or disposal proceeds, deposit, 20-6-604
  reappropriation of balance, 20-9-104, 20-9-141
  sick leave, accumulated — fund for payment, 20-9-512
  special education expenditures, accounting, 20-7-431
  trustees' duties generally, 20-3-324
  tuition, 20-5-323, 20-5-324
  vacation leave, accumulated — fund for payment, 20-9-512
  vocational-technical secondary schools, money from sale or lease of district's interest, 20-9-405
  warrants, 20-9-104
General fund budget, 20-9-308, See also **Budget system**
  additional funding and levy, 20-3-324, 20-9-141, 20-6-603, 20-9-104, 20-9-353
  BASE aid, 20-9-306, See **BASE aid**
  BASE budget, 20-9-306, See **BASE budget**
  controversy appeal costs paid from, 20-3-210
  estimation of revenues, 20-3-205, 20-9-348
  guaranteed tax base aid, 20-9-367, 20-9-368
  insurance coverage, costs — inclusion, 20-3-331, 20-6-608
  junior high school, ANB applied to prorate amount when, 20-6-506
  K-12 districts, 20-6-703
  maximum, 20-6-603, 20-9-113, 20-9-141, 20-9-163, 20-9-306, 20-9-308, 20-9-353
  operating reserve, amount allowed, 20-9-104
  over-BASE budget levy, 20-3-324, 20-9-104, 20-9-141, 20-9-306, 20-9-308
  property insurance, cost of coverage — inclusion, 20-6-608
  purpose, 20-9-307
  state and county equalization aid entitlement, basis, 20-9-346
  tuition, unanticipated receipts — credit to, 20-5-324
General fund per-ANB budget, 20-9-308
Gifted and talented children programs, 20-7-903

SCHOOL FINANCE (Continued)

Gifts, 20-9-604
Governmental facilities, state — closure or retrenchment, impact statement, 39-2-1003
Grants, 7-7-109, 20-6-601, 20-9-343, 20-9-507, 20-9-508, 20-9-534, 20-9-603, 20-9-703, See also **Federal money; Public school fund**
Group health and life insurance, 2-18-702, 20-3-331
Guaranteed tax base aid
  amount, 20-9-368
  appropriations, 17-7-301
  BASE aid, 20-9-306
  BASE funding program, 20-6-702, 20-9-307
  calculation, 20-9-368, 20-9-369
  debt service fund levy, exclusion, 20-9-439
  deficiency in BASE aid, 20-9-351
  definitions, 20-9-366
  distribution, 20-3-106, 20-9-344, 20-9-347, 20-9-369
  eligibility, 20-9-367
  general fund budget, 20-9-308
  general fund levy requirement, calculation, 20-9-141
  K-12 districts, 20-6-702
  records and reports, 20-9-369
  retirement fund budget, 20-6-702, 20-9-367, 20-9-368, 20-9-501
  return of excess or reversion, 20-9-368
  state equalization aid, 20-9-343
  taxable value determinations, 20-9-369
Hard-rock mine trust reserve account, county — allocation of funds when, 7-6-2225
Impact aid fund, 20-3-324, 20-9-143, 20-9-201, 20-9-514
Impact statements, 20-1-208, 20-1-209, 20-9-407
Indian education programs, 20-4-213
Industrial arts programs, 20-7-305, 20-7-306
Industrial facility agreement for bond issues, 20-9-407
Injunction to prevent debt service levy, 20-9-466
Insurance fund, 2-9-211
Interest and income money, 20-9-341 — 20-9-343
Interest assessment on overdue accounts, 20-9-225 — 20-9-227
Interlocal cooperative agreements, See also **INTERLOCAL COOPERATION**
  community college district trustees, adherence to provisions, 20-15-404
  cooperating agency, 20-9-701, 20-9-704
  definitions, 20-9-701
  federal money, 20-3-106, 20-9-703, 20-9-704
  financial administration, 20-3-324, 20-9-702
  fund, 20-3-324, 20-9-201, 20-9-511, 20-9-703, 20-9-704, See also **Funds generally**
  prime agency, 20-9-701, 20-9-703
  self-insurance reserve fund, for, 2-9-211
Internal service fund, 20-3-331
  nonbudgeted fund, as, 20-9-201, See also **Funds generally**
Interstate school agreements, joint, 20-3-106, 20-9-705
Investments, Const., VIII, 13
  bond proceeds, 7-6-2802, 20-9-435, 20-9-439
  building fund money, 20-9-508
  building reserve fund money, 20-9-503
  contracts made by trustees, provisions concerning, 20-9-204
  county high school construction bond proceeds, 7-6-2802
  debt service cash, 20-9-439
  debt service fund money, 20-9-441
  district money, 7-6-2701, 7-6-2802, 7-7-2112, 20-9-212, 20-9-213

SCHOOL FINANCE (Continued)
Investments (Continued)

- endowment fund money, 20-9-604
- general fund cash, interest earnings, 20-9-141
- interest and income money, 20-9-343
- land commissioners, board of — funds held by, 20-9-341
- metal mines tax reserve fund, 20-9-231
- permissible, 20-9-213
- public school fund, 20-9-341; Const., VIII, 13
- state, by, 17-6-203, 17-6-204; Const., VIII, 13
- tax and revenue anticipation note proceeds, 7-6-1102
- transportation fund cash, 20-10-144

Isolated schools, 20-3-106, 20-3-205, 20-3-324, 20-9-302, 20-9-303
Joint districts
- administration, 20-9-202
- annual reports, 20-9-213
- budget procedures, 20-9-151
- direct state aid, proration and calculation, 20-9-305
- levy requirements, 20-3-106, 20-9-151, 20-9-152
- property valuation statements, 20-9-122
- retirement fund levy requirements, 20-9-501
- revenue received for, accounting, 20-9-212

Joint interstate school agreements, 20-9-705
Judgments, payment, 2-9-316, 20-9-161, 20-9-403, 20-9-435, 20-9-471
K-12 districts required, exception, 20-6-701
Lease or rental agreement fund, 20-9-509
- establishment and administration, 20-3-324
- nonbudgeted fund, as, 20-9-201, 20-9-509, See also **Funds generally**

Legacies, 20-9-604
Levies, See also **Property tax**
- abandonment of counties, effect, 7-2-2728
- accounting, 20-9-212
- additional funding and levy, 20-3-324, 20-6-603, 20-6-621, 20-9-104, 20-9-353
- adult educational programs, requirements, 20-7-705
- aircraft fee in lieu of tax, consideration, 20-9-141, 20-9-360, 20-9-501, 20-10-144, 20-10-146, 67-3-205
- BASE budget levy, 20-3-324, 20-6-702, 20-9-104, 20-9-141, 20-9-306, 20-9-308, 20-9-515
- boat fees in lieu of tax, consideration, 20-9-141, 20-9-360, 20-9-501, 20-10-144, 20-10-146, 23-2-518
- bonds
  - action to restrain, 20-9-465
  - amortization, for, 15-1-402
  - payment of principal and interest, for, 20-9-401, 20-9-410, 20-9-439, 20-9-444, 20-9-466
  - school facilities, state advance or reimbursement — use, 20-9-370, 20-9-371
- boundary changes, effect, 20-6-411
- budget amendment, emergency, 20-9-168
- budget, final — to finance, 20-9-131, 20-9-142
- building reserve fund requirements, 20-9-502, 20-9-503
- bus depreciation reserve fund requirements, 20-10-147
- business equipment tax rate reduction reimbursement, 15-1-112
- business incubators, tax exemption — applicability, 15-24-1802
- challenges, 20-9-466
- coal gross proceeds tax, revenue from, 15-23-703, 15-23-706, 20-9-141, 20-9-501, 20-10-144, 20-10-146
- commercial property, delinquent taxes — suspension or cancellation, applicability, 15-24-1703
- community college districts, See **COMMUNITY COLLEGE DISTRICTS AND TRUSTEES**
- computation, 20-3-205
- corporation license tax from financial institutions, consideration, 15-31-702, 20-9-141
- county basic special tax levy, 15-16-802, 15-24-1402, 15-24-1703, 15-24-1802, 15-24-1902, 15-24-2002, 20-5-316, 20-6-702, 20-9-333, 90-6-309, 90-6-403, 90-6-404

SCHOOL FINANCE (Continued)
Levies (Continued)

- county basic tax levy, 15-16-802, 15-24-1402, 15-24-1703, 15-24-1802, 15-24-1902, 15-24-2002, 15-36-324, 20-5-316, 20-6-702, 20-9-331, 90-6-309, 90-6-403, 90-6-404
- debt service fund requirements, 20-9-439, 20-9-440, 20-9-466, 20-9-506
- delinquent taxes, suspension — applicability, 15-16-802, 15-16-803, 15-24-1703
- elementary schools with ANB of 9 or fewer pupils, 20-9-141, 20-9-303
- federal money, consideration, 20-10-144
- forest reserve money, federal — apportionment, 17-3-213, 20-9-331, 20-9-333, 20-10-146
- general fund levy requirements, 20-3-205, 20-9-141, 20-9-142
- guaranteed tax base aid, determination, 20-9-367 — 20-9-369
- historic properties, tax abatement — applicability, 15-24-1603
- industrial park tax exemption, applicability, 15-24-1902
- industries, new or expanding — tax benefit not applicable, 15-24-1402
- insurers, 33-2-705, 33-2-707
- interstate school agreements, joint, 20-9-705
- joint district requirements, 20-3-106, 20-9-151, 20-9-152
- joint interstate school agreements, for, 20-9-705
- judgments, payment, 2-9-316
- limitation on amount of taxes levied, nonapplicability, 15-10-402, 15-10-412
- local economic development organization, building and land tax exemption — applicability, 15-24-2002
- maximum number of mills, increase allowed when, 15-10-412
- motorcycle fee in lieu of tax, consideration, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146
- motor vehicle taxes, consideration, 15-24-102, 20-9-141, 20-9-360, 20-9-501, 20-10-144, 20-10-146, 61-3-509
- nonoperating fund requirements, 20-9-505, 20-9-506
- off-highway vehicle fee in lieu of tax, consideration, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146, 23-2-803
- oil and natural gas production tax, consideration, 15-23-613, 15-36-112, 15-36-324, 20-9-141, 20-9-501, 20-10-144, 20-10-146
- over-BASE budget levy, 20-3-324, 20-9-104, 20-9-141, 20-9-306, 20-9-308
- personal property tax revenue reduction, reimbursement, 15-1-111
- protest refunds, to fund, 15-1-402
- retirement fund requirements, 20-9-501
- state equalization aid levy, 15-36-324, 20-9-360, 20-9-361
- state mandates, effect, 1-2-113
- taxable values
  - building reserve, limitation, 20-9-502
  - county bond proceeds, calculation of apportionment, 20-9-454
  - elementary districts, 20-6-210, 20-6-213, 20-6-216, 20-6-217
  - high school districts, 20-6-308, 20-6-325
  - industrial facility agreement for bond issues in excess of maximum, 20-9-407
  - opening or reopening of high school, 20-6-503
  - trustee positions, additional requested — determination, 20-3-352, 20-3-354
- transportation fund requirements, 20-10-144, 20-10-146
- tuition debt, discontinued districts, 20-6-413
- tuition payments, consideration when, 20-9-141
- valuation, See **Property tax**
- value-added manufacturing, expanding industry taxable value decrease — applicability, 15-24-2403
- vocational-technical secondary schools, 20-9-404

Liability insurance, 20-3-331
Litigation reserve fund, 20-9-201, 20-9-515
Livestock running at large, fines from, 81-4-202
Loans

- long-term, replacement of property, 20-6-640
- state, to secure bonds, 20-9-466, 20-9-467

SCHOOL FINANCE (Continued)

Maximum general fund budget, 20-6-603, 20-9-113, 20-9-141, 20-9-163, 20-9-306, 20-9-308, 20-9-353,
  See also **General fund budget**
Metal mines license tax revenue, allocation, 7-6-2225, 15-37-117, 20-9-231
Metal mines tax reserve fund, 15-37-117, 20-9-231
  nonbudgeted fund, as, 20-9-201, 20-9-231, See also **Funds generally**
Miscellaneous federal programs fund, 20-3-324, 20-9-703, 20-9-704
Miscellaneous programs fund, 20-9-507
  adult education program money, deposit, 20-7-705
  cooperatives, full service education — establishment, 20-7-457
  industrial arts programs, deposit for, 20-7-306
  nonbudgeted fund, as, 20-9-201, 20-9-507, See also **Funds generally**
  nonoperating fund balance not transferred to, 20-9-505
  special education, 20-7-435
  tuition, unanticipated receipts — deposit, 20-5-324
  vocational education, secondary — deposit for, 20-7-306
New duties, financing, 1-2-113
Nonbudgeted funds, See **Funds generally**
Nonoperating fund
  budgeted fund, as, 20-9-201, See also **Funds generally**
  budgeting and levy requirement, 20-3-324, 20-9-506
  establishment and administration, 20-3-324
  operating reserve, 20-9-505
  purpose and establishment, 20-9-505
Notes
  self-insurance reserve fund, to fund, 2-9-211
  tax and revenue anticipation, issuance and sale, 7-7-109, 20-9-212; Title 7, chapter 6, part 11
Obligations — sale, issuance, and limitation, 20-9-471
Operating reserve
  adult education fund, 20-7-713
  budget amendment, calculation, 20-9-165
  debt service fund, 20-9-438, 20-9-439
  general fund, 20-3-324, 20-9-104, 20-9-505
  nonoperating fund, 20-9-505
  retirement fund, 20-9-501
  transportation fund, 20-10-144, 20-10-146
Overdue accounts, interest assessment, 20-9-225 — 20-9-227
Permanent school trust fund, 20-9-341 — 20-9-343
Personal property
  ordered but not paid for, recording, 20-9-209
  tax revenue reduction, reimbursement, 15-1-111
Preliminary budgets
  additional funding, use, 20-9-353
  adjustments, 20-9-132
  adoption, 20-9-113
  adult education fund, inclusion, 20-7-705
  bond information statements, inclusion, 20-9-121, 20-9-438
  budget amendments, 20-9-165
  building reserve fund, 20-9-503
  cash balance statements, inclusion, 20-9-121
  completion, 20-3-205
  debt service fund, 20-9-438
  filing, notice requirements, 20-9-115
  meetings, 20-3-205, 20-3-322, 20-9-113, 20-9-131
  preparation, 20-9-113, 20-9-114
  retirement fund, inclusion, 20-9-501

SCHOOL FINANCE (Continued)
Preliminary budgets (Continued)

- revenue estimates, 20-9-123
- transportation fund, 20-10-143, 20-10-144

Private schools, public money to prohibited, Const., V, 11; X, 6
Property, disposal proceeds, 20-6-604
Property tax, See also **Levies**

- aircraft fee in lieu of tax, revenue from, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146, 67-3-205
- boat fees in lieu of tax, revenue from, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146, 23-2-518
- business equipment tax rate reduction reimbursement, 15-1-112
- coal gross proceeds tax, revenue from, 15-23-703, 15-23-706, 20-9-141, 20-9-331, 20-9-333, 20-9-501, 20-10-144, 20-10-146
- corporation license tax from financial institutions, revenue from, 15-31-702, 20-9-141
- county
  - basic special tax, 15-16-802, 15-24-1402, 15-24-1703, 15-24-1802, 15-24-1902, 15-24-2002, 20-5-316, 20-6-702, 20-7-437, 20-9-333, 90-6-309, 90-6-403, 90-6-404
  - basic tax, 15-16-802, 15-24-1402, 15-24-1703, 15-24-1802, 15-24-1902, 15-24-2002, 20-5-316, 20-5-324, 20-6-702, 20-9-331, 20-10-146, 90-6-309, 90-6-403, 90-6-404
- debt service fund reappropriation for reduction in, 20-9-438
- delinquent, 20-9-212, 20-9-443
- elementary schools with ANB of 9 or fewer pupils, 20-9-303
- federal funds in lieu of, 20-9-143, 20-9-331, 20-9-333, 20-10-204, 20-10-205
- federal money, revenue available for reduction, 20-10-144
- fraternal benefit societies, exemption when, 33-7-410
- general fund balance reappropriation for reduction in, 20-9-104, 20-9-141
- general fund operating reserve for reduction in, prohibited, 20-9-104
- industries, new or expanding — tax benefit not applicable, 15-24-1402
- insurers, 33-2-705, 33-2-707
- large scale mineral development, 90-6-309, 90-6-403, 90-6-404
- levies, See **Levies**
- limitation on amount levied, nonapplicability, 15-10-402, 15-10-412
- motorcycle fee in lieu of tax, revenue from, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146
- motor vehicle taxes, revenues from, 15-24-102, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146, 61-3-509
- nonoperating fund operating reserve for reduction in, 20-9-505
- off-highway vehicle fee in lieu of tax, revenue from, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146, 23-2-803
- oil and natural gas production tax, revenue from, 15-36-324, 20-9-141, 20-9-331, 20-9-333, 20-9-501, 20-10-144, 20-10-146
- over-BASE budget levy, 20-9-308
- personal property tax revenue reduction, reimbursement, 15-1-111
- protest refunds, bond issue to fund, 15-1-402
- protests lost, bond issue for repayment, 2-9-316, 15-1-402, 15-10-412, 20-9-403, 20-9-406, 20-9-421, 20-9-435
- reduction, revenue available for, 20-9-104, 20-9-141, 20-9-346, 20-9-438, 20-9-439, 20-9-501, 20-9-505, 20-10-144, 20-10-146
- retirement fund reappropriation for reduction in, 20-9-501
- state funds in lieu of, 20-9-331, 20-9-333, 87-1-604
- taxable values, See **Levies**
- tuition payments, reduction when, 20-9-141
- urban renewal tax increment financing, state equalization aid levy distribution, 20-9-360, 20-9-361
- valuation, 20-6-320, 20-6-412, 20-9-122, 20-9-366 — 20-9-369

Public Employees' Retirement System

- retirement fund to pay employer's contributions, 20-9-501

SCHOOL FINANCE (Continued)
Public Employees' Retirement System (Continued)

- special education allowable costs, 20-7-431, 20-7-435

Public school fund, 20-9-601; Const., X, 2
- centennial acre, royalty proceeds from minerals or oil and gas, 2-89-206
- escheated property proceeds, deposit to, 72-14-210, 72-14-403; Const., X, 2
- farm mortgage lands, title vested in, 20-9-602
- income allocation, Const., X, 5
- investment, 20-9-341; Const., VIII, 13
- inviolate, Const., X, 3
- revenue credited to, 20-9-341
- state land surface leases, policy, 77-6-101
- unclaimed property, proceeds from sale, 70-9-309; Const., X, 2

Reappropriation
- debt service fund balance, 20-9-438
- general fund balance, 20-9-104, 20-9-141
- retirement fund balance, 20-9-501
- transportation fund balance, 20-10-144, 20-10-146

Receipts
- accounting, 20-3-325, 20-9-201, 20-9-212, 20-9-213, 20-9-504
- clerk of the district, 20-3-325
- county superintendent of schools, 20-3-208

Records
- accounting, 20-3-325, 20-9-203, 20-9-213; Title 2, chapter 7, part 5
- appropriation items, entries of transfers among, 20-9-208
- audits, 20-3-205, 20-9-203, 20-9-213, 20-10-202; Title 2, chapter 7, part 5
- bond registration, 20-9-442
- clearing accounts, 20-9-220
- destruction allowed when, 20-9-215
- food service commodity, 20-10-202
- guaranteed tax base aid, 20-9-369
- public availability, 20-9-213
- state equalization aid, 20-9-346

Reports
- annual, 20-3-205, 20-3-209, 20-9-211, 20-9-213
- audit, filing, 20-3-205, 20-9-203; Title 2, chapter 7, part 5
- BASE aid payments, 20-9-347
- bond issues, validity, 20-9-462, 20-9-463
- bus depreciation reserve fund revenue requirement, 20-10-147
- cash balances and bond information, 20-9-121
- county treasurer, by, 20-9-212
- endowment fund, 20-9-604
- failure to make, 20-9-344
- final budget, 20-9-133
- financial, Title 2, chapter 7, part 5
- fines imposed and collected, concerning, 20-9-332
- fiscal activities, 20-9-213
- fund, 20-9-212, 20-9-213
- guaranteed tax base aid, 20-9-369
- levy requirements
  - adult education, 20-7-705
  - building reserve fund, 20-9-503
  - debt service fund, 20-9-439
  - general fund, 20-9-141
  - nonoperating fund, 20-9-506
  - retirement fund, 20-9-501
  - transportation fund, 20-10-144

SCHOOL FINANCE (Continued)
Reports (Continued)

- public education, board of — required by, 20-9-344
- school food services, 20-10-201, 20-10-202
- school trustees, by 20-3-106, 20-7-306, 20-9-213
- special education allowable cost payments, 20-9-347
- state equalization aid, 20-9-346
- transportation fund, 20-10-143, 20-10-144

Retirement fund
- aircraft fee in lieu of tax, consideration in levy requirement, 20-9-501, 67-3-205
- boat fees in lieu of tax, consideration in levy computation, 20-9-501, 23-2-518
- budget, See **Retirement fund budget**
- budgeted fund, as, 20-9-201, See also **Funds generally**
- business equipment tax rate reduction reimbursement, consideration in levy requirement, 15-1-112
- coal gross proceeds tax, consideration, 20-9-501
- cooperatives, full service education — establishment, 20-7-457
- forest reserve money, federal — apportionment, 17-3-213
- general provisions, 20-3-324, 20-9-501
- levy requirements, 20-9-501
- motorcycle fee in lieu of tax, 20-9-501
- motor vehicle taxes, consideration in levy requirement, 20-9-501, 61-3-509
- off-highway vehicle fee in lieu of tax, consideration in levy computation, 20-9-501, 23-2-803
- oil and natural gas production tax, consideration in levy requirement, 15-36-324, 20-9-501
- operating reserve, 20-9-501
- public employees', Title 19, chapter 3
- reappropriation, 20-9-501
- social security, Title 19, chapter 1
- teachers' retirement, Title 19, chapter 20
- tuition rates, determination, 20-5-323
- warrants, 20-9-501

Retirement fund budget, 20-9-501
- guaranteed tax base aid, 20-9-367, 20-9-368, 20-9-501
- K-12 districts, 20-6-702
- state and county equalization aid entitlement, basis, 20-9-346

Revenue and tax anticipation notes, issuance and sale, 20-9-212; Title 7, chapter 6, part 11
Rules with financial impact, 20-2-115
Rural residential impact payments, 20-9-508, 20-9-615
Sawmills, portable — fines from violations by, 76-13-506
School facility entitlement, 20-9-366, 20-9-370, 20-9-371
- state advance or reimbursement, 20-9-343, 20-9-346, 20-9-367, 20-9-369, 20-9-422, 20-9-439, 20-9-370, 20-9-371

School food services fund
- administration, 20-3-324, 20-10-207
- establishment, 20-3-324, 20-10-204, 20-10-207
- federal funds allocated to, when, 20-10-201, 20-10-205
- nonbudgeted fund, as, 20-9-201, 20-10-207, See also **Funds generally**

School lands, See **SCHOOLS, Property**
Sectarian schools, public funds prohibited, Const., V, 11; X, 6
Self-insurance plan, 20-3-331
Self-insurance reserve fund, funding, 2-9-211
Short-term obligations, Title 7, chapter 6, part 11
Sick leave, accumulated — fund for payment, 20-9-512
Sinking fund, 7-6-2802
Social security
- contributions, 19-1-814, 20-9-501
- special education allowable costs, 20-7-431, 20-7-435

SCHOOL FINANCE (Continued)

Special education, See also **SCHOOLS**
  allowable cost payment, 20-7-414, 20-7-431, 20-7-435, 20-9-141, 20-9-303, 20-9-306, 20-9-321, 20-9-347, 20-9-366 — 20-9-368
  allowable costs, 20-7-431, 20-7-435, 20-7-443, 20-9-321
  appropriations, 17-7-140, 20-7-422, 20-7-431, 20-7-435, 20-9-303, 20-9-307
  approval requirement, 20-7-414
  average number belonging (ANB), 20-9-311, 20-9-321
  budget, 20-7-435, 20-7-443, 20-9-303, 20-9-501
  cooperatives, 20-7-457
  expenditures, accounting, 20-7-431, 20-9-303
  general fund budget, 20-9-308
  general fund spending reductions, 17-7-140
  in-state children's psychiatric hospital or residential treatment facility, 20-7-419, 20-7-420, 20-7-435
  out-of-state residential facilities or schools, 20-7-419, 20-7-420, 20-7-422
  retirement fund budget and levy, 20-9-501
  surrogate parent, reimbursement for expenses, 20-7-463
  transportation, See **SCHOOL TRANSPORTATION**
  tuition, 20-5-323, 20-5-324, 20-7-419 — 20-7-421, 20-7-424
  under-6-years-old, programs or classes, 20-7-443
Special education cooperative agreements, retirement fund levy requirements, 20-9-501
Special improvement district assessments, 20-9-406, 20-9-438, 20-9-440
Special purpose funds, Title 20, chapter 9, part 5, See also specific fund
State aid, direct, 20-9-306
  budget amendments, for, 20-3-106
  county equalization money, apportionment, 20-9-335
  distribution, 20-9-344
  elementary schools with ANB of 9 or fewer pupils, 20-9-303
  general fund levy, computation, 20-9-141
  guaranteed tax base aid, 20-9-366 — 20-9-369
  joint districts, proration and calculation, 20-9-305
  vocational education, secondary — ANB calculation, 20-7-306
State aid generally
  budget amendments, 20-9-166
  community college districts, See **COMMUNITY COLLEGE DISTRICTS AND TRUSTEES, Funds**
State equalization aid, 20-9-343
  account, See **State equalization aid account**
  administration, 20-9-346
  apportionment, 20-3-106, 20-3-205
    emergency school closure, effect, 20-9-804, 20-9-805, See also **Emergency school closure**
  appropriations, 17-7-301, 20-9-361
  BASE funding program, 20-9-306, 20-9-307
  direct state aid, 20-9-306
  distribution, 20-3-106, 20-9-346
  entitlement, 20-9-346
  estimation, 20-9-348
  general fund budget, 20-9-308
  loans, state — to secure bonds, repayment, 20-9-466
  payments, 20-9-347
  preschool programs, nonapplicability, 20-7-117
  purpose, 20-9-344
  records, 20-9-346
  reduction when, 20-1-301
  reports pertaining to, 20-9-346
  school facilities, state advance or reimbursement, 20-9-370
  technology purchases, 20-9-343

SCHOOL FINANCE (Continued)
State equalization aid (Continued)

  telecommunications network (METNET), 20-9-343
State equalization aid account
  audit and financial report, filing fees, 2-9-514
  excess tax refund agreement, determination and certification of ending fund balance for, 15-30-195
  special education costs, 20-7-435
State equalization aid levy, 15-1-112, 15-36-324, 20-9-360, 20-9-361
State funds, remission, 1-2-113
State land equalization payments, 77-1-506, 77-1-507
State mandates to districts, 1-2-113
Statutes imposing new duties, means of financing, 1-2-113
Tax and revenue anticipation notes, issuance and sale, 20-9-212; Title 7, chapter 6, part 11
Taxation, See **Levies**; **Property tax**
Tax increment financing, 7-15-4292, 20-9-360, 20-9-361
Tax protests
  general fund operating reserve limitations, effect of unused balance of settlements, 20-9-104
  lost, bond issues for repayment, 2-9-316, 15-1-402, 15-10-412, 20-9-403, 20-9-406, 20-9-421, 20-9-435
  refunds, bond issue to fund, 15-1-402
  settlements, budget amendments for expenditure, 20-9-161
Tax receipts from audits or delinquent taxes, budget amendment for expenditure, 20-9-161
Taylor Grazing Act, money from, 17-3-222, 20-9-331
Teachers' Retirement System
  retirement fund to pay employer's contributions, 20-9-501
  special education allowable costs, 20-7-431, 20-7-435
Technology acquisition fund and budget, 20-9-533
Technology purchases, 20-9-343, 20-9-534
Telecommunications network (METNET), 20-9-343, 20-32-101 — 20-32-104
Tort claims, judgment liability, 2-9-316
Traffic education fund, 20-9-510, 61-2-103
  establishment and administration, 20-3-324
  nonbudgeted fund, as, 20-7-507, 20-9-201, 20-9-510, See also **Funds generally**
Transportation fund
  aircraft fee in lieu of tax, consideration in levy requirement, 20-10-144, 20-10-146, 67-3-205
  boat fees in lieu of tax, consideration in levy requirement, 20-10-144, 20-10-146, 23-2-518
  budget, See **Transportation fund budget**
  budget amendments, state aid, 20-9-166
  budgeted fund, as, 20-9-201, See also **Funds generally**
  business equipment tax rate reduction reimbursement, consideration in levy requirement, 15-1-112
  cash, reappropriation and reserve, 20-10-144
  coal gross proceeds tax, consideration, 20-10-144, 20-10-146
  cooperatives, full service education — establishment, 20-7-457
  end-of-the-year balance, 20-10-144, 20-10-146
  federal forest reserve money, apportionment, 17-3-213, 20-10-146
  federal money, consideration in levy requirement, 20-10-144
  ineligible transportees' payments, deposit, 20-10-122
  levy requirements, 20-10-144, 20-10-146
  motorcycle fee in lieu of tax, consideration in levy requirement, 20-10-144, 20-10-146
  motor vehicle taxes, consideration in levy requirement, 20-10-144, 20-10-146, 61-3-509
  nonpublic school children's payments, deposit, 20-10-123
  off-highway vehicle fee in lieu of tax, consideration in levy requirement, 20-10-144, 20-10-146, 23-2-803
  oil and natural gas production tax, consideration in levy requirement, 15-36-324, 20-10-144, 20-10-146
  operating reserve, 20-10-144
  out-of-district attendance obligations, 20-5-323, 20-5-324
  reappropriation of fund balance, 20-10-144, 20-10-146
  transportation payments from other districts and parents, consideration in levy requirements, 20-10-144

SCHOOL FINANCE (Continued)
Transportation fund (Continued)

  warrants, 20-10-144, 20-10-146
Transportation fund budget, 20-3-331, 20-10-143
  budget amendments, 20-9-165, 20-9-166, 20-10-143
  contingency amounts, 20-10-124, 20-10-143
  emergency, 20-10-124
  levy requirements, 20-10-144, 20-10-146
  mileage rates, effect, 20-10-141
  preliminary, 20-10-143
  reimbursement, 20-10-142, 20-10-145, 20-10-146
  revenues for, computation, 20-10-144, 20-10-146
Trustees, duties generally, 20-3-324, 20-9-213, See this subject heading generally
Tuition
  adult education, 20-7-704
  discontinued district, debt obligation — levy for, when, 20-6-413
  fund, 20-3-324
    budget and levy requirements, 20-3-324
    budgeted fund, as, 20-9-201, See also **Funds generally**
    out-of-district attendance obligations, 20-5-324
  K-12 districts, 20-6-702, 20-6-704
  out-of-state, 20-5-316
  property tax reduction, certain payments available for, 20-9-141
  special education, 20-5-323, 20-5-324, 20-7-419 — 20-7-421, 20-7-424, 20-9-343
Unemployment insurance
  retirement fund to pay employer's contributions, 20-9-501
  special education allowable costs, 20-7-431, 20-7-435
Urban renewal tax increment financing, 7-15-4292, 20-9-360, 20-9-361
Vacation leave, accumulated — fund for payment, 20-9-512
Vocational education, K-12
  federal funds, 20-7-301, 20-7-303, 20-7-321
  state money, 20-7-305, 20-7-306
Vocational-technical secondary schools, 20-9-404, 20-9-405
Warrants
  abandonment of counties, procedure following, 7-2-2728
  adult education fund, 20-7-713
  bond issue limitations, 20-9-406
  cancellation when, 20-9-223
  clearing account funds, disbursement, 20-9-220
  countersignatures, 20-9-221
  debt service fund, 20-9-438, 20-9-439
  destruction when, 20-9-215
  duplicate, 20-9-223
  facsimile signatures, 20-9-221
  general fund warrants, 20-9-104
  interest assessment on overdue accounts, 20-9-225 — 20-9-227
  interlocal cooperating agencies, financial support transferred by, 20-9-704
  investments in, 7-6-2701, 20-9-604
  issuance, 20-9-133, 20-9-213, 20-9-221, 20-9-223
  K-12 districts, transition after formation, 20-6-703
  outstanding, 20-6-313, 20-9-223
  payment, 7-6-2801, 20-9-212
  public fund deposits, security for, 17-6-103
  registration, 20-6-313, 20-9-212, 20-9-347, 20-9-406
  retirement fund warrants, 20-9-501
  salary warrants, 20-4-301
  transportation fund, 20-10-144

SCHOOL FINANCE (Continued)
Warrants (Continued)

unpaid, interest, 7-6-2604
Youth, community-based services — funding and services, 41-3-1132

SCHOOL LANDS
Development, 77-1-604, 77-1-606
Exchange, 77-1-204
Income from and for, 20-9-341, 20-9-343, 77-1-606, 77-1-613, 77-3-106, 77-3-436, 77-6-101
Land Commissioners, Board of — authority, 76-12-103, 77-1-202, 77-1-203; Const., X, 4
Leases, 20-9-341, 77-1-103, 77-1-204; Const., X, 5
Management, 77-1-203
Natural areas, preservation, 76-12-103
Public school fund, 20-9-341, 20-9-601, 20-9-602; Const., VIII, 13; X, 2; X, 3; X, 5
Records, 77-1-404
Sale, 20-9-601, 77-1-103, 77-1-204
State lands held in trust for education, 77-1-102, 77-1-202; Const., X, 11
Stream access law, effect, 23-2-302
Water or water rights, contracts for, 85-1-224

SCHOOLS
Abuse of pupil or teacher, 20-4-302, 20-4-303
Accreditation
  bonds, loans to secure, 20-9-466, 20-9-467
  failure to maintain, 20-9-344
  instructional programs set forth in, 20-7-111
  lack of, effect, 20-9-311
  libraries, requirements, 20-7-202
  out-of-district attendance agreements, effect, 20-5-321
  review, 20-7-102
  standards, 20-2-121, 20-3-106, 20-6-503, 20-7-101
  status, 20-7-102
Admittance of children, 20-1-101, 20-5-101, 20-5-403, 20-5-404; Const., X, 7
Adult education
  budget, 20-7-705, 20-7-713
  community college district trustees, adherence to provisions, 20-15-404
  curriculum, 20-7-701
  definitions, 20-7-701
  fund, adult basic education, 20-7-712
  fund, adult education, 20-7-704, 20-7-705, 20-7-713
  levy for, 20-7-705
  literacy programs, 20-7-714
  older Montanans, services, 52-3-504
  policies, 20-7-703, 20-7-711
  programs, establishment, 20-3-106, 20-7-702
  state policy, 20-7-711
  tuition and fees, 20-7-704
Age requirements
  admittance, for, 20-1-101, 20-5-101
  disabilities, child with
    "eligible child" defined, 20-7-436
    identification, 20-7-401
  safety patrols, 20-1-408
Agriculture in Montana schools program, 15-30-151, 15-30-152
Alcohol abuse treatment and rehabilitation, See **CHEMICAL DEPENDENCY**
Alcoholic beverages, retail establishments — proximity, 16-3-306
Alleys, vacation for school purposes, 7-14-2616, 7-14-4114
Animal and research facilities protection, Title 81, chapter 30, part 1

SCHOOLS (Continued)

- **Attendance**
  - absences, notice to parents when, 44-2-507
  - administration of provisions, 20-3-324
  - average number belonging (ANB), calculation, 20-9-311, See **SCHOOL FINANCE**
  - boundaries, See **SCHOOL DISTRICTS AND TRUSTEES, Boundaries, generally**; **Elementary districts**; **High school districts**
  - compulsory, 20-4-402, 20-5-103, 20-5-105, 20-5-106, 20-5-108
  - enforcement, 20-5-105, 20-5-106
  - enrollment, See **Enrollment**
  - excuses, 20-5-102, 20-5-103, 20-5-106, 44-2-507
  - home schools, 20-5-109, 20-5-111
  - immunization requirements, 20-5-402 — 20-5-410, See **Immunization requirements**
  - incapacitated children, 20-5-107
  - indian children, 20-5-108
  - indigent children, 20-5-107
  - nonpublic schools, records, 20-5-109
  - nonresidents, See **Tuition**
  - out-of-district attendance agreements, 20-3-210, 20-5-101, 20-5-314, 20-5-320 — 20-5-324, See also **Special education**; **Tuition**
  - reciprocal attendance agreements, 20-5-314
  - religious instruction released time programs, effect, 20-1-308
  - reports, 20-4-301, 20-4-402, 20-9-311
  - special education, See **Special education**
  - transportation contract payments, use of records, 20-10-125
  - truancy, 20-4-302, 20-5-106
  - tuition, See **Special education**; **Tuition**
  - violation, 20-5-106
- **Attendance officers**, 20-3-206, 20-5-104 — 20-5-107
- **Audiological services**, 20-7-403
- **Barber schools**, Title 37, chapter 30
- **Blind persons**, employment policy of state, 49-4-202
- **Books**, See **Libraries**; **Textbooks**
- **Boxing matches or exhibitions**, regulatory authority, 23-3-404
- **Buildings**, See **Sites and facilities**
- **Business schools**, Title 20, chapter 30
- **Chemical dependency treatment and rehabilitation**, See **CHEMICAL DEPENDENCY**
- **Child abuse and neglect**
  - interview of child, participation of school employee, 41-3-202
  - records, disclosure to school employees, 41-3-205
  - reporting of, 41-3-201, 41-3-203 — 41-3-207
- **Children's services, multiagency**, 52-2-203, 52-2-211
- **Church schools**, See **PRIVATE SCHOOLS**
- **Closure**, 20-3-324, 20-6-505, 20-6-509
  - emergency, See **SCHOOL FINANCE**, **Emergency school closure**
- **Coal mining permits**, 77-3-321
- **Commemorative exercises held when**, 20-1-306
- **Community service corps and volunteer projects**, Title 90, chapter 14, part 1
- **Conservation program**, 20-25-104
- **Construction**, See **Sites and facilities**; See also **SCHOOL ELECTIONS, Sites and facilities**
- **Continuing education**, See **Adult education**; See also **EDUCATION**
- **Cooperatives, full service education**
  - contracts, 20-7-451 — 20-7-454
  - creation, authorization, 20-7-451
  - expenditures, 20-7-451
  - funding, 20-7-452, 20-7-455, 20-7-457

SCHOOLS (Continued)
Cooperatives, full service education (Continued)

funds, establishment, 20-7-457
management board, 20-7-452, 20-7-455
property, 20-7-452
special education purposes, for, 19-20-302, 20-4-202, 20-7-452, 20-7-457, 20-9-501
teachers employed by, tenure, 20-7-456

Correspondence
schools, Title 20, chapter 30
study, supervised, 20-5-102, 20-7-116, 20-10-101, 20-10-121, 20-10-125, 20-10-142, 20-10-144

Cosmetology schools, Title 37, chapter 31

Counselors
gifted and talented children programs, 20-7-901
K-12 specialist, 20-4-131
privileged communications, 26-1-809
professional counseling provisions, applicability, 37-23-201
professional counselors, work experience requirement, 37-23-202
special education, allowable costs, 20-7-431

County fairgrounds, use, 7-21-3409

County high schools, 20-6-501, See also **High schools**; **Junior high schools**
abandonment of counties, effect, 7-2-2728
bonding authority, 20-6-101, See also **SCHOOL FINANCE, Bonds and bond issues**
boundary commission, See **SCHOOL DISTRICTS AND TRUSTEES, High School Boundary Commission**
high school district, as, 20-6-101
principals, See **Principals**
tuition, See **Tuition**
unification, 20-3-205, 20-6-312, 20-6-313

Credit unions, instruction pertaining to, 32-3-106

Crossing guards, 20-1-408, 20-3-106, 61-8-502

Curriculum
adult education, 20-7-701
assistance with, 20-3-106, 20-7-114
correspondence study, 20-5-102, 20-7-116, 20-10-101, 20-10-121, 20-10-125, 20-10-142, 20-10-144
establishment and maintenance, 20-3-324
guides, file and publication, 20-3-106, 20-7-113
home schools, 20-5-109, 20-5-111
instructional programs, 20-4-402, 20-7-111
music instruction, private, 20-7-115
nonpublic schools, 20-5-109
secondary education, equivalency of completion, 20-2-121, 20-7-131

Deaf and Blind, School for, Title 20, chapter 8, part 1

Deaf persons, employment policy of state, 49-4-202

Definitions, 20-1-101, 20-3-322, 20-4-302, 20-5-320, 20-5-402, 20-6-501, 20-6-701, 20-7-401, 20-7-436, 20-7-501, 20-7-701, 20-7-901

Dental hygiene, schools of, 37-4-302, 37-4-402

Dental schools, Title 37, chapter 4

Destructive device, possession — offense of, 45-8-334, 45-8-337

Disabled persons, employment policy of state, 49-4-202

Discriminatory practices, See **DISCRIMINATION, Educational institutions**; **Government, state and local**

Disturbance, willful — penalty, 20-1-206

Donations to, 20-9-601

Driver education, See **Traffic education**

Drug Abuse Resistance Education (D.A.R.E.) Program, 15-30-158; Title 44, chapter 2, part 7

Drug abuse treatment and rehabilitation, See **CHEMICAL DEPENDENCY**

SCHOOLS (Continued)

Drugs
    dangerous, criminal sale on or near school property, 45-9-109
    felony offenses, probation conditions, 45-9-202
Earthquake emergency plans and procedures, 20-7-1101
Elections
    closure for, when, 20-1-305
    initiative petitions, signature gathering, 13-13-122, 13-35-211, 13-35-218
Elementary schools, 20-6-501, See also **Kindergartens**; **Preschool programs**; **Tuition**
    accreditation, 20-7-102, See **Accreditation**
    opening or reopening, 20-6-502
    relocation within district, 20-6-218
Emergencies
    bids for sites, facilities, or supplies — requirements waived, 20-9-204
    closure of schools, See **SCHOOL FINANCE, Emergency school closure**
    earthquakes, plans and procedures, 20-7-1101
    hours in school week, reduction, 20-1-302
    saturdays, pupil instruction on, 20-1-303, 20-3-106
    school trustee meetings, effect on, 20-3-322
    unforeseen emergency, 20-3-322
Enrollment
    compulsory, 20-5-102
    exceptions, 20-5-102
    increases, See **SCHOOL FINANCE**, **Average number belonging (ANB)**; **Budget amendments**
    new students, school records and proof of identity required, 44-2-511
    nonenrollment, 20-5-106
    nonpublic nonaccredited school, from — assessment policy, 20-3-324, 20-5-110
Equal opportunity in education, 20-9-307; Const., X, 1; X, 7
External diploma, 20-7-131
Extracurricular functions, money from, See **SCHOOL FINANCE**, **Extracurricular fund**
Facilities, See **Sites and facilities**
Family Policy Act, 40-7-101, 40-7-102
Farm animal and research facilities protection, Title 81, chapter 30, part 1
Financial administration, See **SCHOOL FINANCE**
Fines
    abuse of pupils or teachers, 20-4-302, 20-4-303
    attendance violations, 20-5-106
    corporal punishment or physical restraint of pupils, 20-4-302
    disposition, 20-9-331, 20-9-332
    disturbance of school, 20-1-206
    fraternities, participation in, 20-5-203
    principals, for violations, 20-1-203
    school law violations generally, 20-1-207
    secret organizations, participation in, 20-5-203
    sites and facilities
        contingent fees, 20-6-636
        review and approval, lack of, 20-6-624
    textbook dealers, lack of license, 20-7-606
Firearms, carrying to
    local government regulation, 45-8-351
    pupils, expulsion, 20-5-202
Fire drills, 20-1-401 — 20-1-404, 20-1-406, 20-1-407
Fire protection and safety regulations, 50-61-103
Fire safety inspections, 20-1-407, 50-3-102, 50-61-114
Fire services training school, Title 20, chapter 31
Fires, procedures, 20-1-405

SCHOOLS (Continued)

Fish and game collector's permit, 87-2-806
Five-year-old schooling, See **Kindergartens**
Flag, American — display, 20-3-324
Food services, 20-1-101
    administrative review, 20-3-106, 20-10-202
    audits, 20-3-106, 20-10-202
    commodities, 20-3-106, 20-10-202 — 20-10-204
    establishment, operation, and expansion, 20-10-201, 20-10-204
    federal funds, 20-3-106, 20-10-201, 20-10-205
    food and nutrition, state advisory council on — representation on, 2-15-2210
    fund, See **SCHOOL FINANCE, School food services fund**
    gifts for, 20-10-201, 20-10-204
    indigent children, 20-3-205, 20-10-205
    inspections, 20-3-106, 20-10-202
    institutional schools, inclusion, 20-10-206
    milk retailers, as, 81-23-101
    personnel, 20-3-324
    records and reports, 20-3-106, 20-10-202
    wild animal meat donated to, when, 87-1-226
Forms distributed to, 20-3-105
Fraternities prohibited, 20-5-203
Free education, Const., X, 1
General education development (GED), 7-31-202, 20-7-131
Gifted and talented children programs, 20-2-121, 20-7-901 — 20-7-904
Goal of education, Const., X, 1
Governance generally, 20-3-324
Head start agencies, collective bargaining for employees, 39-31-103
Health
    dental hygienists, services provided by, 37-4-405
    immunization, 20-5-402 — 20-5-410
    inspections, 50-1-203
    optometrists, discrimination prohibited, 37-10-104
    programs, 50-1-202
    pupils, conditions and records, 20-3-324
    rulemaking authority, 50-1-206
High schools, 20-6-501, See also **County high schools**; **Junior high schools**
    accreditation, 20-7-102, See **Accreditation**
    opening or reopening, 20-6-503
Holidays, 20-1-305 — 20-1-307, 20-4-201
Homeless children, admittance, 20-5-101
Home schools, 20-5-102, 20-5-109, 20-5-111, See also **PRIVATE SCHOOLS**
Home study, supervised, 20-5-102, 20-7-116, 20-10-101, 20-10-121, 20-10-125, 20-10-142, 20-10-144
Immunization requirements, 20-5-403
    affidavit, 20-5-405
    attendance, commencement, 20-5-403, 20-5-404, 20-5-408
    definitions, 20-5-402
    enforcement, 20-5-408, 20-5-410
    evidence, 20-5-403, 20-5-406, 20-5-409
    exemptions, 20-5-403, 20-5-405, 20-5-409, 52-2-735
    failure to comply, 20-5-405, 20-5-409, 20-5-410
    forms, 20-5-405, 20-5-406, 20-5-408
    home schools, 20-5-109, 20-5-111
    immunizing agents, approval, 20-5-403, 20-5-409
    injunction, 20-5-409
    noncompliance, 20-5-409, 20-5-410

SCHOOLS (Continued)
Immunization requirements (Continued)

    nonpublic schools, records, 20-5-109
    penalty, 20-5-410
    postsecondary schools, 20-5-402, 20-5-403, 20-5-408
    records, 20-5-109, 20-5-403, 20-5-405, 20-5-406
    reports, 20-5-408
    rulemaking, 20-5-407
    transfer students, records, 20-5-403
Incapacitated children, 20-5-107, 20-7-116, See also **Special education**
Indians
    children, attendance, 20-5-108
    culture, preservation, Const., X, 1, See **TEACHERS, Indian studies**
    language consideration, 1-1-510
    students, study of, 5-19-108
Indigent children, 20-3-205, 20-5-107, 20-10-205
Industrial arts programs, funding, 20-7-305, 20-7-306
Insurance, See also **GOVERNMENT LIABILITY, Insurance; SCHOOL DISTRICTS AND TRUSTEES**
    blanket disability, See **INSURANCE, DISABILITY, Blanket disability insurance**
    farm mutual insurers, by, 33-4-501, 33-4-511
Interstate school agreements, joint, 20-9-705
Isolation, 20-3-106, 20-3-205, 20-3-324, 20-9-302, 20-9-303
Junior high schools, 20-6-501, See also **County high schools**; **High schools**
    accreditation, 20-7-102, See **Accreditation**
    closure, 20-6-505, 20-6-509
    opening, 20-6-504 — 20-6-506
Kindergartens, 20-7-117, See also **Preschool programs**
    elementary schools, inclusion, 20-6-501, 20-7-117
    hours of instruction, 20-1-302
    immunization requirements, 20-5-402 — 20-5-410
    out-of-district attendance agreements, 20-5-320
    pupil instruction days, variance, 20-1-301
Kindergarten through grade 12 system, 20-6-508
Laboratory fees charged when, 20-9-214
Land, See **Property**; **SCHOOL LANDS**
Lease of buildings or land, See **Property**; **Sites and facilities**
Lease-purchase agreements, 20-6-609
Liability, Title 2, chapter 9, part 1, See **GOVERNMENT LIABILITY, Claims; Insurance**
Librarians, 20-4-131
Libraries
    Bible or other religious material, inclusion, 20-7-112
    books, selection, 20-3-205, 20-4-402, 20-7-204
    establishment and maintenance, 20-7-202
    interlibrary loan reimbursement, 22-1-328
    interstate library compact, 22-1-601, 22-1-602
    operational policies, 20-7-203
    policies regarding, 20-7-203
    records confidentiality, 22-1-1101 — 22-1-1103, 22-1-1111
    reports concerning, 20-7-205
    requirements, 20-7-202
    services, contracts and cooperation for, 22-1-309, 22-1-312
    state visual, aural, and other educational media library, 20-2-121, 20-3-106, 20-7-201
    use policies, 20-7-203
Literacy programs, adult, 20-7-714
Local Citizen Review Board
    membership requirements, 41-3-1003

SCHOOLS (Continued)
Local Citizen Review Board (Continued)

- records, access, 41-3-1008

Local government powers, 7-1-111
Meetings, penalty for willful disturbance, 13-35-213, 20-1-206
Middle schools, 20-6-501, See also **Elementary schools**
- accreditation, 20-7-102, See **Accreditation**
- opening, 20-6-507

Milk retailers, as, 81-23-101
Mining operations, protection from, 82-4-227
Miscellaneous provisions, Title 20, chapter 1, part 2
Motorcycle safety training, 20-7-501, 20-7-502, 20-7-504, 20-7-510 — 20-7-514
Motor vehicle traffic laws, See **Traffic education**
Mountain View School, 41-5-526, See **YOUTH COURT, Correctional facilities**
Music instruction, private, 20-7-115
Nonpublic nonaccredited school, placement of child in public school — assessment policy, 20-3-324, 20-5-110
Nonsmoking areas, designation, 50-40-107, 50-40-201
Nurses, 19-20-302, 20-3-324, 20-7-431, 26-1-809
Nursing schools, Title 37, chapter 8
Nutritionists, exemption from licensing provisions when, 37-25-304
Obscene material, public display or dissemination to minors — nonapplicability of provisions when, 45-8-206
Opening or reopening, 20-3-324
- elementary schools, 20-3-106, 20-3-205, 20-6-218, 20-6-502
- high schools, 20-3-106, 20-3-205, 20-6-503
- junior high schools, 20-3-106, 20-3-205, 20-3-362, 20-6-504 — 20-6-506
- middle schools, 20-6-507

Operation generally, 20-3-324
Parental obligations for children's education, See **PARENT AND CHILD, Education of children**
Parent-teacher conferences, 20-1-304
Parochial, See **PRIVATE SCHOOLS**
Pest and Pesticide Management Safety Program, Model School Integrated, Title 80, chapter 8, part 4, See **PESTS AND PESTICIDES**
Pine Hills School, 41-5-526, See **YOUTH COURT, Correctional facilities**
P.I.R. days, 20-1-304, 20-2-121, 20-3-106
Playgrounds, See **Sites and facilities**; See also **SCHOOL DISTRICTS AND TRUSTEES, Public recreation programs**
Prayer in, 20-7-112
Preschool programs, 20-7-117, See also **Kindergartens**
- elementary schools, inclusion, 20-6-501, 20-7-117
- hours of instruction, 20-1-302
- immunization requirements, 20-5-402 — 20-5-410
- special education, 20-7-411, 20-10-101

Principals, 20-1-101, See also **TEACHERS**, generally
- certification, See **TEACHERS, Certification**
- county high schools, 20-3-324, 20-4-401, 20-4-402
- district superintendent, duties as — when, 20-4-403
- employment or dismissal, 20-3-324, 20-6-410
- fines for violations, 20-1-203
- K-12 districts, 20-6-711
- library books, selection, 20-7-204
- misappropriation of funds, 20-1-203
- prayer to open school day, 20-7-112
- pupils
  - authority, 20-4-302, 20-5-201
  - suspension, 20-4-302, 20-4-403, 20-5-202

SCHOOLS (Continued)
Principals (Continued)
  pupils (Continued)
    truancy or incorrigibility, 20-4-302
  retirement, Title 19, chapter 20
  special education assistance, 20-7-403
  successor, delivering materials to, 20-1-203
  teachers, duties, 20-3-324, 20-4-204, 20-4-207, 20-4-301
  textbooks selected by, 20-7-602
Private schools, See **PRIVATE SCHOOLS**
Professional schools, See **POSTSECONDARY EDUCATIONAL INSTITUTIONS**
Property, See also **Sites and facilities**; **SCHOOL LANDS**
  abandonment of counties, effect, 7-2-2728
  appeals concerning sale or disposal, 20-6-604
  boundary changes, disposition, 20-6-417
  community college district trustees, adherence to provisions, 20-15-404
  cooperatives, full service education, 20-7-452
  county, sale to district, 7-8-2213, 7-8-2214, 7-8-2216
  deed, conditional — acquired by, repossession, 20-6-605
  destruction
    loans, long-term — for replacement, 20-6-640
    minors, by — parental liability, 20-5-201, 40-6-237, 40-6-238
    unexpected, budgeting for, See **SCHOOL FINANCE**, **Budget amendments**
  drugs, dangerous — criminal sale on or near, 45-9-109
  emergencies, unforeseen, See **SCHOOL FINANCE**, **Emergency school closure**
  gifts or grants, acceptance, 20-6-601, 20-9-604
  home guard, available to, 10-1-703
  income, disposition, Const., X, 5
  insurance requirements, 20-6-608
  interest assessment on overdue accounts, 20-9-225 — 20-9-227
  K-12 districts, transition after formation, 20-6-703
  land commissioners, board of — authority, Const., X, 4
  lease-purchase agreements, 20-6-609
  leases, See **Sites and facilities**
  militia, available to, 10-1-703
  personal property ordered but not paid for, recording, 20-9-209
  power of districts and trustees, 20-3-324, 20-6-101, 20-6-601, 20-6-602, 20-6-703
  protests concerning sale or disposal, 20-6-604
  public school fund, comprises, Const., X, 2; X, 5
  recreation programs, public — use, 20-7-804
  renting, 20-6-607
  repossession of land when, 20-6-605
  sale or disposal procedures, 20-6-604
  surplus, Title 18, chapter 5, part 2
  tax exemption, 15-6-201; Const., VIII, 5
  tobacco products, use prohibited, 20-5-411
  water supply and sewer district creation, sufficiency of protests — determination, 7-13-3008
  will or sufferance, acquired by — repossession, 20-6-605
Psychologists
  gifted and talented children programs, 20-7-901
  privileged communications, 26-1-809
  special education, allowable costs, 20-7-431
  "specialist" defined, 20-4-131
  teachers' retirement system, membership required, 19-20-302
Public school fund, See **SCHOOL FINANCE**, **Public school fund**
Pupil instruction days
  average number belonging (ANB), calculation, 20-9-311, See **SCHOOL FINANCE**
  commemorative exercises held when, 20-1-306

SCHOOLS (Continued)
Pupil instruction days (Continued)

- earthquake drills, requirements, 20-7-1101
- emergencies, closures by — effect, 20-9-806
- failure to provide minimum number, 20-1-301
- graduating seniors, requirement, 20-1-301
- holidays, 20-1-305, 20-1-307
- home schools, number required, 20-5-109, 20-5-111
- hours required, daily and weekly, 20-1-302, 20-2-121
- minimum number, 20-1-301, 20-1-304, 20-5-109, See also **SCHOOL FINANCE, Emergency school closure**
- nonpublic schools, number required, 20-5-109
- religious instruction released time programs, 20-1-308
- saturdays, on — when, 20-1-303, 20-2-121, 20-3-106, 20-7-503
- transportation reimbursements, state — computation, 20-10-145
- year, number required, 20-1-301

Pupil-instruction-related days, 20-1-304, 20-2-121, 20-3-106, 20-9-311
Pupils, 20-1-101

- absences, 20-4-301, 20-4-402, 20-5-103, 44-2-507
- abuse of, 20-4-302, 41-3-201, 41-3-203 — 41-3-207
- age requirements, 20-1-101, 20-5-101
- assessment, 20-2-121, 20-3-106, 20-3-324, 20-5-110
- attendance, See **Attendance**
- confidential communications, 26-1-808, 26-1-809, 44-2-511
- corporal punishment or physical restraint, 20-4-302, 45-3-107
- discipline, 20-4-302, 20-5-201
- discrimination prohibited, Const., X, 7
- duties, 20-5-201
- earthquake emergency procedures, 20-7-1101
- emancipated minor provisions, 41-3-408
- expulsion, 20-5-201, 20-5-202
- extracurricular functions, money from, See **SCHOOL FINANCE, Extracurricular fund**
- fees for supplies when, 20-9-214
- firearms, bringing to school — expulsion for, 20-5-202
- fraternities prohibited, 20-5-203
- governance generally, 20-3-324
- grades, diploma, or transcript withheld when, 20-5-201
- graduation, participation denied when, 20-5-201
- health conditions and records, 20-3-324
- homeless children, 20-5-101
- housing in district-owned buildings, money from, See **SCHOOL FINANCE, Lease or rental agreement fund**
- immunization requirements, 20-5-402 — 20-5-410
- incapacitated, 20-5-107
- indians
  - language consideration, 1-1-510
  - study of, 5-19-108
- indigent, 20-5-107
- laboratory fees charged when, 20-9-214
- new students, school records and proof of identity required, 44-2-511
- nonpublic nonaccredited school, from — assessment policy, 20-3-324, 20-5-110
- nonresidents, See **Special education**; **Tuition**
- physical restraint, 20-4-302, 45-3-107
- property, defacing or damaging — liability, 20-5-201
- public employees' retirement system, applicability, 19-3-403
- punishment, 20-4-302, 20-5-201
- qualifications, 20-5-101

SCHOOLS (Continued)
Pupils (Continued)

- religious tests for admission prohibited, Const., X, 7
- sanctions, 20-5-201
- school activities, participation denied when, 20-5-201
- secret organizations prohibited, 20-5-203
- supervision, 20-4-402
- suspension, 20-4-302, 20-4-402, 20-5-103, 20-5-201, 20-5-202
- teachers' duty to, 20-4-301
- textbooks, See **Textbooks**
- transportation, See **SCHOOL TRANSPORTATION**
- truancy or incorrigibility, 20-4-302, 20-5-106
- tuition, See **Special education**; **Tuition**
- vehicles driving through groups of, 61-8-502

Purchase of supplies, price discrimination provisions — nonapplicability, 30-14-902
Records
- child abuse and neglect investigations, access for, 41-3-303
- immunization, 20-5-109, 20-5-403, 20-5-405, 20-5-406
- local citizen review board, access, 41-3-1008
- new students, enrollment — requirements, 44-2-511
- noncustodial parent, access to, 40-4-225
- retention, 20-1-212, 20-7-101
- youth correctional facilities, youth committed to, 52-5-108

Recreation programs, See **SCHOOL DISTRICTS AND TRUSTEES**, **Public recreation programs**; See also **RECREATION**, **Public recreation programs**
Religion, Const., X, 7
- Bible or other religious material, inclusion in libraries, 20-7-112
- enrollment, 20-5-102
- immunization requirements, exemption when, 20-5-405
- prayer in schools, 20-7-112
- religious instruction, 20-1-308; Const., X, 7
- sectarian publications prohibited, 20-7-112

Reopening, See **Opening or reopening**
Reports distributed to, 20-3-105
Research and farm animal facilities protection, Title 81, chapter 30, part 1
Residence
- admittance generally, 20-1-101, 20-5-101, 20-5-102, 20-5-108
- correspondence study, 20-7-116
- libraries, use, 20-7-203
- out-of-district attendance agreements, 20-5-322, See also **Tuition**
- special education
  - financial responsibility requirements, 20-7-420
  - transportation tuition, 20-7-441
  - tuition for child attending state institution, 20-7-424

Rural schools, insurance for, 33-4-501, 33-4-511
Safety Culture Act, Title 39, chapter 71, part 15, See **WORKERS' COMPENSATION**
Safety patrols, 20-1-408, 20-3-106, 61-8-502
Sanitarians, duties, 37-40-101
Sanitary conditions, inspection, 20-3-324
School bus traffic laws, See **Traffic education**
School laws, 20-1-207, 20-3-105
School patrols, 20-1-408, 20-3-106, 61-8-502
Secondary education, equivalency of completion, 20-2-121, 20-7-131
Secret organizations prohibited, 20-5-203
Sectarian publications prohibited, 20-7-112
Sites and facilities, See also **Property**
- acquisition, 20-3-324, 20-6-603

SCHOOLS (Continued)
Sites and facilities (Continued)

- approval, 20-6-603, 20-6-621
- architectural services
  - contracts, 20-6-631, 20-6-635, 20-6-636
  - fees, 20-6-633, 20-6-636
  - proposals, tentative and final, 20-6-634
- bonds for, See **SCHOOL FINANCE, Bonds and bond issues**, generally
- building fund, See **SCHOOL FINANCE**
- building reserve fund, See **SCHOOL FINANCE**
- buildings, signature gathering for initiative petitions, 13-13-122, 13-35-211, 13-35-218
- city or county, approval and review of plans and specifications, 20-6-622
- community college district trustees, adherence to provisions, 20-15-404
- construction, 18-2-103, 18-2-201, 18-2-313, 18-2-401, 18-2-403, 18-2-432, 20-9-225 — 20-9-227
- contractors, bonding and security requirements — waiver when, 18-2-201
- contracts
  - amount withheld when, 18-2-404
  - approval, 18-2-404
  - architectural services, 20-6-631, 20-6-635, 20-6-636
  - bids, preference to Montana labor, 18-2-403
  - bids, requirements, 20-9-204, 20-9-205
  - breach, 20-6-636
  - discrimination, 18-2-403, 49-3-207
  - division to circumvent bid requirements prohibited, 20-9-205
  - federal funds, involving, 18-2-313, 18-2-403
  - interest assessment on overdue accounts, 20-9-225 — 20-9-227
  - letting, 20-6-606, 20-9-204
  - payments, 20-6-624
  - preference to Montana labor, 18-2-403
  - required when, 20-9-204
- cooperatives, full service education — contracts, use, 20-7-451
- disposal, 20-3-324, 20-6-603, 20-6-604
- easements on state lands for, See **STATE LANDS, Easements**
- elections, signature gathering for initiative petitions, 13-13-122, 13-35-211, 13-35-218
- emergencies, unforeseen, See **SCHOOL FINANCE, Emergency school closure**
- energy projects, obligations issued for, 20-9-471
- federal money for, See **SCHOOL FINANCE, Federal money**
- firearms, carrying to — local government regulation, 45-8-351
- fire safety inspections, 20-1-407, 50-3-102, 50-61-114
- home guard, available to, 10-1-703
- home schools, 20-5-109, 20-5-111
- interest assessment on overdue accounts, 20-9-225 — 20-9-227
- interstate agreements for, 20-9-705
- leases
  - authority for, 20-6-625
  - cooperatives, full service education — contracts, 20-7-455
  - generally, 20-6-607
  - interest assessment on overdue accounts, 20-9-225 — 20-9-227
  - money from, See **SCHOOL FINANCE, Housing and dormitory fund**
  - school lands, income from, 20-9-341
  - state lands, 20-6-621, 20-9-341
- maintenance, 20-9-204
- missing children, list of — provided to, 44-2-506
- nonpublic schools, 20-5-109
- nonsmoking areas, designation, 50-40-107, 50-40-201
- obligations, issuance for, 20-9-471
- plans and specifications, 20-3-106, 20-6-622, 20-6-624

SCHOOLS (Continued)
Sites and facilities (Continued)

- recreation programs, public — use, 20-7-805
- relocation of elementary school within district, 20-6-218
- renting, 20-6-607
- repair, 20-9-204
- requirements, 20-6-621
- sanitary inspections, 50-1-203
- selection, 20-6-621
- smoking areas, 20-5-411
- state lands, 20-6-621, See also **STATE LANDS, Easements**
- tobacco-free areas, designation, 50-40-107, 50-40-201
- tobacco products, use prohibited, 20-5-411
- trustees' authority generally, 20-3-324, 20-6-603, 20-9-204

Special education, See also **DEVELOPMENTAL DISABILITIES, Community services; SCHOOL FINANCE**

- accounting, 20-7-431
- agency contracts for, 20-7-412
- allowable cost payments, 20-3-106, 20-7-431, 20-7-435, 20-7-457, 20-9-141, 20-9-303, 20-9-306, 20-9-321, 20-9-347, 20-9-366 — 20-9-368
- allowable costs, 20-7-419, 20-7-422, 20-7-431, 20-7-435, 20-7-443
- attendance, 20-7-403, 20-7-420 — 20-7-422, 20-7-424, 20-7-435
- audiological services, 20-7-403
- block grants, 20-9-321
- budget, 20-7-435, 20-7-443, 20-9-303, 20-9-501
- classes, 20-7-403, 20-7-411, 20-7-414, 20-7-443
- controversy appeals, 20-3-211
- cooperatives, 20-7-431, 20-7-452, 20-7-457, 20-9-321
    - audits or financial reports, Title 2, chapter 7, part 5
    - employees, membership required in teachers' retirement system, 19-20-302
    - retirement fund budget and levy, 20-9-501
    - teachers employed by, tenure, 20-4-202
- definitions, 20-7-401, 20-7-436
- determination of children in need, 20-7-403, 20-7-414
- developmental disabilities planning and advisory council, membership, 2-15-2204
- financial responsibility, residency requirements, 20-7-420, 20-7-421
- firearms, student with disability bringing to school — expulsion, 20-5-202
- individual programs, 20-7-412
- in-state children's psychiatric hospitals or residential facilities, 20-7-403, 20-7-419, 20-7-420, 20-7-435, 20-7-436
- interlocal cooperative agreements, Title 7, chapter 11, part 1
- joint boards, 20-3-362, 20-7-431, 20-7-457, 20-9-321
- out-of-district attendance, 20-5-321, 20-5-323, 20-5-324, 20-7-421
- out-of-state schools or residential facilities, 20-7-403, 20-7-419, 20-7-420, 20-7-422
- parents, 20-7-403
- policies, 20-2-121, 20-7-402, 20-7-403
- preschool children, 20-7-411, 20-10-101
- programs, 20-7-403
    - approval, 20-7-414
    - cooperative, 20-7-411
    - establishment, 20-3-324, 20-7-411, 20-7-412
    - funding, 20-7-414
    - individual, 20-7-412
    - supervision, 20-3-106, 20-7-403
    - under-6-years-old, for, 20-7-411, 20-7-443
- regional services, 20-7-411
- residency requirements for financial responsibility, 20-7-420, 20-7-421

SCHOOLS (Continued)
Special education (Continued)

- rules, 20-7-419, 20-9-321
- state agencies, cooperation and responsibilities, 20-7-404, 20-7-420, 20-7-422
- supervision, 20-3-106, 20-7-403
- supervisor for, 20-3-103
- surrogate parent, 20-7-401 — 20-7-403, 20-7-461 — 20-7-463
- teachers, 20-4-202, 20-7-403, 20-7-431
- transportation, 20-7-419 — 20-7-421, 20-7-424, 20-7-431, 20-7-441 — 20-7-443, 20-10-144, 20-10-146
- tuition, 20-7-419 — 20-7-421, 20-7-424, 20-7-441, 20-9-343
  - out-of-district attendance agreements, 20-5-321, 20-5-323, 20-5-324
- type of, determination, 20-7-403, 20-7-414

Speed limits near, 61-8-310
Sports
- calcutta pools prohibited, 23-5-221
- officials, workers' compensation coverage exclusion, 39-71-401

State lands, See **Property**
Streets or alleys, vacation for school purposes, 7-14-2616, 7-14-4114
Student-learner employment exemptions, 41-2-106 — 41-2-110
Supervision, Const., X, 9
- county high school principal, 20-4-402
- county superintendent of schools, 20-3-205, 20-3-207
- district superintendent, 20-4-402
- principals, 20-4-403
- school trustees, 20-3-207; Const., X, 8
- superintendent of public instruction, 20-3-106

Technical education, See **VOCATIONAL EDUCATION, K-12**; **VOCATIONAL-TECHNICAL EDUCATION**
Telecommunications network (METNET), 20-9-343, 20-32-101 — 20-32-104
Textbook dealers, 20-1-101
- competition, restricting — penalty, 20-7-607
- complaints against, 20-3-106, 20-3-205, 20-7-605
- emoluments or other inducements, penalty for offering, 20-7-608
- licenses, 20-3-106, 20-7-604, 20-7-606, 20-7-607, 49-3-204
- samples, 20-7-608
- surety bond, 20-7-604, 20-7-605, 20-7-607

Textbooks, 20-1-101, 20-3-324, 20-7-601
- damage policy, 20-7-601
- free to pupils, to be, 20-7-601
- home schools, 20-5-111
- purchase, 20-7-601, 20-7-603
- selection and adoption, 20-3-205, 20-4-402, 20-7-602, 20-7-603
- sold to pupils when, 20-7-601
- special education budget, allowable costs, 20-7-431

Tobacco-free areas, designation, 50-40-107, 50-40-201
Traffic education, 20-7-502, 61-2-103
- administration of program, 20-3-106, 20-7-506
- cooperative driver testing program, 61-5-110
- course, 20-7-501 — 20-7-503, 61-2-103
- definitions, 20-7-501
- fund for, See **SCHOOL FINANCE, Traffic education fund**
- highway traffic safety program, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Traffic safety program**
- license or permit to drive, issued when, 61-5-105, 61-5-106
- motorcycle safety training, 20-7-501, 20-7-502, 20-7-504, 20-7-510 — 20-7-514
- state traffic education account, 20-7-501, 20-7-502, 20-7-504 — 20-7-506, 20-7-513, 20-7-514; Const., VIII, 6

SCHOOLS (Continued)
Traffic education (Continued)

- teachers, 20-7-501, 20-7-502, 61-2-103, 61-5-110
- vehicles, sales tax requirements, 61-3-502

Traffic patrols, 20-1-408, 20-3-106, 61-8-502
Tuition

- administration of provisions, 20-3-324
- admittance of child to school, generally, 20-5-101
- adult education, 20-7-704
- annexing district, assumption, 20-6-413
- appeals, 20-3-210
- applications, 20-3-205, 20-3-210
- closure of schools, 20-6-509
- consolidated district, assumption, 20-6-413
- county basic special tax revenue, county retention — determination, 20-9-333
- discontinued district, debt obligation, 20-6-413
- enrollment, compulsory — nonapplicability, 20-5-102
- homeless children, not required, 20-5-101
- K-12 districts, 20-6-702, 20-6-704
- levy requirement, 20-6-413
- nonoperating fund, purpose, 20-9-505
- nonresident children, 20-5-101
- notification, 20-3-205
- out-of-district attendance agreements, 20-5-101, 20-5-320 — 20-5-324, 20-10-105
- out-of-state, 20-5-316
- payments, 20-5-316, 20-5-324, 20-9-334
- rates, 20-5-314, 20-5-320, 20-5-321, 20-5-324
- reciprocal attendance agreements, 20-3-106, 20-5-314
- report requirements, 20-3-205
- special education, 20-7-419 — 20-7-421, 20-7-424, 20-7-441, 20-9-343
  - out-of-district attendance agreements, 20-5-321, 20-5-323, 20-5-324
- waiver, 20-5-320, 20-5-321

Types, enumeration, 20-6-501
Violations, 20-1-207, 20-7-606, 20-7-608
Visitations, 20-3-207, 20-3-324
Visually disabled persons, employment policy of state, 49-4-202
Vocational education, K-12, Title 20, chapter 7, part 3
Vocational-education training program in conjunction, 41-2-108, 41-2-115
Voting program for youth, Title 13, chapter 22
Wildlife

- collector's permit, 87-2-806
- habitat, acquisition policy — impact analysis, 87-1-241
- research and management, cooperative agreements for, 87-1-210

Wrestling matches or exhibitions, regulatory authority, 23-3-404

SCHOOL TRANSPORTATION
Affidavit required when, 20-10-124
Bid requirements, 20-10-110, 20-10-125
Budgeting for, See **SCHOOL FINANCE, Transportation fund**
Bus depreciation reserve fund and fund budget, 20-9-201, 20-10-147
Bus drivers

- certification, 20-3-205, 20-10-103
- driver's license requirements, 20-10-103, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Drivers' licenses**, commercial driver's license
- employment or dismissal, 20-3-324
- qualifications, 20-10-103, 20-10-111, 20-10-124

SCHOOL TRANSPORTATION (Continued)

Buses, 20-10-101, 61-1-116
  bids not required when, 20-10-110
  bond issues for purchase of, See **SCHOOL FINANCE, Bonds and bond issues**, generally
  budgeting for, See **SCHOOL FINANCE, Transportation fund**
  child safety restraint systems, exception, 61-9-421
  commercial motor vehicle, defined as, 61-1-134
  contracts for purchase, 20-10-110
  depreciation reserve fund and fund budget, 20-10-147
  design and construction standards, 20-2-121, 20-10-111
  inspections, 61-9-502
  insurance, 20-10-107, 20-10-109
  lighting equipment, 20-10-111, 61-8-301, 61-8-351, 61-8-352, 61-9-226, 61-9-402
  liquefied petroleum gas, propelled by — license tax on, 15-71-101
  meeting and passing, 61-8-301, 61-8-351
  motor carrier laws, exemption from, 69-12-102
  operation suspended when, 20-10-104
  passenger count, 20-10-128
  passing, 61-8-301, 61-8-351, 61-8-715
  purchase or rental, 20-10-107, 20-10-110
  radios, two-way, 20-10-107, 20-10-108, 20-10-147
  railroad grade crossings, stopping at, 61-8-349
  rated capacity, 20-10-111, 20-10-141
  requirements, 20-10-102
  riding time limitations, 20-10-121
  seating positions, 20-10-101, 20-10-111, 20-10-141
  standards and regulations, 20-2-121, 20-10-111
  time on, limitations, 20-10-121
  tires, 61-9-406, 61-9-519
  tobacco products, use prohibited, 20-5-411
  traffic laws and safety, See **SCHOOLS, Traffic education**
  windshields and windows, safety glazing material, 61-9-408
Closure of schools, 20-6-509
Contracts, 20-3-205, 20-10-104, 20-10-110, 20-10-124, 20-10-125, 20-10-132, 20-10-143, See also **Individual transportation**; **Private party contracts**
  budget amendment, attachment, 20-9-165
  budgeting for, See **SCHOOL FINANCE, Transportation fund**
Controversies, 20-3-107, 20-10-112, 20-10-132
Correspondence study as, 20-10-101, 20-10-121, 20-10-125, 20-10-142, 20-10-144
County Transportation Committee, 20-10-131, 20-10-132
  decisions, appeals from, 20-3-107, 20-10-132
  emergency route changes, 20-10-132
  hearings, 20-3-107, 20-10-132
  mileage distances, controversy, 20-10-106
  presiding officer, 20-3-206, 20-10-131
  reimbursement rates, approval for increase, 20-10-142
  residence of transportee, controversy, 20-10-105
  routes, responsibilities, 20-10-112, 20-10-132, 20-10-141
  service areas, establishment, 20-10-111, 20-10-126, 20-10-132
  special education payments, approval, 20-7-424
  transfer of district territory, approval, 20-10-126
  transportation, direction for, 20-10-121
Deaf and Blind, Montana School for the, 20-8-121
Definitions, 20-10-101, 20-10-111
Disabilities, children with, 20-10-101, 20-10-127, 20-10-141
Discretionary provisions, 20-10-122

SCHOOL TRANSPORTATION (Continued)

Elections, See **SCHOOL ELECTIONS**
Emergency route changes, 20-10-132
Free or reduced rates when, 69-11-208
Home study as, 20-10-121, 20-10-125, 20-10-142
Individual transportation, See also **Contracts**; **Private party contracts**
  contracts, 20-10-112, 20-10-121, 20-10-124, 20-10-125, 20-10-132, 20-10-142
  reimbursements, See **Reimbursements**
Insurance, 20-10-107, 20-10-109
Isolation, schedule rates, 20-10-112
Levy requirements, 20-10-144
Liability insurance, 20-10-109
Mileage, 20-10-106, 20-10-141, 20-10-142, See also **Routes**
Nonpublic school children, 20-10-123
Out-of-district attendance agreements, 20-5-320 — 20-5-324, 20-10-105, 20-10-144, 20-10-146
Passenger count required, 20-10-128
Passenger points, assignment, 20-10-127
Passenger seating positions, 20-10-101, 20-10-111, 20-10-141
Policies, 20-10-104, 20-10-111, 20-10-112
Private party contracts, 20-10-107, 20-10-124, 20-10-125, See also **Contracts**; **Individual transportation**
Private school children, 20-10-123
Rate schedules, 20-10-141, 20-10-142
Reimbursements
  correspondence study, 20-10-125, 20-10-142, 20-10-144
  county, 20-3-205, 20-10-142, 20-10-144, 20-10-146
  disbursement, 20-10-112
  forfeiture when, 20-10-104
  home study, 20-10-125, 20-10-142
  increased, 20-10-132, 20-10-142
  legislature, authority and appropriation, 20-10-142, 20-10-145
  maximum, 20-10-141, 20-10-142
  nonbus mileage, 20-10-141
  nonoperating fund budget, subtracted from, 20-9-506
  room and board, 20-10-142
  special education children, 20-7-442, 20-7-443, 20-10-144, 20-10-146
  state, 20-3-205, 20-10-126, 20-10-132, 20-10-142, 20-10-144, 20-10-145
Revenues for, computation, 20-10-144
Routes, 20-10-101, 20-10-112, 20-10-126, 20-10-127, 20-10-132, 20-10-141, See also **Mileage**
Rules, 20-3-106, 20-10-104, 20-10-112
Service areas, 20-10-101, 20-10-111, 20-10-126, 20-10-132, 20-10-141
Special education children, 20-7-419 — 20-7-421, 20-7-424, 20-7-431, 20-7-441 — 20-7-443, 20-10-144, 20-10-146
Supervisor for, 20-3-104
Transfers of district territory, 20-10-126
Transportation fund, See **SCHOOL FINANCE**
Transportees
  eligible, 20-10-101, 20-10-105, 20-10-111, 20-10-121, 20-10-127, 20-10-128
  ineligible, 20-10-122
Types provided, 20-10-121
Violations, 20-10-104, 61-8-351, 61-8-352, 61-8-715

SCHOOL TRUSTEES
  See **SCHOOL DISTRICTS AND TRUSTEES**

SCIENCE AND TECHNOLOGY FINANCING
Administration of programs, 17-6-201, 90-3-305, 90-3-525
Appropriation authority, 90-3-301

SCIENCE AND TECHNOLOGY FINANCING (Continued)

Audits, 90-3-304
Board of Science and Technology Development, 2-15-1818, 2-18-103, 17-6-305, 17-6-308, 17-6-503, 17-6-505, 90-8-201; Title 90, chapter 3
Citation of Montana Science and Technology Financing Act, 90-3-101
Corporate donations, 35-1-115
Definitions, 90-3-102
Funds, 17-6-308, 90-3-203, 90-3-301, 90-3-303, 90-3-304
Grants, 90-3-203, 90-3-301, 90-3-901
Investments to board members prohibited, 90-3-303
Legislative findings, 90-3-101
Limited liability companies, donations, 35-8-107
Matching funds, 90-3-102, 90-3-301, 90-3-502, 90-3-901
Medical facility research and development projects, 90-3-102
Medical research facility projects account, 90-3-901
Nonprofit corporation donations, 35-2-118
Purpose of provisions, 90-3-101
Records, 90-3-304
Reports, 90-3-203, 90-3-522
Research and development projects, 90-3-102
  goals, 90-3-505, 90-3-506
  loans, 90-3-101, 90-3-102, 90-3-301, 90-3-505, 90-3-506
    agreement, 90-3-524
    payback, 90-3-305, 90-3-524, 90-3-525
    project proposal, submittal, 90-3-204
  matching funds, 90-3-301, 90-3-901
  public university projects, coal severance tax constitutional trust fund to fund matching funds, 17-6-308
Rules, 90-3-204, 90-3-519, 90-3-901
Science and technology development account, 17-6-201, 90-3-305, 90-3-525
Science and technology development projects, 90-3-102
  loans, 90-3-204, 90-3-501, 90-3-502, 90-3-521, 90-3-522
    agreement, 90-3-102, 90-3-204, 90-3-521, 90-3-522
    authority of board, 90-3-203
  matching funds, 90-3-102, 90-3-502
  priorities, 90-3-501
  startup capital projects, 90-3-102, 90-3-203
Seed capital projects, 90-3-102
  goals, 90-3-503, 90-3-504
  loans, 90-3-101, 90-3-102, 90-3-301, 90-3-501, 90-3-503, 90-3-504, 90-3-519, 90-3-520
    agreement, 90-3-520, 90-3-523
    business plan, submittal, 90-3-204
    coal severance tax constitutional trust fund to fund, 17-6-308
    paybacks, 90-3-504, 90-3-520, 90-3-523
  matching funds, 90-3-301
  venture capital companies, 90-3-102, 90-3-519, 90-3-520
Technology transfer and assistance projects, 90-3-102, 90-3-203, 90-3-505, 90-3-524

SEARCH AND RESCUE
Air search and rescue volunteers, 67-2-105
Blanket disability insurance, See **INSURANCE, DISABILITY**
Boats, sound level limitations — nonapplicability, 23-2-521
Community service corps and volunteer projects, 90-14-105
Counties — establishment, recognition, and optional funding, 7-32-235
County sheriff, control and supervision of units, 7-32-235, 7-32-2121, 61-9-227
Emergency medical technicians, as, 50-6-202, See **EMERGENCY MEDICAL SERVICES**
Law enforcement auxiliary officers, functions, 7-32-201

SEARCH AND RESCUE (Continued)

Montana Conservation Corps, emergency projects, 23-1-303
National forests, aircraft use within, 87-3-126
Privately owned vehicles, use of red light, 61-9-227
Volunteer firefighters, assistance, 19-17-105

SEARCH AND SEIZURE
Alcoholic beverages and conveyances, 16-3-402, 16-6-102, 16-6-104 — 16-6-107, 16-6-301
Apiaries, when, 80-6-104
Arrest, incident to, 46-5-102
Authorization, 46-5-101
Cigarettes and conveyances when, 16-11-132, 16-11-141, 16-11-147
Commerce, Department of — authority, 30-12-209, 30-12-210
Commercial feeds, enforcement of provisions, 80-9-301 — 80-9-303
Commercial fertilizers, seizure when, 80-10-302, 80-10-303
Controlled substances, seizures relating to, Title 44, chapter 12
County coroner, authority, 46-4-111
Dairy products, 81-22-105
Detention of persons permitted, 46-5-228, 46-5-402
Drugs, dangerous — property subject to criminal forfeiture, 45-9-206
Evidence, contraband, or persons seized or to be seized, 46-5-223, 46-5-224
  admissibility, 46-5-103
    receipt, effect of failure to leave, 46-5-227, 46-5-311
    suppression of evidence, 46-13-302
    university students' rooms, evidence obtained during emergency entry, 20-25-513
  arrest, incident to, 46-5-102
  authorization, 46-5-101
  county coroner, authority, 46-4-111
  custody and disposition of evidence or contraband, 46-5-301, 46-5-311
  description in warrant, 46-1-202, 46-5-221
  destruction or use by law enforcement agency, 46-5-306
    order, 46-5-308
    petition, 46-5-307
    unclaimed or abandoned property provisions, nonapplicability, 46-5-309
  exclusionary rule, 46-13-302
  inventory of evidence or contraband, 46-5-301, 46-5-307, 46-5-310
  legality of seizure, 46-5-103
  possession of property seized, right to, 46-5-312
  receipt for property taken, 46-5-227, 46-5-311
  return of property seized, 46-5-307, 46-5-312
  suppression of evidence when unlawfully seized, 46-13-110, 46-13-302
  unclaimed property, disposition, 46-5-305
Fireworks, 50-37-109
Fish and game, See **FISH AND WILDLIFE, Confiscation or seizure**
Fish, Wildlife, and Parks — Department officers, authority, 23-1-106, 23-2-410, 23-2-506, 23-2-641, 23-2-806, 87-1-502
Force, use of, 46-5-228
Frisk, 45-2-101, 46-5-401 — 46-5-403
Hail insurance, failure to pay — seizure of grain, 80-2-231
Illegal search or seizure, 41-5-514, 46-13-302
Justice, Department of — designated agents or employees, 23-5-113, 53-2-501
Legality, 46-5-103
Livestock, See **LIVESTOCK, Seizure**
Meat establishments, meat held in violation of provisions, 81-9-116
Motor vehicles, salvage vehicles — seizure when, 61-3-202
Pesticides or devices, premises or records, 80-8-302, 80-8-304

SEARCH AND SEIZURE (Continued)

Probable cause, 41-5-304, 46-5-221, 46-5-402; Const., II, 11
Roadblocks, 46-1-202, 46-5-502, 46-5-510
Scope, 46-5-102, 46-5-224
Shoplifting, 46-6-506
State lands
    crops and improvements from, seizure when, 77-2-336, 77-6-112
    property unlawfully severed from, seizure, 77-1-116
Stop and frisk, 45-2-101, 46-5-401 — 46-5-403
University students' rooms, emergency entry, 20-25-513, 20-25-514
Unlawful search or seizure, 41-5-514, 46-13-302
Unreasonable search and seizure, protection, 46-5-103; Const., II, 11
Warrants, 46-1-202
    appeal by state of judgment quashing, 46-20-103; Title 25, chapter 21, M.R.App.P., Rule 1
    application, 3-6-103, 3-11-102, 46-4-111, 46-5-220 — 46-5-222, 46-5-310
    authorization by, 46-5-101
    cities and towns, obtained when, 7-1-4124
    county coroner, required when, 46-4-111
    description of property or person, 46-1-202, 46-4-111, 46-5-221, 46-5-228; Const., II, 11
    directed to whom, 46-1-202, 46-5-223
    drugs, dangerous — property subject to criminal forfeiture, 45-9-206
    fish and game wardens, required when, 87-1-506
    grounds for, 46-4-111, 46-5-221
    insurance, personal or privileged information — disclosure, 33-19-306
    issuance, 16-6-102, 46-5-220 — 46-5-222
    public officers, enforcement for delivery of official records, 2-6-108
    return, 46-5-225, 46-5-227, 46-5-301, 46-5-310
    rules of evidence inapplicable, Title 26, chapter 10, M.R.Ev., Rule 101
    sealing of documents supporting, 46-11-701
    service, 46-5-225 — 46-5-228, 46-5-310
    telephonic application and issuance, 46-5-221, 46-5-222
    what may be seized, 46-5-221, 46-5-224
    youth, fingerprints and photographs pursuant to, 41-5-304
Warrant, without, 45-9-206, 46-5-103, 46-5-311, 87-1-502
What may be seized, 46-5-102, 46-5-221, 46-5-224
When, 46-5-101, 46-5-103

SEATBELT USE ACT, Title 61, chapter 13, part 1
    See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, **Seatbelts**

SECRETARY OF STATE, Title 2, chapter 15, part 4
    See also generally **EXECUTIVE BRANCH**; **PUBLIC OFFICERS OR EMPLOYEES**
Absence, 2-15-402, 5-2-213, 27-18-410; Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
Administrative policies of the executive branch, conflicts, 2-15-103
Administrative rules
    corporations, pertaining to, 35-1-1206, 35-1-1307, 35-1-1308, 35-2-1003, 35-2-1107, 35-2-1108
    declaratory rulings, filing, 2-4-501, 5-18-107
    distribution and maintenance, 2-4-313
    economic impact statements, filing of notice pertaining to copies, 2-4-405
    format and copies, prescribing, 2-4-306
    limited partnerships, fees, 35-12-612
    model rules, filing, 2-4-202
    notice of proposed rules, filing, 2-4-110, 2-4-302, 2-15-2021
    objections sent to, 2-4-406
    publication and arrangement, 2-4-308, 2-4-311

SECRETARY OF STATE (Continued)
Administrative rules (Continued)

- register
  - maintenance, 2-4-306
  - objections published in, 2-4-406
  - omissions from, filing, 2-4-307
  - publication, 2-4-312
  - vacancies on executive boards and commissions, publication, 2-15-108
- reviewer, appointment — notice, 2-4-110
- statements of implied authority and legal effect, 2-4-308
- temporary rules, filing, 2-4-303

Advisory councils, creation and filing of records pertaining to, 2-15-122
Agricultural associations, certificate of incorporation, 35-16-204
Agricultural commodity licensees, nonresident — designation of agent for, 80-4-406
Agricultural lien filing system, See **Secured transactions**
Agricultural marketing associations

- articles of incorporation, amendments, certificate of incorporation, and certificate of amendment, 35-17-202, 35-17-203, 35-17-205
- merger or consolidation documents, 35-17-504

Appointment by governor, Const., VI, 6
Assumed business names

- affirmation, execution of documents as — warning on forms, 30-13-218
- amendment to registration, filing, 30-13-209, 30-13-210
- application for registration, filing, 30-13-203, 30-13-204, 35-10-701
- cancellation of registration, 30-13-206, 30-13-210, 30-13-213, 30-13-214
- certificates, issuance, 30-13-204, 30-13-208, 30-13-210, 30-13-212
- evidence, certificates and documents, 30-13-216
- expiration of registration, notice, 30-13-206
- facsimile copies, filing, 30-13-221
- foreign limited liability company, filing, 35-8-1009
- forms, furnishing, 30-13-203, 30-13-206, 30-13-210, 30-13-211, 30-13-218
- prohibition on registration, 30-13-202
- records, maintenance, 30-13-217
- renewal of registration, application, 30-13-206 — 30-13-208
- reservation of proposed name, 30-13-211, 30-13-212

Ballot issues

- ballot form, 13-27-310, 13-27-313, 13-27-501, 13-27-502
- canvass of votes, 13-27-503
- challenges, procedure, 13-27-316; Const., IV, 7
- constitutional amendment, notice and petition, 13-27-311; Const., XIV, 9
- constitutional convention, submission to electorate, 13-1-121
- effective date, effect of filing canvass report, 13-27-105
- fiscal notes and statements, 13-27-312, 13-27-315, 13-27-316, 13-27-501
- legislative council
  - copies of approved issues to, 13-27-504
  - recommendations and correspondence, availability, 13-27-202
- petitions
  - addressed to, 13-27-204 — 13-27-207; Const., III, 4; III, 5
  - approval or rejection by, 13-1-101, 13-27-202, 13-27-312
  - copies to election administrator, 13-27-208
  - filing with, 13-27-104, 13-27-202, 13-27-316; Const., III, 4; III, 5
  - numbering, 13-27-203
  - rejection by attorney general, notice to, 13-27-312
  - sample form, requests for and circulation, 13-27-202
  - signature verification, 13-27-303, 13-27-304, 13-27-306, 13-27-307
  - withdrawal of signatures, form prescribed by, 13-27-301
- results to, 13-27-503

SECRETARY OF STATE (Continued)
Ballot issues (Continued)

- separate ballots, approval, 13-27-502
- statement of purpose or implication, 13-27-312, 13-27-315, 13-27-316, 13-27-501
- title used by, 13-27-501
- voter information pamphlet, preparation, 13-27-401 — 13-27-403, 13-27-405 — 13-27-408, 13-27-410

Banks and trust companies
- banking corporation, articles of incorporation — filing, 32-1-301
- foreign trust company, service of process, 32-1-1003, 32-1-1004

Barber school or college owners, bonds filed with, 37-30-404
Boating rules filed with, 23-2-504
Building and loan associations
- foreign associations
  - agents, consent and revocation thereof filed with, 32-2-262
  - documents required for commencing business filed with, 32-2-261
- incorporation, certificate of — issuance, 32-2-205

Building codes, filing with, 50-60-204
Campaign practices, authority, See **ELECTIONS, Campaign practices**
Candidacy for other office, Const., VI, 5
Capitol Restoration Commission, member of and appointments to, 5-17-202
Cemetery associations, certificate of incorporation, 35-20-103
Cities and towns
- disincorporation, copy of order for, 7-2-4901, 7-2-4906
- reclassification, filing of resolutions for, 7-1-4115, 7-1-4118

City-county consolidation, resolution filed with, 7-3-1209
Coal severance tax bond trust indentures, filing, 17-5-711
Commissioner of political practices, 2-15-411, See **ELECTIONS, Political practices, commissioner of**
Conservation districts
- application for organization, 76-15-212, 76-15-213
- certificate of organization, copy certified, 76-15-214
- combination or division, boundary or name change — filing, 76-15-803
- name change, certification, 76-15-801
- termination, application for discontinuance and certificate of dissolution, 76-15-809

Constitutional amendments, See **Ballot issues**
Constitution, custody of enrolled copy, 2-6-111
Cooperative associations
- articles of incorporation, 35-15-201
- certificate of amendment, 35-15-205
- certificate of organization, 35-15-204
- facsimile copies of documents, 35-15-211
- merger or consolidation documents, 35-15-504
- preexisting associations, declaration of compliance, 35-15-305

Corporations
- agent for, 35-1-819, 35-1-1037, 35-1-1039
- agent, registered
  - resignation, 35-1-315, 35-1-1036
  - statement of change or address change, 35-1-314, 35-1-1033
- annual report, filing, 35-1-1104, 35-1-1106, 39-51-1105
- appeal from decision by, 35-1-310, 35-1-1040, 35-1-1310
- articles of amendment, 35-1-230, 35-1-232, 35-1-619, 35-1-630
- articles of correction, 35-1-221
- articles of dissolution, 35-1-931, 35-1-933
- articles of incorporation, 2-15-401, 35-1-215
- articles of merger, 35-1-818
- articles of merger or share exchange, 35-1-816
- articles of restatement, 35-1-231
- articles of revocation of dissolution, 35-1-934

SECRETARY OF STATE (Continued)
Corporations (Continued)

- attachment of corporate stock, service upon, 27-18-410, 27-18-411
- business trusts
    - certificate or license, issuance, 35-5-202
    - creating instrument, filing with, 35-5-201, 35-5-203
- certificate of authority, 35-1-1026, 35-1-1028, 35-1-1029, 35-1-1312
    - revocation, 35-1-1038 — 35-1-1040
- certificates, issuance
    - business trusts, 35-5-202
    - existence, of, 35-1-1312
    - reinstatement, 35-6-201, 35-6-203
    - withdrawal, 35-1-944, 35-1-1037
- computer-generated information, 35-1-1206, 35-1-1308
- correction of filed document, 35-1-221
- default, Title 35, chapter 6
- dissolution
    - articles of dissolution, 35-1-931, 35-1-933
    - articles of revocation of dissolution, 35-1-934
    - by, 35-6-101 — 35-6-104, 35-6-201, 35-6-203
    - decree, 35-1-942, 35-1-944
    - reinstatement application, 35-6-201
    - service of process, trustees for, 35-1-316
    - tax delinquency, for — notice, 15-31-523
- endorsement, date and time, 35-1-219, 35-1-1309
- evidence, documents filed with, 35-1-1309, 35-1-1311
- facsimile copies of documents, 35-1-218
- falsification of documents filed with, 35-1-428, 35-1-1038
- fees paid to, 35-1-217, 35-1-310, 35-1-1206, 35-1-1207, 35-1-1307, 35-1-1309
- filing duty, 35-1-217, 35-1-1309, 35-1-1310
- forms prescribed by, 35-1-217, 35-1-1308
- information lists, 2-6-109, 2-15-403
- license fees, 35-1-1207
- merger or share exchange, 35-1-816, 35-1-818, 35-1-819
- name
    - application and authority for use, 35-1-308, 35-1-1031
    - fictitious, resolution of adoption, 35-1-1031
    - involuntary dissolution, new name, 35-6-201, 35-6-203
    - registration, 35-1-310, 35-1-311
    - reserved name, 35-1-309
- office, registered — statement of change, 35-1-314, 35-1-1033
- powers generally, 35-1-1307
- restated articles of incorporation, certification, 35-1-231
- rules, 35-1-1206, 35-1-1307
- service of process on, 27-18-410, 27-18-411, 35-1-316, 35-1-819, 35-1-1037, 35-1-1039; Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- shares
    - reduction of authorized shares, 35-1-630
    - terms of classes or series, 35-1-619
- tax clearance certificate, 35-1-944
- taxes
    - dissolution for delinquency, notice, 15-31-523
    - list of corporations to department of revenue, 15-31-603
    - reviver, application filed with, 15-31-524
- withdrawal, 35-1-944

Counties

- abandonment and consolidation, election — filings, 7-2-2709, 7-2-2712

SECRETARY OF STATE (Continued)
Counties (Continued)

  county seat, removal — filing of certified copy of election results, 7-2-2607
  name change, order for — transmittal and filing, 7-2-2507
  new, creation — filing of resolution and legal boundary description, 7-2-2223
County officers, oaths filed with, 7-4-101
County seal, description and impression filed with, 7-4-2112
County water and/or sewer districts
  certificate of incorporation, issuance, 7-13-2215
  certificates, filing 7-13-2341, 7-13-2342
  creation, election certificate filed with, 7-13-2214
  dissolution, copy of instrument approving filed with, 7-13-2351
Credit unions
  articles of incorporation, amendments filed with, 32-3-303
  certificate of incorporation, issuance, 32-3-301
Death, Const., VI, 6
Deeds, attestation, 60-4-207, 87-1-209
Department head, powers as, 2-15-105
Deputies, 2-15-402
Development corporation incorporation, documents filed with and issued by, 32-4-203, 32-4-205
Disability, Const., VI, 6, See also **PUBLIC OFFICERS OR EMPLOYEES**, **Vacancy in office**
District court, duties, 3-1-203, 3-5-201
Documents generally
  certified copies, 2-6-111, 2-15-401
  fees for filing and copying, 2-6-103
  storage, 2-6-111
Duties generally, 2-6-103, 2-15-401; Const., VI, 1; VI, 4
Election Administrators Advisory Council, 13-13-279
Election duties, 13-1-201, 13-1-202, 13-12-101; Const., IV, 3, See **ELECTIONS**
Election of, 2-16-201, 13-12-207, 13-16-504; Const., IV, 8; VI, 1; VI, 2; VI, 3; VI, 6, See also **ELECTIONS**
Electronic information, public access and fees, 2-6-103, 2-6-110
Emergency
  interstate emergency services mutual aid agreements, filing, 10-3-1107
  proclamation filed with, 10-3-304
  postattack, rules filed with, 10-3-505
Engineers, registered professional — copy of roster filed with, 37-67-318
Errors and omissions liability coverage, 30-9-403
Examiners, Board of — member, 2-15-401, 2-15-1007, 17-5-605, 17-5-615
Executive branch officer, Const., VI, 1
  seals filed with, 2-16-113, 2-16-114
Extradition, filing of copy of application for requisition, 46-30-401
Federal lands, jurisdiction over original acceptance filed with, 2-1-216
Federal liens, duties, 71-3-204, 71-3-205
Fees charged generally, 2-6-103
Fire prevention and safety rules, filing with, 50-3-103
First Special Service Force Memorial Monument permanent trust fund, dissolution of nonprofit corporation establishing, 35-21-901
Fish and game wardens, filing of oath or affirmation, 87-1-501
Fish, Wildlife, and Parks — Department of
  director, filing of oath or affirmation, 87-1-402
  land or water sales, attestation of deeds, 87-1-209
Governor
  action on bills, See **Legislature**, bills
  appointments by, 2-15-401, 5-5-303
  commissions by, attestation, 2-6-103, 2-16-204
  commissions to, issuance, 13-15-504
  documents signed by, fees, 2-6-103

SECRETARY OF STATE (Continued)
Governor (Continued)

  official acts, register and attestation, 2-15-401
  permission or approval required when, 2-15-105
Grazing districts, duties, 76-16-204 — 76-16-206, 76-16-211
Health maintenance organizations, qualification for certificate of authority, 33-31-201
Highway revenue bond trust indentures, filing, 17-5-923
Housing authorities
  county, incorporation, 7-15-2107, 7-15-2108, 7-15-2110
  municipal, 7-15-4409, 7-15-4410, 7-15-4412, 7-15-4423
Housing, low income — filing of agreements respecting collateral, 90-6-108
Impeachment, subject to, Const., V, 13; Title 5, chapter 5, part 4
Inability to perform duties; Const., VI, 6, See **PUBLIC OFFICERS OR EMPLOYEES**, **Vacancy in office**
Initiatives, See **Ballot issues**
Insurers
  domestic stock and mutual
    articles of incorporation, filing and certification, 33-3-202, 33-3-203
    certificate of incorporation, 33-3-202
  farm mutual, filing and certification of articles of incorporation, 33-4-203
Interlocal cooperation agreements filed with, 7-11-107
Land Commissioners, Board of — member, 2-15-401; Const., X, 4
Land surveyors, registered professional — copy of roster filed with, 37-67-318
Law enforcement academy, report on activities to, 44-10-202
Law enforcement interstate mutual aid agreements, filing with, 44-11-310
Legislative Council, reports to, 2-15-401
Legislature
  bills
    certification required when, 5-4-307
    chapter numbers assigned to passed bills, 5-11-204
    deposit with, 5-4-302, 5-4-305
    line item veto, statement concerning, 5-4-303
    vetoed, procedures, 5-4-306; Const., VI, 10
  custody of journals, laws, and resolutions, 2-6-111
  election
    declaration for nomination, filing with, 13-10-201
    tie vote, certification to governor, 13-16-503
  house of representatives, call to order, 5-2-213
  journals, authentication and filing, 5-11-201
  records, custody, Const., VI, 4
  resignations, made to or filed with, 2-16-502
  roster of legislators, preparation, 5-2-211
  senate vacancies, election procedures, 5-2-406
  sessions, attendance, 2-15-401
  special sessions, call for, 5-3-105 — 5-3-108
  vacancies, filling, 5-2-402, 5-2-406
Liability coverage for errors and omissions, 30-9-403
Liens
  agricultural, See **Secured transactions**
  child support, perfection, 40-5-248
  federal, duties, 71-3-204, 71-3-205
Limited liability companies
  agent, registered — filings, 35-8-105, 35-8-209, 35-8-1005, 35-8-1006, 35-8-1011
  annual report, 35-8-208, 35-8-209
  articles of organization, 35-8-201, 35-8-205, 35-8-206
    amendment and articles of amendment, 35-8-203
    restatement, 35-8-203

SECRETARY OF STATE (Continued)
Limited liability companies (Continued)

- dissolution
    - articles of dissolution, 35-8-906
    - articles of revocation of dissolution, 35-8-907
    - order for, 35-8-209
    - reinstatement of dissolved company, 35-8-210
- documents, execution requirements, 35-8-204
- facsimile copies, filing, 35-8-207, 35-8-211
- filings generally, 35-8-205, 35-8-211
- foreign limited liability companies
    - agent, registered, 35-8-1005, 35-8-1006, 35-8-1011
    - certificate of authority, 35-8-1001, 35-8-1008
        - amended, 35-8-1007
        - application, 35-8-1003
        - revocation, 35-8-1011 — 35-8-1013
    - license fees, 35-8-212
    - name, 35-8-1009
    - office, registered, 35-8-1006, 35-8-1011
    - service of process, 35-8-1010, 35-8-1012
    - withdrawal, 35-8-1010
- foreign professional limited liability company, certificate of authority — revocation, 35-8-1014
- merger, surviving company — service of process, 35-8-1201
- name
    - distinguishability, 35-8-103
    - reservation, application or transfer — filing, 35-8-104
- office, registered — filings, 35-8-105, 35-8-209, 35-8-1006, 35-8-1011

Limited partnerships

- certificate of limited partnership, filing, 35-12-601, 35-12-606
    - amendment, filing and recording, 35-12-602, 35-12-605, 35-12-606
    - cancellation, 35-12-603, 35-12-605, 35-12-606, 35-12-610, 35-12-613
    - renewal procedures, 35-12-610 — 35-12-613
- certificate of renewal, 35-12-612
- facsimile copies of documents, 35-12-615
- fees, 35-12-521, 35-12-612
- foreign limited partnerships
    - agent for, 35-12-1302, 35-12-1306, 35-12-1307
    - certificate of cancellation, 35-12-1306
    - name, registration with, 35-12-1304
    - registration, 35-12-1302, 35-12-1303
        - certificate of correction, 35-12-1305
    - service of process, 35-10-642
- name, reservation — filing of application for or transfer of, 35-12-506
- withdrawal, certificate declaring, 35-12-704

Local government review and establishment of study commission elections, 7-3-174, 7-3-176
Long arm statutes, See **LONG ARM STATUTES**
Mental Illness Interstate Compact, transmittal of copies, 53-22-106
Motor vehicles, access to state automated stolen vehicle file, 61-3-106
Municipal commission government, certificate of adoption transmitted to, 7-3-4212
Municipal commission-manager form of government, certificate of adoption transmitted to, 7-3-4309
Nonprofit corporations

- agent for, 35-2-613, 35-2-831
- agent, registered
    - change, 35-2-222, 35-2-310, 35-2-828, 35-2-832
    - resignation, 35-2-311, 35-2-829, 35-2-832
- annual report, 35-2-832, 35-2-904, 35-2-906, 35-2-1108, 35-2-1112
- appeal from decision, 35-2-834, 35-2-1110

SECRETARY OF STATE (Continued)
Nonprofit corporations (Continued)

- articles of amendment, 35-2-225, 35-2-227
- articles of correction, 35-2-122
- articles of dissolution, 35-2-720, 35-2-722, 35-2-723, 35-2-1108
- articles of incorporation, filing, 35-2-212, 35-2-214
- articles of merger, 35-2-611
- articles of restatement, 35-2-226
- articles of revocation of dissolution, 35-2-724
- certificate of authority, 35-2-822, 35-2-1108
  - revocation, 35-2-832 — 35-2-834
- certificate of existence, 35-2-822, 35-2-1112
- certificate of withdrawal, 35-2-831, 35-2-1108
- computer-generated information, 35-2-1003, 35-2-1108
- consent described as vote in documents, 35-2-529
- correction of filed document, 35-2-122
- dissolution
  - articles of dissolution, 35-2-720, 35-2-722, 35-2-723, 35-2-1108
  - articles of revocation of dissolution, 35-2-724
  - decree, 35-2-731
  - service of process, trustees for, 35-2-314
- effective date of document, 35-2-121
- endorsement, date and time, 35-2-1109
- evidentiary effect of copies, 35-2-1111
- facsimile copies of documents, 35-2-120, 35-2-1003
- falsification of documents, 35-2-120, 35-2-123, 35-2-832
- fees, 35-2-1003, 35-2-1107
- filing generally, 35-2-114, 35-2-119, 35-2-1109, 35-2-1110
- forms prescribed by, 35-2-119, 35-2-123, 35-2-1108
- merger, 35-2-611, 35-2-613
- name
  - application and authority for use, 35-2-305, 35-2-826
  - fictitious, resolution of adoption, 35-2-826
  - registration, 35-2-307
  - reserved, 35-2-306
- office, registered — change, 35-2-310, 35-2-828, 35-2-832
- powers generally, 35-2-1107
- service of process, 35-2-314, 35-2-613, 35-2-831; Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D

Nonresidents, service of process for
- motorists, 25-3-602 — 25-3-604, 25-10-206
- real estate appraisers, 37-54-406, 37-54-417

Notaries public, duties, 1-5-401, 1-5-404, 1-5-405, 1-5-407 — 1-5-409
Oath of office, 2-15-402, 2-16-211; Const., III, 3
Office, location, 2-16-111; Const., VI, 1
Oil and gas, filings
- interstate oil compact commission, oath of representative to, 82-11-304
- oil and gas production damage mitigation account, lien for expenditures from, 82-11-164

Partnerships
- facsimile filing, 35-10-112
- foreign partnership, service of process, 35-10-642
- limited liability partnerships
  - registration, 30-13-202, 30-13-206, 35-10-701
  - service of process, 35-10-710
- partnership authority, statement of — amendment, filing, 35-10-310
- statements, filing and fees, 35-10-111, 35-10-113

Pesticide licensees, nonresident — designation as agent for, 80-8-210

SECRETARY OF STATE (Continued)

Political practices, commissioner of, 2-15-411, See **ELECTIONS**
Printing contracts, filing of bidder's statement, 18-7-104
Professional corporations
  amended or restated articles of incorporation filing with, 35-4-110
  annual report and statement, filing with, 35-4-209
  foreign corporations, revocation of certificate of authority, 35-4-411
  name, consent to use similar name filed with, 35-4-206
Public Education, Board of — members' oaths filed with, 2-15-1508
Public office, may not hold other public office, Const., VI, 5
Public officers or employees
  disclosure statements, 2-2-131
  oaths filed with, 2-16-212, 7-4-101
Public records, See also **PUBLIC RECORDS**
  custody, 2-6-111; Const., VI, 4
  executive branch officers, duties, 2-6-107, 2-6-211, 2-6-301 — 2-6-304, 2-15-113
  fees, filing and copying, 2-6-103
  local government records committee, 2-6-402, 2-6-404
  local records custodians, appointment, 2-6-402
  management, 2-6-203, 2-6-206, 2-6-211, 2-6-213, 2-6-302
  reproduction, 2-6-103, 2-6-111
  rules, 2-6-111, 30-9-403
  state lands, ownership — transfer, 77-1-702
Public Service Commission, candidate's nomination or election to — certification prohibited when, 69-1-105
Qualifications, Const., VI, 3
Railroad corporations
  articles of incorporation or charter, filing, 69-14-511, 69-14-514, 69-14-536
  certificate of incorporation, filing of amendment, 69-14-509
  charter, filing, 69-14-511, 69-14-514, 69-14-536
  consolidation, articles of agreement — filing, 69-14-512
  line extension, branch, or continuation — record of resolution, filing, 69-14-536
  office, principal — notice concerning, 69-14-551
Reapportionment Commission, final plans filed with, 5-1-111; Const., V, 14
Recall petitions, duties, 2-16-615, 2-16-617, 2-16-620, 2-16-621
Recodification, procedures for Montana code annotated, 1-11-103, 1-11-302
Records, See **Public records**; **PUBLIC RECORDS, Executive branch officers**
Referendums, See **Ballot issues**
Regents of Higher Education, Board of — members' oaths filed with, 2-15-1508
Religious corporations sole
  annual report, form, 35-3-209
  appointment of head, proof, 35-3-203
  articles of incorporation, 35-3-202, 35-3-203, 35-3-206
  certificate of incorporation, 35-3-203
  power of attorney, filing, 35-3-209
  succession, documents pertaining to, 35-3-207
Residence, Const., VI, 1; VI, 3
Resignations
  by, Const., VI, 6
  made to or filed with, 2-16-502
Rulemaking powers, 2-6-111, 2-15-112, 2-15-403, 13-13-278, 35-8-209, 35-8-211, 35-10-111, 35-10-113
Rural cooperative utilities
  articles of amendment, filing, 35-18-204, 35-18-501, 35-18-502
  articles of consolidation, filing, 35-18-402, 35-18-501, 35-18-502
  articles of conversion, filing, 35-18-206, 35-18-501, 35-18-502
  articles of incorporation, filing, 35-18-203, 35-18-501, 35-18-502

SECRETARY OF STATE (Continued)
Rural cooperative utilities (Continued)

  articles of merger, filing, 35-18-401, 35-18-501, 35-18-502
  certificates, issuance — fees, 35-18-502
  dissolution documents, 35-18-404, 35-18-405, 35-18-501, 35-18-502
  foreign, agent for service of process, 35-18-107
  name, statement of deviation, 35-18-201
  offices, certificate of change, 35-18-205, 35-18-502
Safety codes, filing with, 50-71-313
Salary, 2-15-401, 2-16-405; Const., VI, 5
School district cooperatives, contracts filed with, 20-7-454
School trustees, plan for single-member trustee districts — copy to, 20-3-337
Seal of state
  affixation, 2-15-401, 35-1-1311, 35-2-1111
  custody of, 2-6-111; Const., VI, 4
Secured transactions
  documents, fees, 30-9-403
  financing statement, filing, 30-9-401, 30-9-403, 30-9-409
    agricultural liens, computerized system, 30-9-403, 30-9-407, 30-9-421, 71-3-125
      statement of lien, recording and fee, 71-3-125, 71-3-402, 71-3-404, 71-3-703, 71-3-712, 71-3-802, 71-3-902
      termination statements, filing, 71-3-408, 71-3-704, 71-3-713, 71-3-808, 71-3-908
    facsimile copies, 30-9-403, 30-9-431
  records, 30-9-403, 30-9-404
Seismic operations for geophysical exploration
  agent, filing of authorization, 82-1-102
  surety bond, filing, 82-1-104
Service of process upon, 25-10-206; Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D, See also **LONG ARM STATUTES**
  corporations, 27-18-410, 27-18-411, 35-1-316, 35-1-819, 35-1-1037, 35-1-1039, 35-2-314, 35-2-613, 35-2-831; Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
  foreign trust company, 32-1-1003, 32-1-1004
  limited liability companies
    foreign, 35-8-1010, 35-8-1012
    merger, surviving company, 35-8-1201
  limited partnerships, foreign, 35-10-642, 35-12-1302, 35-12-1306, 35-12-1307
  nonresident
    motorists, for, 25-3-602 — 25-3-604, 25-10-206
    real estate appraisers, for, 37-54-406, 37-54-417
  partnerships
    foreign partnerships, 35-10-642
    limited liability partnerships, 35-10-710
Small business regulation and licensing system plan, duties of board of review and cooperation in implementation, 30-16-103, 30-16-302, 30-16-303
State lands, duties, 77-1-702, 77-2-342
State officers, seals filed with, 2-15-401, 2-16-113, 2-16-114
State Records Committee, representation on and appointments submitted to, 2-15-1013
State-tribal cooperative agreements filed with, 18-11-107
Succession in office, Const., VI, 6
Supreme court seal, impression filed with, 3-1-202
Teachers' Retirement Board members, oaths filed with, 2-15-1010
Television districts, order for creation — filing and fee, 7-13-2509
Term of office, Const., IV, 8; VI, 1; VI, 6
Textbook dealers' surety bonds, filing, 20-7-604
Township names and boundaries, certified statement, 7-4-2611

SECRETARY OF STATE (Continued)

Trademarks and service marks, registration
  application for, filing, 30-13-311, 30-13-312
  assignment, 30-13-315, 30-13-316
  cancellation, 30-13-318
  certificate of, issuance, 30-13-312, 30-13-314
  facsimile copies of documents, 30-13-341
  falsification of documents to, 30-13-319, 30-13-341
  fees, 30-13-320
  records, 2-15-401, 30-13-317
  renewal, application for — filing, 30-13-313, 30-13-314
Transportation, Department of — attestation of deed or conveyance for land sales by, 60-4-207
Transportation for officers of faculty of educational institutions, duties, 69-11-109
Trust indentures securing
  coal severance tax bonds, filing, 17-5-711
  highway revenue bonds, filing, 17-5-923
  water conservation revenue bonds, filing, 85-1-305
Unemployment insurance, unpaid taxes and special assessments — certificate for collection, 39-51-1306
Vacancy in office, 2-15-402; Const., VI, 6, See also **PUBLIC OFFICERS OR EMPLOYEES**
Wastewater treatment works revolving loan program bonds, trust indenture filed with, 75-5-1121
Water conservancy districts, documents filed with, 85-9-208, 85-9-305
Water use
  coal severance tax bonds, filing of trust indenture with, 17-5-711
  fort peck-Montana compact, filing, 85-20-201
  indian waters, filing of apportionment compact, 85-2-702
  name of watercourse, change — reports, 2-15-401, 85-2-134
  national park service and state of Montana, water rights compact — filing, 85-20-401
  northern cheyenne-Montana compact, filing, 85-20-301
  water conservation revenue bonds, filing of trust indenture, 85-1-305
  water users' associations, filing of articles of incorporation, 85-6-108
Water Well Contractors, Board of — filing of members' oaths, 2-15-3307
Wills, international — registry system for, 72-2-909

SECURED TRANSACTIONS
  See also **UNIFORM COMMERCIAL CODE, GENERAL PROVISIONS**
Acceptance of collateral, 30-1-207, 30-9-501, 30-9-505
Accessions, 30-9-314
Account debtor, 30-9-105, 30-9-318, 30-9-502, See also **Debtor**
Accounts, 30-9-105, 30-9-106
  applicability of laws, 30-9-102, 30-9-103
  assignment, See **Assignment**
  attachment of interest, 30-9-204
  collection or compromise, 30-9-205, 30-9-502
  default, collection, 30-9-502
  exclusions, 30-9-104
  filing, 30-9-302, 30-9-401
  priorities, 30-9-301, 30-9-306
  statement, 30-9-112, 30-9-208
Actions
  dealership or distribution contracts, enforcement of inventory repurchase when cancelled, 30-11-712
  enforcement of rights and obligations by, 30-1-106
  farm implements dealership agreements — unlawful termination, cancellation, nonrenewal, or substantial alteration, 30-11-809, 30-11-811
Advances, future, 30-9-204, 30-9-312
Advices of credit, perfection by possession, 30-5-116, 30-9-305
After-acquired collateral, 30-9-108, 30-9-204, 71-3-105

SECURED TRANSACTIONS (Continued)

Agreement, See **Security agreement**
Agricultural products, 30-9-105, 30-9-109
  description, 30-9-203, 30-9-402
  enforcement of security interest, 30-9-203
  equipment, 30-9-103, See **General intangibles**
  filing of financing statement, 30-9-402, See also **Filing of financing statement**, computerized system for agricultural liens
  goods, as, 30-9-105
  priority, 30-9-301, 30-9-312
  purchaser, protection, 30-9-307
Aircraft, 30-9-103, See **General intangibles**
Antecedent debt, 30-9-108
Assignment
  applicability of laws, 30-9-102
  boats, 23-2-508, 23-2-510
  breach of contract by assignor, 30-9-318
  claims or defenses, 30-9-206, 30-9-318
  continuation statement, effect, 30-9-403
  destruction of records, 30-9-411
  exclusions, 30-9-104
  filing, 23-2-508, 23-2-510, 23-2-611, 23-2-612, 23-2-811, 30-9-302, 30-9-402, 30-9-404, 30-9-405, 30-9-407, 30-9-411
  "instrument" defined, 30-9-105
  letters of credit, 30-5-116
  lien creditor, See **Liens**
  modification of contract before notice, 30-9-318
  notice, 30-5-116, 30-9-318
  off-highway vehicles, 23-2-811
  perfection, continued, 30-9-302
  proof, 30-9-318
  secured party, collection rights upon default, 30-9-502
  snowmobiles, 23-2-611, 23-2-612
  statement of release, 30-9-406
  term prohibiting, ineffective, 30-9-318
Attachment of collateral, See **ATTACHMENT OF PROPERTY, Secured transactions**
Attachment of security interest, 23-2-508, 23-2-611, 23-2-811, 30-9-105, 30-9-203, 30-9-204, 30-9-303, 30-9-312
Automotive equipment, 30-9-103, See **General intangibles**
Banks, See **BANK DEPOSITS AND COLLECTIONS, Security interest of bank**
Boats, 23-2-502, 23-2-508, 23-2-510, 23-2-512, 30-9-203, 30-9-302
Building and loan association accounts, exclusion, 30-9-104, See also **Deposit accounts**
Buyers, See **Purchasers of collateral**
Care, duty of, 30-1-102, 30-9-207
Certificate of title, effect, 30-9-103, 30-9-302
Chattel paper, 30-2A-103, 30-9-105
  applicability of laws, 30-9-102, 30-9-103
  care, duty of, 30-9-207
  collection or compromise, 30-9-205, 30-9-502
  conflict of laws, 30-9-103
  default, collection, 30-9-502
  exclusions, 30-9-104
  installment contract as, 31-1-202
  perfection of interest, 30-9-103, 30-9-304, 30-9-305
  priority, 30-9-301, 30-9-306, 30-9-308, 30-9-312, 71-3-401
Checks, 30-3-104, 30-9-105, 30-9-306

SECURED TRANSACTIONS (Continued)

Citation of Uniform Commercial Code, 30-1-101, 30-9-101
Claims or defenses against assignee, 30-9-206, 30-9-318
Collateral, 30-9-105
  acceptance, 30-9-501, 30-9-505
  additional, 30-1-208, 30-9-402
  after-acquired, 30-9-108, 30-9-204, 30-9-402, 71-3-105
  attachment of collateral, See **ATTACHMENT OF PROPERTY, Secured transactions**
  attachment of security interest, 30-9-204
  care, 30-1-102, 30-9-207
  commingling, 30-9-205, 30-9-207, 30-9-315
  consumer loans, for, 32-5-505
  conversion, 30-9-505
  damage to, 30-1-102, 30-9-207, 45-6-315
  default, See **Default**
  description of property, 30-9-110, 30-9-203, 30-9-402, 30-9-405, 30-9-406, 30-9-409
  disposition, See **Disposition of collateral**
  expenses, 30-9-207
  extent of security interest, 30-9-204
  foreclosure, See **Enforcement sales**
  fungible, 30-9-207
  identification, 30-9-207, 30-9-208
  insurance coverage, 30-9-207
  lapse, 30-9-402
  liability, 30-9-207, 30-9-317
  list, 30-9-208
  location, 30-9-103, 30-9-401
  loss of, 30-9-207
  ownership rights when not owned by debtor, 30-9-105, 30-9-112, 30-9-313
  possession, See **Possession of collateral**
  proceeds, See **Proceeds from collateral**
  profits, See **Proceeds from collateral**
  purchasers, See **Purchasers of collateral**
  redemption, 30-9-112, 30-9-501, 30-9-506, 71-3-109, 71-3-117
  release, 30-9-406, 30-9-407, 30-9-411
  removal, 30-9-103, 30-9-313
  replacement, 30-9-205
  repledge of, 30-9-207
  title immaterial, 30-9-202
  transfer of debtor's rights, 30-9-311
  use, 30-9-205, 30-9-207, 30-9-317
Commingling, 30-9-205, 30-9-207, 30-9-306, 30-9-315
Conditional sales, 1-1-205, 30-9-102
Conflict of laws, 30-1-105, 30-9-102, 30-9-103, 30-9-302, 30-9-401
Consignments, 30-9-102, 30-9-114, 30-9-312, 30-9-412
Construction, 30-1-102, 30-1-104, 30-9-105
Construction equipment, 30-9-103, See **General intangibles**
Construction mortgage, 30-9-313
Consumer loan business law, applicability, 30-9-203, 32-5-505
Continuation statement, 30-9-403, 30-9-411
Continuous perfection, 30-9-302 — 30-9-304, 30-9-306
Contract for sale, 30-2-106, 30-9-105
  after-acquired property, 30-9-108, 30-9-204
  default, sale of collateral by, 30-9-504 — 30-9-506
  subordinated obligation, 30-1-209
Contract liability of secured party, 30-9-317, 30-9-318

SECURED TRANSACTIONS (Continued)

Contract rights, exclusions, 30-9-104
Controlled substances, seizures related to — effect of security interest, 44-12-102, 44-12-204 — 44-12-206
Conversion, 30-9-505
Creditors, 30-1-209, 30-2-402, 30-9-201, 45-6-315
Credit union accounts, exclusion, 30-9-104
Damages, See **Liability**
Dealership or distribution contracts, inventory repurchase requirements, 30-11-701, 30-11-711
Debtor, 30-9-105, See also **Account debtor**
  after-acquired collateral, 30-9-108
  applicability of laws, 30-9-113
  assignment, information in, 30-9-405
  commingling of collateral by, 30-9-205
  conversion, 30-9-505
  default, See **Default**
  disposition of collateral by, 30-9-205
  enforcement of security interest against, 30-9-203
  expenses chargeable to, 30-9-207, 30-9-208, 30-9-506
  financing statement, 30-9-402, 30-9-403, 30-9-405, 30-9-406
  insurance coverage, 30-9-207
  jurisdiction determined by, 30-9-103
  liability, 30-9-317, 30-9-502, 30-9-504
  list of collateral to, 30-9-208
  location change, 30-9-103, 30-9-401
  modification of rights, 30-9-505
  owner of collateral when not debtor as, 30-9-105, 30-9-112, 30-9-313
  perfection by delivery of instrument or availability of goods to, 30-9-304
  proceeds from collateral, 30-9-207, 30-9-306
  redemption, 30-9-501, 30-9-506
  release of collateral, information in statement, 30-9-406
  rights in collateral, 30-9-204, 30-9-505
  statement of account to, 30-9-208
  subordinated obligation, 30-1-209
  termination statement to, 30-9-404
  transfer of rights, 30-9-311
  use of collateral, 30-9-205, 30-9-317
  waiver of rights, 30-1-107, 30-9-501, 30-9-505
Default
  acceptance of collateral, 30-9-501, 30-9-505
  attorney's fees, 25-10-302, 30-9-504, 30-9-506, 30-9-511
  boats, remedies, 23-2-508
  charge back, 30-9-502
  collection rights, 30-9-502
  conversion, 30-9-505
  debtor's rights, 30-9-501
  deficiency or surplus, 30-9-112, 30-9-501, 30-9-502, 30-9-504
  discharge, 30-9-501, 30-9-504, 30-9-505
  disposition of collateral, 30-9-501, 30-9-503 — 30-9-507
  enforcement sales, See **Enforcement sales**
  expenses, 25-10-302, 30-9-502, 30-9-504, 30-9-506, 30-9-511
  foreclosure, See **Enforcement sales**
  judicial sale, See **Enforcement sales**
  liability, 30-9-507
  lien upon property, 30-9-501, 30-9-504
  off-highway vehicles, 23-2-811
  personal property, 30-9-501

SECURED TRANSACTIONS (Continued)
Default (Continued)

possession of collateral, 30-9-503
proceeds, 30-9-501, 30-9-502, 30-9-504
real property, 30-9-501
recovery by debtor, 30-9-507
redemption of collateral, 30-9-112, 30-9-501, 30-9-506
remedy, 30-9-501
removal of collateral, 30-9-313
sales, security interest arising under, 30-9-113, See also **Enforcement sales**
snowmobiles, remedies, 23-2-611
subrogation to secured party, 30-9-504
surplus, 30-9-501, 30-9-502, 30-9-504
transfer as, 30-9-311
variance of provisions, 30-1-102, 30-1-105, 30-9-501
waiver of claim or right, 30-1-107, 30-9-501, 30-9-505
Defenses against assignee, 30-9-206, 30-9-318
Deficiency, See **Default**
Definitions, 1-1-205, 30-1-102, 30-1-201, 30-9-105, 30-9-109
accessions, 30-9-314
account, 30-9-106
check, 30-3-104
code, 30-1-101
construction mortgage, 30-9-313
contract for sale, 30-2-106
financing statement, 30-9-402
fixture, 30-9-313
fixture filing, 30-9-313
general intangibles, 30-9-106
holder in due course, 30-3-302, 30-9-105
lien creditor, 30-9-301
note, 30-3-104, 30-9-105
perfection, 30-9-303
proceeds, 30-9-306
purchase money security interest, 30-9-107
sale, 30-2-106
security interest, 1-1-205, 30-1-201, 45-6-315
subsequent purchaser, 30-9-314
united states, 30-9-103
Defrauding secured creditors, 45-6-315
Delivery, 30-1-201
financing statement, 30-9-404, 30-9-407
letters of credit, 30-5-116
perfection, effect, 30-9-302, 30-9-304
priority, effect, 30-9-301
Deposit accounts, 30-9-104, 30-9-105, 30-9-306, See also **BANK DEPOSITS AND COLLECTIONS, Security interest of bank**
Description of property, 30-9-110, 30-9-203, 30-9-402, 30-9-405, 30-9-406, 30-9-409
Discharge, 30-9-501, 30-9-504, 30-9-505
Disposition of collateral, See also **Enforcement sales**
accounting, without, 30-9-205
debtor, by, 30-9-205
default, in, 30-9-501, 30-9-503 — 30-9-507
documents of title, effect, 30-7-503, 30-9-307
expenses, 30-9-506
foreclosure, 30-9-508
liability, 30-9-317

SECURED TRANSACTIONS (Continued)
Disposition of collateral (Continued)

proceeds, inclusion, 30-9-306
Documents of title, 30-1-201, 30-9-105, See also **DOCUMENTS OF TITLE**
  applicability of laws, 30-9-102
  disposition of goods, effect, 30-7-503, 30-9-309
  perfection, 30-9-304, 30-9-305
  priority, 30-4-208, 30-9-301, 30-9-304, 30-9-309
  reservation of interest by, 30-2-505
Enforcement of security interest, 30-1-106, 30-1-107, 30-4-208, 30-9-203, 31-2-340, See also **Default**; **Enforcement sales**
Enforcement sales, See also **Disposition of collateral**
  applicability of laws, 30-9-113, 30-9-504, 30-9-508
  attorney's fees, 25-10-302, 30-9-504, 30-9-506, 30-9-511
  commercially reasonable, 30-9-507
  deficiencies, liability, 30-9-502, 30-9-504
  effect, 30-9-504
  expenses, 25-10-302, 30-9-504, 30-9-506, 30-9-511
  foreclosure, as, 30-9-501
  joinder, 30-9-508
  liability, 30-9-507
  manner, 30-9-504, 30-9-507, 30-9-508
  notice, 30-9-504
  priority, 30-9-314
  proceeds, application, 25-13-712, 30-9-504
  reasonable manner, 30-9-507
  redemption, 30-9-506
  right to sell, 30-9-504
  secured party, 25-13-506, 30-9-314, 30-9-501, 30-9-504, 30-9-507
  surplus, debtor's entitlement, 30-9-502, 30-9-504
  transfer of rights and interests, 30-9-504
Equipment, 30-9-102, 30-9-104, 30-9-105, 30-9-109, See also **General intangibles**
Estates and probate, See **ESTATES AND PROBATE**, **Security interest in property of estate**
Exclusions from provisions, 30-9-104
Execution upon property subject to, 25-13-505, 25-13-506, 25-13-712, See also **Enforcement sales**
Facsimile copies of documents, 30-9-403, 30-9-431
Farm products, See **Agricultural products**; **Filing of financing statement**, computerized system for agricultural liens
Federal filing of financing statement, 30-9-302
Fees
  assignment, 23-2-508, 23-2-611, 23-2-811, 30-9-405
  certification of filing, 30-9-407
  copies, 30-9-407
  filing, 7-4-2631, 23-2-508, 23-2-611, 23-2-811, 30-9-402, 30-9-403
  financing statement, 7-4-2631, 30-9-403, 30-9-407
  indexing, 7-4-2631
  release of collateral, 30-9-406
  statement of account, 30-9-208
  termination statement, 30-9-404
Filing officer, 30-9-403 — 30-9-407, 30-9-411, 30-9-432
Filing of financing statement
  additional collateral, 30-9-402
  amendment of financing statement, 30-9-402
  applicability of laws, 30-9-103, 30-9-410
  assignment, inclusion in, 30-9-405, 30-9-407, See **Assignment**
  certification, 30-9-403, 30-9-407
  collateral, location change, 30-9-401

SECURED TRANSACTIONS (Continued)
Filing of financing statement (Continued)

- computerized system for agricultural liens
  - accessibility, 30-9-403
  - certified copy of statement, 30-9-403, 30-9-407, 30-9-421
  - compliance with federal requirements, 30-9-407
  - description of property, 30-9-402
  - existing statements, perfection and priority rights, 30-9-421
  - fees, 30-9-403, 30-9-407
  - format for data, 30-9-421
  - livestock, branded — applicability of provisions, 30-9-423
  - master list, compilation and distribution, 30-9-407
  - rules, 30-9-421
- conflict of laws, 30-1-105, 30-9-103, 30-9-302, 30-9-401
- consignment sales, 30-9-114, 30-9-412
- continuation statement, 30-9-403, 30-9-411
- copies, 30-9-403, 30-9-405, 30-9-407, 30-9-431
- default, 30-9-504, 30-9-505
- destruction of records, 30-9-403, 30-9-404, 30-9-411
- duration, 30-9-403
- exclusions, 30-4-208, 30-9-113, 30-9-302, 30-9-304, 90-6-108
- federal, exceptions, 30-9-302
- fees, See **Fees**
- "financing statement" defined, 30-9-402
- formal requirements, 30-9-402
- fraudulent or improper liens, removal, 30-9-432
- governmental, exceptions, 30-9-302
- indexing, 7-4-2619, 7-4-2631, 30-9-403, 30-9-404
- information regarding, 30-9-407
- insolvency, effect, 30-9-403
- jurisdiction, 30-9-103, 30-9-401
- lapse, 30-9-403
- leased goods, fixture filing, 30-2A-309, 30-9-412
- location, change, 30-9-401
- manner of, 30-9-403, 30-9-407
- mistake, 30-9-401, 30-9-402
- notice of the security interest, not, 30-9-309
- order, priority, 30-9-312
- permissive, 30-9-304
- place, 30-9-103, 30-9-401, 30-9-409
- presentation, 30-9-405
- priority, 30-9-301, 30-9-312, 30-9-421
- proceeds, covered, 30-9-306
- records, 7-4-2619, 7-4-2631, 30-9-403, 30-9-404, 30-9-407, 30-9-411
- release of collateral, 30-9-406, 30-9-407, 30-9-411
- renewable resource grant and loan projects, 85-1-615
- required when, 30-9-113, 30-9-302, 30-9-304, 30-9-401
- rules, 30-9-403, 30-9-404, 30-9-421
- sales, security interest arising under, 30-9-113
- securities transactions, not required, 30-8-321
- security agreement as, 30-9-402
- termination statement, 30-9-403, 30-9-404, 30-9-407, 30-9-411, 71-3-205
- transmitting utilities, 30-9-409, 30-9-410

Fixtures, 30-9-105, 30-9-313
- applicability of laws, 30-9-102, 30-9-104, 30-9-313
- assignment, 30-9-405
- attachment of interest, 30-9-313

SECURED TRANSACTIONS (Continued)
Fixtures (Continued)

- construction mortgage, 30-9-313
- filing, 30-2A-309, 30-9-302, 30-9-313, 30-9-401 — 30-9-403
- goods, as, 30-9-105
- leased goods, 30-2A-309
- perfection of interest, 30-9-313
- priority, 30-9-313
- transmitting utility, of, 30-9-409

Foreclosure, See **Enforcement sales**
Foreign corporations, power to effect, 35-1-1026, 35-2-820
Formal requirements, 30-9-203
Fraudulent transfers — transferee's defenses, liability, and protection, 31-2-340
Fungible collateral, 30-1-201, 30-9-207
Future advances, 30-9-204, 30-9-312
Garnishment of collateral, 30-9-311
General intangibles, 30-9-105, 30-9-106

- applicability of laws, 30-9-102, 30-9-103
- contract term prohibiting creation of security interest, ineffective, 30-9-318
- filing, 30-9-401
- priority, 30-9-301

Good faith, 30-1-201

- assignment, 30-9-206, 30-9-318
- default, disposition of collateral to purchaser, 30-9-504
- filing of financing statement, 30-9-401
- obligation, 30-1-102, 30-1-203, 30-9-208

Goods, 30-9-105

- accessions, 30-9-314
- applicability of laws, 30-9-102, 30-9-103
- bailee, effect of possession, 30-9-304
- classification, 30-9-109
- commingled, 30-9-315
- consignment, 30-9-114, 30-9-412
- consumer
  - attachment of security interest, 30-9-204
  - buyer protection, 30-9-307
  - defined, 30-9-105, 30-9-109
  - filing, 30-9-302, 30-9-401
- fixtures, as, 30-9-313, See **Fixtures**
- leased goods, 30-9-412
- perfection, 30-9-304, 30-9-305
- priority, 30-9-301, 30-9-304, 30-9-307, 30-9-313 — 30-9-315
- processed, 30-9-315
- repossession, 30-9-205, 30-9-306
- return, 30-9-205, 30-9-306

Governmental

- exclusions, 30-9-104
- filing of financing statement, 30-9-302

Holder in due course, 30-1-201, 30-3-302, 30-9-105

- bank as, 30-4-209
- claims and defenses, 30-9-206
- default, subordinate security interest, 30-9-504
- priority, 30-9-314
- protection, 30-9-309

Hospital district notes secured by, 7-34-2131
Housing development, lower income — filing exemption, 90-6-108
Illegal transactions not validated by provisions, 30-9-201

SECURED TRANSACTIONS (Continued)

Injunction, sale of collateral, 30-9-112, 30-9-507
Insolvency proceedings, 30-1-201, 30-9-306, 30-9-403
Installment sales law, applicability, 30-9-201, 30-9-203
Instruments, 30-9-105, See also **NEGOTIABLE INSTRUMENTS**
    applicability of laws, 30-3-124, 30-9-206
    care, duty of, 30-9-207
    perfection, 30-8-320, 30-9-304, 30-9-305
    priority, 30-9-301, 30-9-308, 30-9-309
Insurance
    claims, exclusions, 30-9-104
    collateral in secured party's possession, 30-9-207
    premium finance company agreements as security interest, 33-14-306
Insurers supervision, rehabilitation, and liquidation, See generally **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION, Claims**; **Creditors**
Intangibles, See **General intangibles**
Inventory, 30-9-105, 30-9-109
    applicability of laws, 30-9-103, 30-9-203
    boat dealers, boats held as — perfection of interest, 23-2-508
    off-highway vehicles, 23-2-811
    motor vehicle dealers, vehicles held as — perfection of interest, 61-3-103
    priority, 30-9-308, 30-9-312
    snowmobile dealers, snowmobiles held as — perfection of interest, 23-2-611
Investment securities, See **Instruments**
Irrigation district undertakings, security interest, 85-7-1434
Judgment, 30-9-104, 30-9-501
Judicial sales, See **Enforcement sales**; See also **Disposition of collateral**
Landlord-tenant relationships, sale of tenant's abandoned personal property — applicability of laws, 70-24-430
Leases, Title 30, chapter 2A, See also **LEASES**
    account, 30-9-106, See **Accounts**
    alienability of party's interest, 30-2A-303
    applicability of laws, 30-1-201, 30-9-102
    chattel paper, 30-9-105, See **Chattel paper**
    goods, financing statement and perfection of interest, 30-2A-309, 30-9-412
    instrument, 30-9-105, See **Instruments**
    inventory, 30-9-109, See **Inventory**
    multiple state transactions, 30-9-103
    real estate transactions, exclusion when, 30-9-104
    security interest arising when, 30-9-113
Letters of credit, perfection of interest, 30-9-305
Levy upon collateral, 30-9-311
Liability
    debtor, 30-9-317, 30-9-502, 30-9-504
    false documents, filing by facsimile copy, 30-9-403
    fraudulent or improper liens, recovery of damages, 30-9-432
    owner of collateral when not debtor, 30-9-112
    secured party, 30-9-207, 30-9-208, 30-9-317, 30-9-404, 30-9-501, 30-9-504, 30-9-505, 30-9-507
Liens
    agister's lien, priority, 71-3-1202
    agricultural, filing, See **Filing of financing statement**, computerized system for agricultural liens
    applicability of provisions to, 30-9-102
    default, 30-9-501, 30-9-504
    discharge by disposition of collateral, 30-9-504
    exclusions, 30-9-102, 30-9-104
    federal lien, certificate of release or nonattachment as termination statement, 71-3-205

SECURED TRANSACTIONS (Continued)
Liens (Continued)

  forfeiture of property, 71-3-109
  future interests, 71-3-105
  holder's rights, 71-3-112
  lien creditor, 30-1-201, 30-2-403, 30-9-105, 30-9-301
  priority, 30-2A-306, 30-2A-307, 30-9-301, 30-9-310, 30-9-313, 30-9-314, 71-3-1202, 72-16-479
  redemption, 71-3-109, 71-3-117
  restoration of property, effect, 71-3-123
Livestock, See **Agricultural products**; **Filing of financing statement**, computerized system for agricultural liens; **LIVESTOCK**, **Security agreements**
Loan law, applicability, 30-9-201, 30-9-203, 31-1-106
Milk producers and retailers, prohibitions, 81-23-305
Minerals, 30-9-103, 30-9-105, 30-9-401 — 30-9-403, 30-9-405
Money, 30-1-201, 30-9-304 — 30-9-306
Mortgages, 30-9-105, See also **Chattel paper**
  applicability of laws, 30-9-508, 71-1-112
  "encumbrance" defined, 30-9-105
  filings of security interest as, 30-9-401, 30-9-403 — 30-9-406
  ship mortgage act, 1920 — exclusion, 30-9-104
Motorboats, 23-2-502, 23-2-508, 23-2-510, 23-2-512, 30-9-203, 30-9-302
Motor vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, **Security interests**
Multiple state transactions, perfection of security interest, 30-9-103
Negotiable instruments, See **Instruments**
Notice, 30-1-201
  acceptance of collateral, 30-9-505
  assignment, 30-9-318
  claim or defense against assignee, 30-9-206
  consignor, to protect priority, 30-9-114
  default, 30-9-502, 30-9-504, 30-9-505
  owner when not debtor, to, 30-9-112
  perfection by, 30-9-304
  possession determined by, 30-9-305
  purchase money security interest, priority, 30-9-312
  security interest, filing not, 30-9-309
  "send" defined, 30-1-201
Obligations, 30-1-209, 30-9-204, 30-9-207
Off-highway vehicles, 23-2-811, 23-2-812
Oil and gas, 30-9-103, 30-9-105, 30-9-401 — 30-9-403, 30-9-405, 30-9-409, 30-9-410
Open-end consumer loans, 32-5-505
Owner of collateral when not debtor, 30-9-105, 30-9-112, 30-9-313
Pawnbroker law, applicability, 30-9-203
Perfection of interest, 30-9-303
  advices of credit, 30-9-305
  agricultural liens, 30-9-403, 30-9-421
  bailee, 30-9-304
  boats, 23-2-508
  certificate of title, 30-9-103
  chattel paper, 30-9-304, 30-9-305
  conflict of laws, 30-1-105, 30-9-103
  continuous, 30-9-302 — 30-9-304, 30-9-306
  dates, 30-9-103
  documents of title, 30-9-304, 30-9-305
  duration, 30-9-103
  filing of financing statement, 30-9-302, See **Filing of financing statement**
  goods, 30-9-305
  insolvency proceedings, 30-9-306, 30-9-403

SECURED TRANSACTIONS (Continued)
Perfection of interest (Continued)

- instruments, 30-9-302, 30-9-304, 30-9-305
- jurisdiction, 30-9-103
- letters of credit, 30-5-116, 30-9-305
- manner of, 30-9-304
- money, 30-9-304, 30-9-305
- motor vehicle dealers, vehicles held as inventory, 61-3-103
- multiple state transactions, 30-9-103
- off-highway vehicles, 23-2-811
- order, priority, 30-9-312
- possession as, 30-9-205, 30-9-304, 30-9-305
- priority when, 30-9-310, 30-9-312
- proceeds, interest in, 30-9-306
- repossessed goods, 30-9-306
- required when, 30-9-103
- sale of goods, 30-9-306
- snowmobiles, 23-2-611
- temporary, 30-9-302, 30-9-304
- transmitting utilities, 30-9-409, 30-9-410
- unperfected interest, 30-9-301, 30-9-403
- when, 30-9-303

Personal property, applicability of laws, 30-9-102
Pledge, applicability of laws, 30-9-102
Policy, 30-9-102
Possession of collateral

- care, duty of, 30-9-207
- default, after, 30-9-503, 30-9-505
- documents of title, reservation by, 30-2-505
- enforceability of security interest by, 30-9-203
- expenses, 30-9-207
- filing exemption, 30-9-302
- foreclosure, for, 30-9-508
- insurance coverage, 30-9-207
- perfection by, 30-9-205, 30-9-302, 30-9-304, 30-9-305
- priority, 30-9-312
- secured party's rights and duties, 30-9-207
- use by debtor, 30-9-205, 30-9-317

Power of attorney, statutory — authority, 72-31-225
Priority

- accessions, 30-9-314
- accounts, 30-9-301, 30-9-306
- agisters' liens, 71-3-1202
- agricultural products, 30-9-312
- attachment of security interest, order, 30-9-312
- bank collections, 30-4-208, 30-9-312
- buyers of goods, 30-9-307, 30-9-314
- chattel mortgage, 71-3-401
- chattel paper, 30-9-301, 30-9-306, 30-9-308
- commingled goods, 30-9-315
- conflicting interests, 30-4-208, 30-9-312, 30-9-315
- consignment sales, 30-9-114
- construction mortgage, 30-9-313
- documents of title, 30-4-208, 30-9-301, 30-9-304, 30-9-309
- filing order, 30-9-301, 30-9-312
- fixtures, 30-9-313
- future advances, 30-9-312

SECURED TRANSACTIONS (Continued)
Priority (Continued)

general intangibles, 30-9-301
goods, 30-9-114, 30-9-301, 30-9-304, 30-9-307, 30-9-313 — 30-9-315
inheritance tax liens, 72-16-479
instruments, 30-9-301, 30-9-308, 30-9-309
inventory, 30-9-308, 30-9-312
liens, 30-2A-306, 30-2A-307, 30-9-301, 30-9-310, 30-9-313, 30-9-314, 71-3-1202, 72-16-479
perfected security interest, 30-9-310, 30-9-312
perfection, order, 30-9-312
possession, 30-9-312
proceeds, 30-4-208, 30-9-306, 30-9-312
processed goods, 30-9-315
purchase money security interest, 30-9-301, 30-9-312
real estate, 30-9-313
repossessions, 30-9-306
sale and return of goods, 30-9-306
subordination by agreement, 30-1-209, 30-9-316
subsequent purchaser, 30-9-314
transferee, 30-9-301, 30-9-306
transferor, 30-9-306
unperfected interests, 30-9-301
Proceeds from collateral, 30-9-105, 30-9-306
accounting, 30-9-501
additional security, as, 30-9-207
application, 30-9-504
collection, 30-9-502
default, 30-9-501, 30-9-502, 30-9-504
financing statement, description, 30-9-402
insolvency, effect, 30-9-306
perfection of interest, 30-9-306
priority, 30-4-208, 30-9-306, 30-9-312
Processed goods, priority, 30-9-315
Purchase money security interest, 30-9-105, 30-9-107
applicable laws, 30-9-206
default, 30-9-505
filing exception, 30-9-302
priority, 30-9-301, 30-9-312
Purchasers of collateral
applicability of laws, 30-2-403
definitions, 30-1-201
foreclosure sale, 30-9-504
priority and protection, 30-9-306 — 30-9-309, 30-9-314
subsequent, 30-9-314
validity of security agreement, 30-9-201
Railroads, See also **General intangibles**
financing statement, 30-9-403
jurisdiction, 30-9-103
termination statement, 30-9-404
transmitting utility, as, 30-9-409, 30-9-410
Real property
fixtures, See **Fixtures**
priority, 30-9-313
Redemption of collateral, 30-9-112, 30-9-501, 30-9-506, 71-3-109, 71-3-117
Release of collateral, 30-9-406, 30-9-407, 30-9-411
Remedies, 30-1-201
cumulative, 30-9-501

SECURED TRANSACTIONS (Continued)
Remedies (Continued)

default, 30-9-501
liberal administration, 30-1-106
variance by agreement, 30-1-102, 30-1-105, 30-9-501
waiver of claim or right, 30-1-107, 30-9-501
Renewable resource grant and loan projects, 85-1-604, 85-1-612, 85-1-613, 85-1-615, 85-1-616
Repossession of goods, 30-9-205, 30-9-306, 30-9-503
Resale, deficiency, 30-9-112
Reservation of rights, 30-1-207
Road building equipment, 30-9-103, See **General intangibles**
Sailboats, 23-2-502, 23-2-508, 23-2-510, 23-2-512, 30-9-203, 30-9-302
Sales, 30-2-106, 30-9-105
applicability of laws, 30-2-102, 30-2-401, 30-9-102, 30-9-113, 30-9-201, 30-9-203, 30-9-206, 30-9-504
claims and defenses arising from, 30-9-206, 30-9-318
conditional, applicability of laws, 30-9-102
continuation of interest, 30-9-306
default, See **Enforcement sales**
enforcement of interest arising under sale, 30-9-113, 30-9-203
enforcement of interest by sale, See **Enforcement sales**
exclusions, 30-9-104
filing exceptions, 30-9-302
foreclosure, See **Enforcement sales**
judicial, See **Enforcement sales**
perfection, temporary, 30-9-304
priorities, 30-9-306
retail installment, applicability of law, 30-9-201, 30-9-203
security interest arising under, 30-9-113
transfer of rights by, 30-2-401, 30-9-311
Secured party, 30-9-105
affidavit when, 25-13-506
care, duty of, 30-9-207
collateral, 30-9-306, 30-9-501
default, 30-9-501 — 30-9-504
financing statement, signature, 30-9-402
foreclosure, 30-9-508
liability of, 30-9-207, 30-9-208, 30-9-317, 30-9-404, 30-9-501, 30-9-505, 30-9-507
liability to, 30-9-504
list of collateral to debtor, 30-9-208
proceeds, rights in, 30-9-306
redemption of collateral by, 30-9-506
statement of account to debtor, 30-9-208
successor in interest, 30-9-208
use of collateral, 30-9-207, 30-9-317
Securities, See **SECURITIES AND SECURITIES REGULATION**
Security agreement, 30-1-102, 30-9-105
acceleration, 30-1-208
attachment of security interest by, 30-9-204
attorney's fees, 25-10-302, 30-9-511
course of dealing, 30-1-205
default, 30-9-501 — 30-9-503, 30-9-508
exemptions, 30-4-208
expenses, 25-10-302, 30-9-511
extent of security interest, 30-9-204
financing statement, as, 30-9-402
foreclosure, 25-10-302, 30-9-508, 30-9-511
future advances, 30-9-204

SECURED TRANSACTIONS (Continued)
Security agreement (Continued)

- livestock, applicability, 30-9-203
- priority, subordination, 30-9-316
- required, 30-4-208, 30-9-203
- terms, 30-1-201, 30-1-208, 30-9-204
- transfer provisions, 30-9-311
- usage of trade, 30-1-205
- use of collateral, 30-9-207
- validity, 30-9-201

Setoff, 30-9-104, 30-9-306
Ship Mortgage Act, 1920 — exclusions, 30-9-104
Short titles, 30-1-101, 30-9-101
Signatures, 30-9-203, 30-9-402 — 30-9-404
Snowmobiles, 23-2-601, 23-2-611, 23-2-612, 30-9-203, 30-9-302
Statement of account, 30-9-112, 30-9-208
Statute of frauds inapplicable, 30-1-206, 30-9-203
Subject matter of chapter, 30-9-102
Subordination, See **Priority**
Successor in interest, 30-9-208
Surplus, See **Default**, deficiency or surplus
Termination statement, 30-9-404, 30-9-407, 30-9-411, 71-3-205
Territorial application, 30-1-105, 30-9-103
Timber, 30-9-105, 30-9-203, 30-9-401 — 30-9-403, 30-9-405
Title retention contract, applicability of laws, 30-9-102
Title to collateral immaterial, 30-9-202
Torts, 30-9-104, 30-9-317
Transferee, 30-9-301, 30-9-306, 31-2-340
Transfer of rights in collateral, 30-9-311
Transferor, priority, 30-9-306
Transmitting utilities, 30-9-105, 30-9-403, 30-9-409, 30-9-410
Trust indentures, applicability of laws, 30-9-102
Trusts, applicability of laws, 30-9-102, 72-1-103
Unperfected interest, priority, 30-9-301
Use of collateral, 30-9-205, 30-9-207, 30-9-317
Usury laws, applicability, 30-9-201
Utilities, transmitting, 30-9-105, 30-9-403, 30-9-409, 30-9-410
Validity, security agreement, 30-9-201
Variance of provisions by agreement, 30-1-102, 30-1-105, 30-9-501
Vessels, contracts involving hiring, 30-9-105, 30-9-106
Wages, assignment — exclusions, 30-9-104
Waiver of claim or right, 30-1-107, 30-9-501, 30-9-505
Warehousemen, reservation of security interest, 30-7-209
Warranties, sales law applicability, 30-9-206

SECURITIES AND SECURITIES REGULATION
See also **UNIFORM COMMERCIAL CODE, GENERAL PROVISIONS**
Actions, 30-1-201

- affidavit of compliance, plaintiff's, 30-10-208
- alteration of security, 30-8-206
- burden of proof, 30-8-105
- contract for sale, enforcement, 30-8-319
- endorsement compelled, 30-8-307
- enforcement of rights and obligations, 30-1-107
- evidence, See **Evidence**
- examination costs, failure to pay, 30-10-210
- fines for offenses, recovery, 30-10-201, 30-10-305

SECURITIES AND SECURITIES REGULATION (Continued)
Actions (Continued)

- fraud or misrepresentation, 30-10-307
- incomplete instrument, 30-8-206
- possession, 30-8-315
- presumptions, 30-8-105
- price, for, 30-8-104, 30-8-107, 30-10-307
- registration violations, for, 30-10-201, 30-10-305, 30-10-307
- remedies, liberal administration, 30-1-106
- self-incrimination, 30-10-304
- service of process, 30-10-208
- statute of frauds, 30-1-206, 30-8-319
- subpoenas, 30-10-304
- survival of action, 30-10-307
- waiver of claim or right, 30-1-107
- wrongful transfer, 30-8-315

Administration, 30-10-107
Adverse claim, 30-8-102, 30-8-302
- clearing corporation, errors in entries, 30-8-320
- delivery, notice after, 30-8-313
- endorsement, notice by, 30-8-310
- equivalent exchange security, noted on, 30-8-408
- fiduciary transfers, 30-8-304, 30-8-403, 30-10-406
- financial intermediary, after delivery to, 30-8-313
- good faith purchaser, effect, 30-8-302
- indemnity bond, 30-8-403
- inquiry, 30-8-304, 30-8-401, 30-8-403, 30-8-404
- liability, 30-8-404
- notice
  - delivery, after, 30-8-313
  - endorsement, by, 30-8-310
  - good faith purchaser, effect, 30-8-302
  - inquiry, duty of, 30-8-403
  - prior holder, to, 30-8-302
  - purchaser, to, 30-8-304
  - staleness as, 30-8-305
- prior holder, notice when, 30-8-302
- registration of transfer, pledge, or release — effect, 30-8-401, 30-8-403
- staleness as notice, 30-8-305
- uncertificated security, statement, 30-8-408
- warranties, 30-8-306

Advisers, See **Brokers, salespersons, advisers, and adviser representatives**
Agents
- endorsement, 30-8-308, 30-8-402
- indemnification, 30-8-403
- issuance, 30-8-201, 30-8-205
- liability for conversion, 30-8-318
- registration of transfer, duties, 30-8-406
- signature, 30-8-205, 30-8-208
- warranty, 30-8-208, 30-8-306

Alteration, 30-8-206
- warranty against, 30-8-306

Armored car service, Title 37, chapter 60
Assessments
- conservator, payment by, 72-5-427
- personal representative, payment by, 72-3-613
- registered owner, liability, 30-8-207

SECURITIES AND SECURITIES REGULATION (Continued)
Assessments (Continued)

    trustee, payment by, 72-34-327
Assignment
    endorsement, as, 30-8-308
    fiduciary, See **Fiduciary transfers**
    investment advisers, contract violations, 30-10-301
    security interest, continuity of perfection, 30-8-207
    transfer, 30-8-313
Attachment or levy, See **ATTACHMENT OF PROPERTY**, **Corporate securities**; **Securities**
Attorney-in-fact, See **Power of attorney**
Authenticating trustees, See **Agents**
Bailee, conversion, 30-8-318
Bail, use for, 46-9-502, 46-9-401, See **BAIL**
Bank deposits and collections, application, 30-4-102
Banks and trust companies, See **BANKS AND TRUST COMPANIES**, **Securities**; **Stock**
Bearer form, 30-1-201, 30-8-102, 30-8-107, 30-8-302, 30-8-304, 30-8-310
Blanks, 30-8-206
Bona fide purchaser, See **Purchaser, good faith**
Brokers, salespersons, advisers, and adviser representatives
    adverse claim, notice, 30-8-304, 30-8-313
    arrest for misconduct, prejudgment, 27-16-102
    bond, 30-10-201
    conversion, liability, 30-8-318
    definitions, 30-8-102, 30-8-303, 30-10-103, 72-26-502
    delivery of securities, 30-8-313
    examinations, 30-10-201, 30-10-210
    fines, 30-10-201, 30-10-209
    forfeiture of right to do business, 30-10-201
    holder, as, 30-8-313
    insurance holding company systems, See **INSURERS ORGANIZATION AND REGULATION GENERALLY**, **Holding company systems**
    insurance to indemnify, See **SURETYSHIP AND SURETIES**, **Surety insurance**
    insurers, subsidiaries acting as broker-dealers, 33-2-1102
    issuers, termination of connection with, 30-10-201
    liability, 30-8-318, 30-10-307
    limited offerings, 30-10-105
    minors, transfers to, 72-26-502, 72-26-603, See **TRUSTS**, **Minors, transfers to**
    records, 30-10-201
    registration, 30-10-103, 30-10-110, 30-10-201, 30-10-206, 30-10-209, 30-10-302, 30-10-303
    transfer of securities, 30-8-314
    unemployment insurance coverage exclusions, 39-51-204, See also **UNEMPLOYMENT INSURANCE**, generally
    warranties, 30-8-306
Building and loan associations, See **BUILDING AND LOAN ASSOCIATIONS**, **Securities**; **Stock**
Burden of proof, 30-1-201, 30-8-105
Business corporations, See **CORPORATIONS**, **Shares**
Calls
    conservator, payment by, 72-5-427
    personal representative, payment by, 72-3-613
    registered owner, liability, 30-8-207
    revocation, staleness excluded as, 30-8-203
    trustee, payment by, 72-34-327
Canadian securities, exemption, 30-10-104
Cancellation of contract, 30-8-202
Capital companies, 30-10-105, 90-8-304
Carriers, exemption, 30-10-104

SECURITIES AND SECURITIES REGULATION (Continued)

Cease and desist order, 30-10-305
Charities, exemption, 30-10-105
Citation of Securities Act of Montana, 30-10-101
Citation of Uniform Commercial Code, 30-1-101, 30-8-101
Cities and towns
    investment of public money, 7-6-202, 7-6-206
    refunding revenue bonds, negotiability, 7-7-4608
    revenue bonds and interim receipts or certificates, negotiability, 7-7-4435
Clearing corporation, 30-8-102, 30-8-313, 30-8-320, 30-9-304, 30-9-305
Commissioner, See **Securities commissioner**
Commodity investment contracts and commodity options, 30-10-103, 30-10-105
Common trust funds, exclusion as, 32-1-708
Completion of instrument, 30-8-206
Conflict of laws, 30-1-105, 30-8-106
Conservatorship, See **ESTATES AND PROBATE**, **Conservators and conservatorship**
Construction, 30-1-102, 30-8-102, 30-8-202, 30-10-102
Contempt, 30-10-304
Contract for sale, 30-1-201
    cancellation, 30-8-202
    enforcement, 30-8-319
    plain language in contracts provisions, exception, 30-14-1104
    price under, failure to pay, 30-8-107
    subordinated obligation, 30-1-209
    transfer, obligation, 30-8-314
    writing, 30-8-319
Conversion, 30-8-318
    conservator's power, 72-5-427
    personal representative's authority, 72-3-613
    trustee's power, 72-34-328
Cooperation with other states, 30-10-107
Cooperative associations, See **COOPERATIVE ASSOCIATIONS**, **Stock**
Corporate takeover disclosure, 30-10-301
Corporations generally, See **CORPORATIONS**, **Shares**
Counties, investment of public money, 7-6-202, 7-6-206
Creditors' remedies, 30-8-317
Credit unions, See **CREDIT UNIONS**, **Shares and accounts**
Crossover refunding bond sinking fund accounts, investment, 17-5-2102
Custodian bank, 30-8-102, 30-8-320, 30-9-304, 30-9-305
Damages, wrongful transfer, 30-8-315
Defect, 30-8-105, 30-8-202, 30-8-203, 30-8-208
Defenses, 30-8-105, 30-8-202, 30-8-203
Definitions, 30-1-102, 30-1-201, 30-8-102, 30-10-103
    adverse claim, 30-8-302
    appropriate evidence of appointment or incumbency, 30-8-402
    appropriate person, 30-8-308
    bona fide purchaser, 30-8-302
    broker, 30-8-303
    code, 30-1-101
    debtor, 30-8-102, 30-9-105
    fiduciary transfers, 30-10-402
    filed, 30-10-107
    financial intermediary, 30-8-102, 30-8-313
    guarantee of the signature, 30-8-402
    guarantor, 30-8-201
    initial transaction statement, 30-8-102, 30-8-408

SECURITIES AND SECURITIES REGULATION (Continued)
Definitions (Continued)

- instruction, 30-8-102, 30-8-308
- intermediary bank, 30-4-105
- issuer, 30-8-201
- issuer's lien, 30-8-103
- overissue, 30-8-104
- price amendment, 30-10-204
- secured party, 30-8-102, 30-9-105
- security agreement, 30-8-102, 30-9-105

Delivery, 30-1-201
- adverse claim after, 30-8-313
- conditional, defense, 30-8-202
- contract enforceable by, 30-8-319
- demand, 30-8-404
- endorsement, effect, 30-8-307, 30-8-309
- financial intermediary, to, 30-8-313
- good faith purchaser, 30-8-302
- liability, 30-8-404
- nondelivery, defense, 30-8-202
- precious metals, 30-10-105
- staleness, 30-8-203
- warranties, 30-8-306

Destroyed security, 30-8-405
Development corporation, of, 32-4-201, 32-4-208
Drug violations, forfeiture of securities used to facilitate, 44-12-102, 45-9-206
Economic development bonds, 17-5-1506, 17-5-1525
Employee-owned enterprises, exemption, 30-10-105
Endorsement, See also **Signatures**
- admissibility, 30-8-105
- adverse claim, notice by, 30-8-304, 30-8-310
- agent, 30-8-402
- appropriate person, 30-8-308, 30-8-312, 30-8-401
- assurances of effectiveness, 30-8-401, 30-8-402
- bearer, 30-8-308
- bearer form, 30-8-310
- blank, 30-8-302, 30-8-308, 30-8-309
- compelled, 30-8-307
- delivery without, 30-8-307, 30-8-309
- fiduciary, 30-8-402, 30-8-403, 30-8-308
- good faith purchaser, to, 30-8-302
- improper registration, liability by unauthorized endorsement, 30-8-311
- liability, 30-8-404
- manner of, 30-8-308
- partial, 30-8-308
- ratified, 30-8-311
- registered form, 30-8-308
- registration of transfer, pledge, or release — effect on, 30-8-401, 30-8-402
- required, 30-8-307
- rights upon, 30-8-308
- special, 30-8-308, 30-8-309
- unauthorized, 30-1-201, 30-8-308, 30-8-311, 30-8-315
- warranty of, 30-8-308, 30-8-312

Estates and probate, See **ESTATES AND PROBATE, Securities**
Evidence
- additional, 30-10-308
- burden of proof, 30-1-201, 30-8-105

SECURITIES AND SECURITIES REGULATION (Continued)
Evidence (Continued)

- certification of documents, 30-10-107
- contract for sale, enforceability, 30-8-319
- exemptions, 30-10-106
- fiduciary, appointment, 30-10-405
- investigation, 30-10-304, 30-10-306
- signatures, 30-8-105
- violations, 30-10-305

Examinations or investigations, 30-10-115, 30-10-201, 30-10-209, 30-10-210, 30-10-304
Exchange, 30-8-203, 30-8-305, 30-8-306, 30-8-407
Execution, subject to, 25-13-501
Exemptions, 17-5-1506, 30-10-104 — 30-10-106, 30-10-209, 30-10-303
Fees, 30-10-209

- accompany registration statement, 30-10-203 — 30-10-205
- broker registration and transfer, 30-10-201, 30-10-209
- capital companies exempt, 30-10-105
- copies of documents, 30-10-209
- disposition, 30-10-115, 30-10-209
- examination, 30-10-115, 30-10-209, 30-10-210
- exemption, granting, 30-10-104, 30-10-209
- failure to pay, 30-10-207
- limited offerings, filing, 30-10-105
- nonprofit corporations, filing of exemption, 30-10-104
- overpayment, 30-10-209
- portfolio registration, 30-10-115, 30-10-209
- refund, 30-10-209
- securities registration, 30-10-209

Fiduciary transfers

- adverse claims, 30-10-406
- applicable laws, 30-10-409, 72-3-618, 72-5-435
- appointment or incumbency of fiduciary, evidence, 30-10-405
- assignment by fiduciary, 30-10-404
- citation of uniform act for the simplification of fiduciary security transfers, 30-10-401
- conflict of laws, 30-10-409
- conservator's power, 72-5-427
- construction of provisions, 30-10-411
- definitions, 30-10-402
- liabilities, 30-10-407, 30-10-408
- personal representative's power, 72-3-613
- registration of fiduciary, 30-10-403
- tax obligation unaffected, 30-10-410
- territorial application, 30-10-409
- trustee's power, 72-34-329
- uniformity of provisions, 30-10-411

Filings with securities commissioner, 30-10-105, 30-10-107, 30-10-302, 30-10-303
Financial intermediary, 30-8-102, 30-8-313
Foreign corporations, authority, 35-1-1026, 35-2-820
Foreign securities, exemption, 30-10-104
Form, 30-8-102, See **Bearer form**; **Registered form**
Forms, 30-10-107, 30-10-201
Fraud

- alteration, 30-8-206
- mining and oil companies, improper investment, 30-14-701
- penalties, 30-10-306, 30-10-307
- purchaser, by, 30-8-302
- registration of securities, effect, 30-10-207

SECURITIES AND SECURITIES REGULATION (Continued)
Fraud (Continued)

  sale, offer, or purchase of securities, 30-10-301
Fraudulent transfers, Title 31, chapter 2, part 3
Fungible bulk, 30-1-201, 30-8-313, 30-8-320
Genuineness, 30-1-201
  defense, 30-8-202
  endorsement, 30-8-401, 30-8-402
  signature, 30-8-105, 30-8-312
  warranty of security's genuineness, 30-8-208, 30-8-306
Good faith
  conversion, no liability when good faith conduct, 30-8-318
  intermediary, 30-8-306
  issuer, 30-8-311, 30-10-104
  obligation, 30-1-102, 30-1-203
  purchaser, See **Purchaser, good faith**
  registering agent, obligation, 30-8-406
  securities commissioner, liability when conforming to rule or order of, 30-10-107
Guarantor, 30-8-201
Health Facility Authority bonds, applicability of laws, 90-7-112, 90-7-113, 90-7-302
Health maintenance organizations, 33-31-202, 33-31-204, 33-31-216
Hearings
  allegations of offenses, 30-10-305
  broker registration — denial, revocation, or suspension, 30-10-201
  exemption, denial or revocation, 30-10-105
  private or public, 30-10-107
  registration of securities, 30-10-204, 30-10-207
Historical Society, authority, 22-3-107
Holder, 30-1-201, See also **Purchaser**
  adverse claim, effect, 30-8-302
  blank endorsement, conversion, 30-8-308
  delivery occurs when, 30-8-313
  endorsement, effect, 30-8-308, 30-8-310
  financial intermediary as, 30-8-313
  proportionate interest, 30-8-313
  registering agent's obligation to, 30-8-406
  signatures, recovery upon, 30-8-105
  trustee's authority, 72-34-330
  warranties, 30-8-306
  wrongful transfer, 30-8-315
Housing authorities, municipal, 7-15-4505, 7-15-4512
Impounding, 30-8-315
Incomplete instrument, 30-8-206
Indemnification, 30-8-403, 30-8-405
Initial transaction statement, See also **Uncertificated securities**
  adverse claims noted on, 30-8-304, 30-8-403, 30-8-408
  alteration, 30-8-206
  applicability of laws, 30-8-106
  blanks, 30-8-206
  contents, 30-8-408
  defined, 30-8-102, 30-8-408
  fraudulent alteration, effect, 30-8-206
  issuer's lien, notation on, 30-8-103, 30-8-408
  nonnegotiable, 30-8-105
  signatures, See **Signatures**
  transfer restrictions, noted on, 30-8-204, 30-8-408
  warranty, 30-8-306

SECURITIES AND SECURITIES REGULATION (Continued)

Injunction
    creditor's remedy, 30-8-317
    registration of broker-dealer, effect, 30-10-201
    registration of securities, effect, 30-10-207
    registration of transfer, 30-8-403
    violations generally, 30-10-305
    wrongful transfer, 30-8-315
Inquiry, duty of, 30-8-304, 30-8-401, 30-8-403
Insurance
    exemptions, 30-10-105
    holding company systems, See **INSURERS ORGANIZATION AND REGULATION GENERALLY, Holding company systems**
    loss or damage, against, See **SURETYSHIP AND SURETIES, Surety insurance**
Insurers
    domestic stock, equity securities, See **INSURERS, DOMESTIC STOCK AND MUTUAL, Equity securities**
    exemption, 30-10-104
    held by or investments, See **INSURERS ORGANIZATION AND REGULATION GENERALLY**
Intermediary, warranty, 30-8-306
Interstate cooperation, 30-10-107
Investigations, 30-10-115, 30-10-201, 30-10-209, 30-10-210, 30-10-304
Investment advisers and adviser representatives, See **Brokers, salespersons, advisers, and adviser representatives**
Investment commissioner, See **Securities commissioner**
Investments, Board of, 17-5-1651, 17-6-201
Irrigation district revenue bonds or interim receipts or certificates, negotiability, 85-7-1438
Issuance, 30-8-202, 30-8-206, 30-8-208, 30-8-405, See also **Overissue**; **Signatures**
Issuer, 30-8-102, 30-8-106, 30-8-201, 30-8-202
    adverse claim, inquiry, 30-8-304, 30-8-401, 30-8-403
    conflict of law, 30-8-106
    defenses, 30-8-202
    endorsement, 30-8-308, 30-8-311, 30-8-312, 30-8-402
    governmental agency, 30-8-202
    holders, list, 30-8-320
    liability, 30-8-104, 30-8-311, 30-8-401, 30-8-404, 30-8-405
    lien of, 30-8-103, 30-8-317, 30-8-408
    lost, stolen, or destroyed securities, 30-8-405
    notice to agent, 30-8-406
    portfolio registration fees, 30-10-209
    registered owner, relationship, 30-8-207
    registration of transfer, pledge, or release — duty, 30-8-106, 30-8-401, See **Registration of transfer**
    responsibilities, 30-8-202
    restrictions on transfer, 30-8-204
    salesperson's termination of connection, notice, 30-10-201
    signatures, See **Signatures**
    warranty to, 30-8-306
Laches, 30-8-203, 30-8-305
Levy upon, 30-8-317
Liability
    agent, 30-8-318
    assessments, 30-8-207
    brokers, 30-10-201, 30-10-306, 30-10-307
    calls, 30-8-207
    clearing corporation, 30-8-320
    conversion, 30-8-318

SECURITIES AND SECURITIES REGULATION (Continued)
Liability (Continued)

- criminal liability, 30-10-306
- endorsement, 30-8-311, 30-8-312
- extent, 30-10-107
- good faith conduct, 30-8-318
- issuer, 30-8-104, 30-8-311, 30-8-401, 30-8-404, 30-8-405
- overissue, 30-8-404, 30-8-405
- registered owner, 30-8-207
- registration of broker, 30-10-201
- registration of securities, 30-10-307
- registration of transfer, pledge, or release, 30-8-311, 30-8-401, 30-8-404, 30-8-405
- signature warranty, 30-8-312
- warranties, 30-8-312

Liens
- broker-dealer and adviser examination costs, 30-10-210
- child support, subordinate to, 40-5-248
- commodities, purchase — arising from, 30-10-103
- creditor's, 30-8-317
- equivalent exchange security, noted on, 30-8-407
- exempt transactions, 30-10-105
- fines for offenses, failure to pay, 30-10-201, 30-10-305
- issuer, of, 30-8-103
- registration, warranties, 30-8-306
- signatures, guaranty, 30-8-312
- uncertificated security, statement, 30-8-408

Limited liability companies, 35-8-107
Limited offering exemption, 30-10-105
Lost, stolen, or destroyed securities, 30-8-405
Mandamus, 30-10-305
Microbusiness development loan funds, use prohibited, 17-6-407
Mining and oil companies, 30-10-203, 30-14-701
Minors, transfers to, 72-26-502, 72-26-603
Misrepresentation, 30-10-201, 30-10-207, 30-10-301 — 30-10-303, 30-10-306, 30-10-307
Money, 30-1-201, 30-8-102
Montana Arts Council, authority, 22-2-107
National market system securities, exemption, 30-10-104
Negotiability, 30-8-105
Negotiable instruments, applicability of laws, 30-3-124, 30-8-102, 30-8-105
Nonprofit corporations, 30-10-104, 35-2-118, 35-2-608
Notice, 30-1-201
- adverse claim, See **Adverse claim**
- alteration, 30-8-206
- defect, 30-8-202, 30-8-203, 30-8-208
- endorsement, by, 30-8-310
- exemptions denied or revoked, order and hearing, 30-10-105
- fiduciary, documents of appointment, 30-8-402
- issuer, 30-8-406
- lost, stolen, or destroyed securities, 30-8-405
- purchaser, to, 30-8-304
- registered owner, to, 30-8-207
- registering agent, 30-8-406
- security interest, 30-9-309
- "send" defined, 30-1-201
- signature, unauthorized, 30-8-205, 30-8-208
- staleness, 30-8-203
- transfer restrictions, 30-8-204

SECURITIES AND SECURITIES REGULATION (Continued)

Oaths, 30-10-304
Obligations
  clearing corporation, 30-8-320
  good faith, 30-1-102, 30-1-203
  registering agent, 30-8-406
  registration of transfer, pledge, or release, 30-8-401
  subordinated, 30-1-209
  transfer, 30-8-314
Oil and gas — registration by notification, exclusion, 30-10-203
Orders
  appeal, 30-10-201, 30-10-305, 30-10-308
  broker registration — denial, suspension, or revocation, 30-10-201
  enforcement, 30-10-305
  evidence, production, 30-10-304
  exemption, denial or revocation, 30-10-105
  judicial review, 30-10-308
  register of, 30-10-107
  registration statement
    adverse orders listed in, 30-10-203 — 30-10-205
    denial, suspension, or revocation, 30-10-204, 30-10-207
    qualification, effective date, 30-10-205
    stop orders, 30-10-203, 30-10-204, 30-10-206
  review, 30-10-308
  stay, review not, 30-10-308
  witnesses, appearance, 30-10-304
Overissue, 30-8-102, 30-8-104, 30-8-404, 30-8-405
Parking commission revenue bonds, negotiability, 7-14-4661
Payment
  acceleration, 30-1-208
  contract for sale, enforcement by, 30-8-319
  failure, recovery, 30-8-107
  recovery, 30-8-107
  staleness, 30-8-203, 30-8-305
  subordinated obligation, 30-1-209
  warranties, 30-5-114, 30-8-306
Pledge of security, 30-8-108, 30-8-306, 30-8-320, 30-10-105, See also **Registration of transfer, pledge, or release of uncertificated security**
Policy of state, 30-10-102
Power of attorney
  statutory, authority, 72-31-201, 72-31-224, 72-31-226, 72-31-227, 72-31-229, 72-31-231
  transfers and voting by, 32-2-211
Precious metals, 30-10-103, 30-10-105
Presentment, 30-8-203, 30-8-305, 30-8-306
Presumptions, 30-1-201, 30-8-105
Principal and income determinations, 72-34-404, 72-34-407, 72-34-408
Professional corporations, authorized transactions, 35-4-301, 35-4-311, 35-4-401
Public obligations, registration — applicability, 17-5-1104
Public securities, exemption, 30-10-104
Purchase, 30-1-201, See also **Transfer**
  adverse claim, See **Adverse claim**
  broker, See **Brokers, salespersons, advisers, and adviser representatives**
  confirmation, 30-8-319
  delivery, See **Delivery**
  escrow, proceeds, 30-10-206
  fraud, 30-10-301, 30-10-307

SECURITIES AND SECURITIES REGULATION (Continued)
Purchase (Continued)

- identical security, 30-8-104
- investment advisers, contract violations, 30-10-301
- liability, 30-10-307
- misrepresentation of security's status, 30-10-303
- overissue, effect, 30-8-104
- purchaser, See **Purchaser**; **Purchaser, good faith**
- registration required, 30-10-202, 30-10-206
- warranties, 30-8-306
- who may sell, 30-10-206
- written confirmation, 30-8-319

Purchaser, 30-1-201, See also **Holder**
- adverse claim, See **Adverse claim**
- bona fide, See **Purchaser, good faith**
- defenses against, 30-8-202
- delivery, See **Delivery**
- endorsement, effect, 30-8-307, 30-8-311
- fungible bulk, 30-8-313
- good faith, See **Purchaser, good faith**
- holder, not, 30-8-313
- incomplete instrument, enforceable to, 30-8-206
- lien against, 30-8-103
- limited interest, rights acquired by, 30-8-301
- owner, as, 30-8-313
- responsibilities to, 30-8-202
- rights acquired by, 30-8-301
- signature, unauthorized — effect, 30-8-205, 30-8-208
- staleness, as notice of defect to, 30-8-203
- "subsequent" defined, 30-8-102
- transfer requisites, rights, 30-8-316
- warranties to, 30-8-208, 30-8-306
- wrongful transfer, action against, 30-8-315

Purchaser, good faith, 30-8-102, 30-8-302
- clearing corporation, transfer within, 30-8-320
- custodian bank, transfer within, 30-8-320
- endorsement, effect, 30-8-307
- lost, stolen, or destroyed securities, 30-8-405
- purchaser not, 30-8-313
- registration of transfer, pledge, or release — requirement, 30-8-401
- rights acquired by, 30-8-302, 30-9-309
- secured transaction, priority, 30-9-309
- title, 30-8-301, 30-8-302
- wrongful transfer, 30-8-315

Railroad corporations, issuance by, 30-10-104, 69-14-507, 69-14-514
Receiver, appointment, 30-10-105, 30-10-305
Recovery of price, 30-8-105, 30-8-107
Registered form, 30-8-102
- adverse claims, notice, 30-8-304
- delivery, 30-8-302, 30-8-307
- endorsement, 30-8-307, 30-8-308
- issuance, 30-8-102
- registered owner, rights, 30-8-207
- registration, obligation, 30-8-401

Registered owner, liability and rights prior to issue, 30-8-207
Registrar, See **Agents**
Registration of dealers, See **Brokers, salespersons, advisers, and adviser representatives**

SECURITIES AND SECURITIES REGULATION (Continued)

Registration of fiduciaries, See **Fiduciary transfers**
Registration of securities
  coordination, by, 30-10-204, 30-10-206, 30-10-209
  copies, 30-10-107
  denial, 30-10-204, 30-10-207
  effectiveness, 30-10-206, 30-10-207
  excess securities, 30-10-209
  exemptions, 17-5-1506, 30-10-104 — 30-10-106, 30-10-209, 30-10-303
  federal registration, effect, 30-10-204
  fees, 30-10-203 — 30-10-205, 30-10-207, 30-10-209, 30-10-210
  filing, 30-10-107, 30-10-206, 30-10-302, 30-10-303
  fraud, 30-10-207, 30-10-306, 30-10-307
  incomplete, 30-10-207
  misrepresentation, 30-10-207, 30-10-303, 30-10-306, 30-10-307
  notification, by, 30-10-203, 30-10-209
  omissions, 30-10-206
  price amendment, 30-10-204
  public obligations, applicability of laws, 17-5-1104
  qualification, by, 30-10-205, 30-10-206, 30-10-209
  reference, information incorporated by, 30-10-206
  register, 30-10-107
  renewal, 30-10-206, 30-10-209
  reports, 30-10-206, 30-10-209
  required, 30-10-202
  revocation, 30-10-206, 30-10-207
  service of process, 30-10-203 — 30-10-205, 30-10-208
  stop order, 30-10-203, 30-10-204, 30-10-206
  suspension, 30-10-206, 30-10-207
  termination, 30-10-206, 30-10-207
  withdrawal, 30-10-206
Registration of transfer
  adverse claim, inquiry, 30-8-304, 30-8-401, 30-8-403
  agents, duties, 30-8-406
  clearing corporation, transfer within — excluded, 30-8-320
  conflict of law, 30-8-106
  custodian bank, transfer within — excluded, 30-8-320
  delay, 30-8-401
  endorsement, 30-8-310, 30-8-311, 30-8-401, 30-8-402
  failure, 30-8-401
  fiduciary, 30-8-403
  improper, 30-8-311
  indemnity bond, adverse claims, 30-8-403
  injunction, 30-8-403
  issuer, 30-8-106, 30-8-201, 30-8-401, 30-8-404
  liability, 30-8-404
  lost, stolen, or destroyed securities, 30-8-405
  obligation, 30-8-401
  public obligations, applicability of laws, 17-5-1104
  refusal, 30-8-401
  registered owner, 30-8-207
  required, 30-8-401
  requisites for, purchaser's right, 30-8-316
  signature guaranty, 30-8-402
  warranty, 30-8-208, 30-8-306, 30-8-312

SECURITIES AND SECURITIES REGULATION (Continued)

Registration of transfer, pledge, or release of uncertificated security
  action to compel, 30-8-315
  adverse claims, 30-8-304, 30-8-403, 30-8-408
  applicability of laws, 30-8-106
  agents, duties, 30-8-406
  defects, 30-8-203, 30-8-208
  defenses, 30-8-203, 30-8-208
  effect, 30-8-108
  evidence of security by, 30-8-108
  fiduciary, 30-8-403
  guaranty, 30-8-208, 30-8-306, 30-8-312
  improper, 30-8-311, 30-8-404
  instructions, 30-8-102, 30-8-308
    compelled, 30-8-315
    effect, 30-8-207, 30-8-314
    statute of frauds, 30-8-319
    warranties, 30-8-306, 30-8-312, 30-8-402
    wrongful transfer, 30-8-315
  issuer, 30-8-201, 30-8-207, 30-8-401, 30-8-403, 30-8-404
  liability, 30-8-311, 30-8-401, 30-8-403, 30-8-404
  manner, 30-8-207
  objection, 30-8-319
  obligation, 30-8-401
  originator of instructions, warranty, 30-8-306
  pledgee's rights, 30-8-108, 30-8-207
  registered owner, effect, 30-8-108, 30-8-207
  required, 30-8-401
  requisites for, purchaser's right, 30-8-316
  security interest evidenced by, 30-8-108, 30-8-207
  staleness, 30-8-203
  statements, 30-8-408
  statute of frauds, 30-8-319
  transfer by, 30-8-313, 30-8-314
  warranties, 30-8-208, 30-8-306, 30-8-312
Reissue, 30-8-104
Religious corporations, authorized transactions, 35-3-205
Resale, 30-8-107
Restraining order, 30-10-305
Retirement funds, exemption, 30-10-104
Revocation of call excluded as staleness, 30-8-203
Rulemaking authority, 30-10-107, 30-10-209, 30-10-301
Sale of securities, See **Purchase**; **Transfer**
Salespersons, See **Brokers, salespersons, advisers, and adviser representatives**
Securities Act of Montana, Title 30, chapter 10, parts 1 — 3
Securities commissioner, 30-10-103
  administrative authority, 30-10-107
  brokers, salespersons, advisers, and adviser representatives — registration, duties, 30-10-201
  capital companies, filings with, 30-10-105, 90-8-304
  certification of documents, 30-10-107, 30-10-209
  confidentiality, 30-10-107
  cooperation with other states and federal agencies, 30-10-107
  criminal justice agency, office as, 30-10-304
  economic development bond prospectus and disclosure filed with, 17-5-1506
  escrow, determination of conditions, 30-10-206
  evidence, compel production, 30-10-304

SECURITIES AND SECURITIES REGULATION (Continued)
Securities commissioner (Continued)

  examination by, 30-10-115, 30-10-209, 30-10-210, 30-10-304
  exemptions — granting, denial, or revocation, 30-10-104, 30-10-105
  fees paid to, 30-10-104, 30-10-105, 30-10-115, 30-10-209, 30-10-210
  filing with, effect, 30-10-105, 30-10-107, 30-10-303
  fines, imposition by, 30-10-201, 30-10-209, 30-10-305
  forms, 30-10-107, 30-10-201
  immunity from prosecution granted by, 30-10-304
  industrial development revenue bonds, filing with, 90-5-103
  injunction, 30-10-305
  investigations by, 30-10-304
  investment adviser-investment adviser representative connection, notice, 30-10-201
  limited offerings, approval, 30-10-105
  mandamus, 30-10-305
  oaths, administration, 30-10-304
  orders of, See **Orders**
  register, 30-10-107
  registration of securities, 30-10-203 — 30-10-209
  rulemaking authority, 30-10-107, 30-10-209, 30-10-301
  salesperson and issuer-dealer connection, notice of termination, 30-10-201
  salesperson's registration, determination of amount of surety bond, 30-10-201
  seal, affixation — certified copies, 30-10-107
  service of process, consent filed with, 30-10-208
  small business investment capital companies, filings with, 30-10-105, 90-8-304
  subpoena power, 30-10-304
Security interest
  applicability of laws, 30-8-321
  creditors' remedies, 30-8-317
  definitions, 30-8-102, 30-9-105
  enforcement, 30-8-321
  financial intermediary, of, 30-8-313
  perfection, 30-8-320, 30-8-321, 30-9-304, 30-9-305, 30-9-309
  priority, 30-9-309, 30-9-312
  subordinated obligation, 30-1-209
  termination, 30-8-321
  transfer, 30-8-301, 30-8-321
  uncertificated securities, 30-8-108, 30-8-207
Short sales, 30-8-107
Short titles, 30-1-101, 30-8-101
Signatures, See also **Endorsement**
  admissibility, 30-8-105
  agent, 30-8-208
  burden of proof, 30-8-105
  genuineness, presumed, 30-8-105
  registration of transfer, pledge, or release — guaranty, 30-8-402
  unauthorized, 30-1-201, 30-8-202, 30-8-205
  warranty, 30-8-208, 30-8-312, 30-8-402
Small business investment capital companies, 30-10-105, 90-8-304
Staleness, 30-8-203, 30-8-305
Statute of frauds, 30-1-206, 30-8-319
Statutes of limitations, 30-10-201, 30-10-207, 30-10-305 — 30-10-308
Stolen securities, 30-8-405
Subdivisions out-of-state, exemption when, 76-4-1222
Subordinated obligations, 30-1-209
Subpoenas, 30-10-304
Surety insurance, See **SURETYSHIP AND SURETIES**

SECURITIES AND SECURITIES REGULATION (Continued)

Surrender, staleness, 30-8-203, 30-8-305
Terms, 30-1-201, 30-8-202
Territorial application, 30-1-105
Theft of securities, 30-8-405
Title, 30-8-301, 30-8-302, See also **Adverse claim**
Transfer, See also **Purchase**
  acknowledgment, 30-8-314
  agent, See **Agents**
  bearer form, 30-8-320
  central depository system, within, 30-8-320
  clearing corporation, within, 30-8-320
  completion, 30-8-314
  conservator's right, 72-5-427, See also **Fiduciary transfers**
  corporate securities, specific provisions, 35-1-628, 35-4-301, 35-4-311, See also **CORPORATIONS, Shares**
  custodian bank, within, 30-8-320
  delivery to complete, 30-8-307, 30-8-309
  endorsement, effect, 30-8-107, 30-8-307, 30-8-309
  fiduciary, See **Fiduciary transfers**
  financial intermediary, to, 30-8-314
  fraudulent, Title 31, chapter 2, part 3
  injunction, 30-8-315
  lien upon security, effect, 30-8-317
  limited interest, rights acquired by, 30-8-301
  manner of, 30-8-107, 30-8-313, 30-8-314
  minors, to, 72-26-502, 72-26-603, See **TRUSTS, Minors, transfers to**
  obligation, 30-8-314
  occurs when, 30-8-313, 30-8-314
  personal representative's right, 72-3-613, See also **Fiduciary transfers**
  purchaser, to, 30-8-313
  registration, See **Registration of transfer**
  rejection, 30-8-316
  rescission, 30-8-316
  restrictions upon, 30-8-204, 35-1-628
  rights acquired by, 30-8-301
  specific performance, 30-8-315
  staleness, effect, 30-8-305
  trustee's right, 72-34-329, See also **Fiduciary transfers**
  uncertificated securities, See **Uncertificated securities**
  warranties, 30-8-306, 30-8-312
  wrongful, 30-8-315
Transfer agent, See **Agents**
Transferor, 30-8-314, 30-8-316
Trusts, See **TRUSTS, Securities**
Uncertificated securities, 30-8-102
  adverse claims, 30-8-304, 30-8-403
  applicability of laws, 30-8-106
  conflict of laws, 30-8-106
  exchangeability required, 30-8-407
  initial transaction statement, See **Initial transaction statement**
  issuer, 30-8-103, 30-8-201, 30-8-207
  lost, destroyed, or stolen security — issuance of equivalent uncertificated security, 30-8-405
  periodic statements, 30-8-408
  registration of transfer, pledge, or release, See **Registration of transfer, pledge, or release of uncertificated security**

SECURITIES AND SECURITIES REGULATION (Continued)
Uncertificated securities (Continued)

- security interest, registration, 30-8-108
- signatures, See **Signatures**
- statements of, 30-8-408, See also **Initial transaction statement**
- terms of security, 30-8-202
- transfer
  - central depository system, transfer within, 30-8-320
  - registration of transfer, pledge, or release — by, 30-8-314, See **Registration of transfer, pledge, or release of uncertificated security**
  - restrictions, 30-8-204
  - statement, 30-8-408

Unclaimed funds, 70-9-102, 70-9-204, See also **PROPERTY, PERSONAL, Unclaimed property**
Unemployment insurance coverage exclusions for salespersons, 39-51-204
Utilities, issuance by, 69-3-501 — 69-3-507
Validation, effect of overissue, 30-8-104
Validity, 30-8-105, 30-8-106, 30-8-202, 30-8-208, 30-8-306
Venture capital companies, seed capital project loan requirements, 90-3-519, 90-3-520
Violations

- brokers, salespersons, advisers, and adviser representatives
  - fines, failure to pay, 30-10-201
  - misrepresentation, 30-10-303
  - registration denied, revoked, or suspended for, 30-10-201
  - transaction of business without registration, 30-10-201
  - unethical practices, 30-10-201
- cease and desist order, 30-10-305
- exemptions, misrepresentation, 30-10-303
- filings, false or misleading, 30-10-302, 30-10-303, 30-10-306
- fines, 30-10-201, 30-10-305, 30-10-306
- forfeiture of right to do business, 30-10-305
- fraud, 30-10-301 — 30-10-303, 30-10-306
- hearings, 30-10-305
- injunction, 30-10-305
- investigation, 30-10-304
- investment adviser or investment adviser representative, business restrictions, 30-10-201, 30-10-301
- liability founded on, enforcement, 30-10-305, 30-10-307
- misrepresentation, 30-10-301 — 30-10-303
- penalties, 30-10-207, 30-10-209, 30-10-306
- prosecution, 30-10-306
- registration of securities
  - denial, suspension, or revocation as penalty, 30-10-207
  - misrepresentation, 30-10-303
  - sale or offer of sale without, 30-10-202
- salespersons, business restrictions, 30-10-201
- theft of securities, 30-8-405

Waiver of statutory provisions, 30-10-307
Warranties, 30-8-201, 30-8-208, 30-8-306, 30-8-312, 30-8-402
Water conservancy district bonds, negotiability, 85-9-627
Water conservation revenue bonds, negotiability, 85-1-302

SEED POTATO DISEASE CONTROL ACT, Title 80, chapter 5, part 4
See **AGRICULTURAL SEEDS, Potatoes, seed**

SEISMIC OPERATIONS FOR GEOPHYSICAL EXPLORATION
Abandoned

- inventory, 82-10-402
- responsible persons, 82-11-101, 82-11-111

Compliance with provisions, 82-1-101

SEISMIC OPERATIONS FOR GEOPHYSICAL EXPLORATION (Continued)

Enforcement, 82-1-109
Intention to explore, notice, 82-1-103, 82-1-105, 82-11-122
Permit for exploration, 82-1-105 — 82-1-107, 82-1-110
Personal representative's authority, 72-3-613
Record of work performed, filing, 82-1-108
Resident agent, 82-1-102, 82-1-104, 82-1-105, 82-1-107
Restoration of surface, 82-1-104, 82-11-123
Rules, 82-1-101
Shot holes, plugging, 82-1-101, 82-1-104, 82-11-123
Statute of limitation for waste, trespass, or injury during, 27-2-303
Surety bond, 82-1-104, 82-1-105, 82-1-107
Surface user
  damage to property, Title 82, chapter 10, part 5
  information to, by permitholder, 82-1-107
Violations, 82-1-106, 82-1-110

SELF-FUNDED MULTIPLE EMPLOYER WELFARE ARRANGEMENT REGULATION ACT, Title 33, chapter 35
  See **INSURANCE, DISABILITY**, **Multiple employer welfare arrangement**

SELF-INSURERS GUARANTY FUND ACT, Title 39, chapter 71, part 26
  See **WORKERS' COMPENSATION**

SENIOR CITIZENS
  See **AGING AND AGED PERSONS**

SENTENCING AND SENTENCES
  See also **CRIMES**, specific offense
Animals, cruelty to — defendant's ownership, possession, or custody prohibited or limited, 45-8-211
Appellate review, See **Review**
Armor-piercing bullets, when offense committed with handgun loaded with, 46-18-224
Arraignment, defendant to be advised of punishment, 46-12-210
Basis of sentencing, 46-18-101
Boot camp incarceration program, 53-30-401 — 53-30-403
City courts, in, 46-17-302 — 46-17-304
Civil disabilities to be enumerated, 46-18-801
Classification of offense, 45-1-201
Clemency, Const., VI, 12; Title 46, chapter 23, part 3
Commission on Sentencing, 46-18-130
  duties, 46-18-131
  sentencing guidelines, determination of advisability, 46-18-132
Commitment, See also **CORRECTIONAL FACILITIES**; **CRIMINAL PROCEDURE, Commitment**
  alternatives, 46-18-101
  execution, 46-19-101
  place when not specified, 46-18-211
  restitution, upon default, 46-18-247
  stay of execution pending appeal, 46-20-204; Title 25, chapter 21, M.R.App.P., Rule 7
Community corrections facilities and programs, See **CORRECTIONAL FACILITIES**
Community service, 7-32-2302, 45-5-624, 45-9-202, 45-9-204, 46-18-101, 46-18-201, 46-18-241, 46-18-250, 46-18-1003, 46-23-405
Commutation of sentence, 46-24-212; Const., VI, 12; Title 46, chapter 23, part 3
Concealed weapon, permit to carry — ineligibility, 45-8-321
Concurrent sentences, 46-18-401
Conditions, See **Restrictions and conditions**
Consecutive sentences, 45-5-222, 45-9-125, 46-18-221, 46-18-224, 46-18-401, 46-18-502, 46-23-217, 46-23-426

SENTENCING AND SENTENCES (Continued)

Constitutional rights
  deprivation and restoration, 46-18-801; Const., II, 28; VI, 12; XII, 3
  violation by sentence, 46-21-101, See **CRIMINAL PROCEDURE, Postconviction hearing**
Conviction, defined as, 46-1-202, See also **CRIMINAL PROCEDURE, Conviction**
Correctional policy of state, 46-18-101
Correction of sentence, 46-18-117, 46-21-101, See also **Postconviction hearing**
Costs, death penalty — defendant's imprisonment, 46-19-103
Costs, payment by defendant
  as part of sentence, 46-18-101, 46-18-232, 46-18-251
  assigned counsel, for, 46-8-113 — 46-8-115, 46-18-201
  confinement, costs of, 46-18-201
  deferred or suspended sentence, as condition, 46-18-201, 46-18-233
  disposition of funds received, 46-18-235, 46-18-251
  payment due when, 46-18-234
  presentence investigations, 46-18-111
Court charge, imposition and disposition, 46-18-236, 46-18-251
Credits against sentence
  fine only, judgment for — execution, 46-19-102
  fine on unsupplied bail, 46-18-403
  good time allowance, 46-23-216, 53-30-105, 53-30-324
  time already served, 46-18-201, 46-18-402, 46-18-904, 46-18-1002
  time imprisoned before conviction, 46-18-403
  violation of conditions or restrictions, effect, 46-18-201
Crime victims, consultation with or information to, 46-18-112, 46-18-113, 46-18-115, 46-18-242, 46-18-301, 46-24-203
Criminal history record information, 44-5-103
Cruel and unusual punishment prohibited, Const., II, 22
Dangerous offenders, 46-18-101
Dangerous weapon, when offense committed with, 45-8-313, 46-18-221, 46-18-222, 46-18-224
Data to supreme court, 46-18-604
Death penalty, See **DEATH PENALTY**
Deferred sentence, 46-18-201
  community service as restriction or condition, 45-9-202, 45-9-204, 46-18-201
  concealed weapon, permit to carry — ineligibility, 45-8-321
  costs, payment by defendant as condition, 46-18-201, 46-18-233
  dangerous weapon, when offense committed with, 46-18-221, 46-18-222, 46-18-224
  data to supreme court, 46-18-604
  dismissal of charge after, 46-18-204
  drug violations, prohibitions and exceptions, 45-9-102, 45-9-113, 45-9-202, 46-18-201
  exceptions to restrictions, 46-18-222
  fines as restriction or condition, 45-9-202, 46-18-201, 46-18-233
  motor vehicle provisions, conviction as — when, 61-5-213
  prohibited when, 46-18-201, 46-18-221, 46-18-224, 46-18-502, 61-5-212, 61-8-714, 61-8-722
  restrictions during, 46-18-202
  revocation, 46-18-203, 46-23-1011
    habeas corpus, nonapplicability when, 46-22-101
    petition challenging, 46-21-101
  sexual or violent offender restrictions, 46-18-255
Definitions, 46-1-202, 46-18-243, 46-18-256, 46-18-501, 46-18-1001, 53-30-401
Detention centers, to, 7-32-2120, 7-32-2241, 46-18-201, 46-18-211
  confinement costs, payment by inmate, 7-32-2245
  county detention center work program, participation, 7-32-2225 — 7-32-2227
  work release program, 46-18-701 — 46-18-705
Discharge of sentence, good time credits for, 53-30-105

SENTENCING AND SENTENCES (Continued)

Driving under the influence of alcohol or drugs, 46-18-201, 61-5-208, 61-5-212, 61-8-410, 61-8-422, 61-8-714, 61-8-722
Drug violations
  alternatives, 45-9-202 — 45-9-205
  continuing criminal enterprise, 45-9-125
  criminal possession, dangerous drugs — deferred when, 45-9-102, 45-9-113
  criminal sale, dangerous drugs, 45-9-101
Enhancement, 45-5-222, 46-18-115, 46-18-224, 46-18-401
Erroneous sentence, correction, 46-18-117
Executive clemency, Const., VI, 12; Title 46, chapter 23, part 3
Extradition, copy to accompany demand, 46-30-211, 46-30-401
Felony, when no penalty specified, 46-18-213
Fines
  as, in lieu of, or in addition to sentence, 46-18-101, 46-18-212, 46-18-213, 46-18-231, 46-18-251
  city courts, 46-17-302 — 46-17-304
  court charge, collection from, 46-18-236, 46-18-251
  credit for incarceration prior to conviction, 46-18-403
  data to supreme court, 46-18-604
  deferred or suspended sentence, as part of, 45-9-202, 46-18-201, 46-18-233
  disposition, 46-17-303, 46-17-304, 46-17-402, 46-18-235, 46-18-251, 46-18-603
  execution, 46-19-102
  judgment as lien, 46-18-601
  justice's court, 46-17-302
  municipal court, 46-17-402
  payment due when, 46-18-234
  persistent felony offenders, 46-18-502
  stay of execution pending appeal, 46-20-204; Title 25, chapter 21, M.R.App.P., Rule 7
Firearms, lifetime supervision as part of sentence, 45-8-314
Good time allowance, 46-18-131, 46-23-216, 53-30-105, 53-30-324
  ineligibility when, 46-18-202
Habeas corpus
  effect, 46-22-306
  nonapplicability when, 46-22-101
Hearings, 46-18-115, 46-18-203, 46-18-223, 46-18-249, 46-18-1002, 46-24-203
Home arrest
  conditions, 46-18-1002, 46-18-1003
  credit for time spent in, 46-18-201, 46-18-1002
  deferred sentence, 46-18-201
  definitions, 46-18-1001
  driving under the influence of alcohol or drugs, for, 61-8-714, 61-8-722
  fees, supervision or equipment, 46-18-1002, 46-18-1003
  ineligibility, 46-18-1004
  juvenile offenders, 41-5-103, 41-5-306, 41-5-403, 41-5-523, 46-18-1001
  list of offenders under, to law enforcement agencies, 46-18-1006
  living expenses and government benefits, 46-18-1005
  petition, order for, and agreement, 46-18-1002
Illegal sentence, challenges, 46-21-101
Imposition by judge, 46-18-103, 46-18-115, 46-18-202
  appearance of defendant, 46-16-121, 46-16-123, 46-18-115
  community corrections facilities and programs, 53-30-321
  presumption of correctness, 46-18-904
Imposition contrary to law, appeal, 46-20-103
Imprisonment, See **Commitment**
Increase of sentence upon review, 46-18-903, 46-18-904
Individual, suited to, 46-18-101

SENTENCING AND SENTENCES (Continued)

Jail base release, 46-18-201
Judge
    imposition, See **Imposition by judge**
    review of sentence imposed by, 46-18-902 — 46-18-904
    transcripts of proceedings, petition by defendant without financial means, Title 25, chapter 21, M.R.App.P., Rule 9
Judgment includes when, 46-1-202, 46-18-115, 46-18-116, 46-18-223, See also **CRIMINAL PROCEDURE**, **Judgment**
Jurors, belief that sentence too severe grounds for challenge, 46-16-115
Justices' courts, in, 46-17-302
Life imprisonment
    aggravating circumstances as basis for, 46-18-305
    boot camp incarceration program, ineligibility, 53-30-403
    data to supreme court, 46-18-604
    drug violations, for, 45-9-101
    extradition, when offense punishable by, 46-30-303
    homicide, deliberate — for, 45-5-102
    incest, for, 45-5-507
    indecent exposure, for, 45-5-504
    kidnapping, aggravated — for, 45-5-303
    parole when, 46-23-201
    sexual abuse of children, for, 45-5-625
    sexual assault, for, 45-5-502
    sexual intercourse without consent, for, 45-5-503
    state prison, for offenses committed while incarcerated in, 46-18-220
    without possibility of release, 46-18-219
        conflict of provisions, 46-18-201
        exceptions to, 46-18-222
        parole, ineligibility, 46-18-219, 46-23-201
        supervised release, ineligibility, 46-23-411
Medicaid fraud, 45-6-313
Mental disease or defect of defendant, consideration in, 46-14-311, 46-14-312, See also **CRIMINAL PROCEDURE**, **Mental disease or defect of defendant**
Merger of sentences, 46-18-401
Military courts, in, 10-1-205, 10-1-404
Minimum sentences
    deferral or suspension, 45-9-125, 46-18-221
    drug violations, exemption when, 45-9-205
    exceptions to, 46-18-222, 46-18-223
    hearing on, 46-18-115, 46-18-223
Minors, 41-5-208, 41-5-523
    curfew violations, 7-32-2302
    extended jurisdiction prosecution, 41-5-1101 — 41-5-1105
    home arrest, 41-5-103, 41-5-306, 41-5-403, 41-5-523, 46-18-1001
    when offense committed by, 41-5-206, 46-18-222, 46-18-304
Misdemeanors, when no penalty specified, 46-18-212
Modification, 46-18-203, 46-18-904, See also **Reduction**
Municipal court, 46-17-402
Nonviolent felony offenders, 46-18-104, 53-30-303
    alternatives to imprisonment, 46-18-101, 46-18-201, 46-18-225
    community corrections facilities and programs, placement in, See **CORRECTIONAL FACILITIES**
    criteria for sentencing, 46-18-225
No penalty specified, 46-18-212, 46-18-213
Pardon, Const., VI, 12; Title 46, chapter 23, part 3

SENTENCING AND SENTENCES (Continued)

Parole, See also **PROBATION, PAROLE, AND CLEMENCY**
  crime committed while on, 46-23-217
  effect on sentence, 46-23-216
  violations, effect, 46-23-1025
Prerelease centers, to, 61-8-714, 61-8-722
Persistent felony offenders, 46-1-202, 46-18-501
  deferred sentence prohibited, 46-18-201
  home arrest, ineligibility, 46-18-1001, 46-18-1004
  sentence, 46-18-201, 46-18-502
  state prison, offenses committed while incarcerated at, 46-18-303
  status
    hearing, 46-18-115
    notice seeking, 46-13-108, 46-13-110
Plea
  agreements, 46-12-204, 46-12-210, 46-12-211, 46-12-213, 46-13-110
  informing defendant of sentence before acceptance of plea, 46-16-105
Policy of state, 46-18-101
Postconviction hearing, 46-21-101, See **CRIMINAL PROCEDURE**
Presentence investigation, 46-18-111
  arson-caused fires, costs of suppression and investigation, 46-18-261
  availability and confidentiality of report, 46-18-113, 46-23-108
  community correctional facility or program, recommendation for, 53-30-321
  contents of report, 46-18-112
  crime victims, conference with or information to, 46-18-112, 46-18-113, 46-18-242, 46-24-203
  dangerous drug offenses, 45-9-202
  mandatory minimum sentence, effect upon, 46-18-223
  plea agreement decision deferred when, 46-12-211
  restitution, investigation of victim's loss, 46-18-242, 46-18-261
  review of sentence, use in, 46-18-904
  youth court records, inspection, 41-5-603
Presumption of correctness, 46-18-904
Probation, conditions imposed with sentence, 46-18-201, See also **PROBATION, PAROLE, AND CLEMENCY**
Procedure after sentencing, See **CRIMINAL PROCEDURE, Judgment**
Reasons for sentence, judge to state for record, 46-18-102, 46-18-115, 46-18-223
Recidivism, See **Persistent felony offenders**
Reduction
  appellate court, by, 46-20-703
  boot camp incarceration program, 53-30-401 — 53-30-403
  consecutive sentences or merger of sentence, 46-18-401
  credits, See **Credits against sentence**
  good time allowance, 53-30-105, 53-30-324
  parole is not, 46-23-201
  review of sentence, upon, 46-18-903, 46-18-904
  work release program, performance in, 46-18-704, 46-18-705
Restitution by offender, 46-18-201, 46-18-241
  allocation of money collected, 46-18-251
  arraignment, defendant to be advised of, 46-12-210
  arson-caused fires, suppression and investigation costs, 46-18-261
  bail, forfeited — payment as, 46-9-512, 87-1-111, 87-1-112
  boats, for illegal operation in diver safety zones, 23-2-507
  civil action by victim or entity, 46-18-249, 46-18-261
  community corrections facilities and programs, offenders placed in, 53-30-303
  community service work as, 46-18-250
  counseling costs, victim's, 45-5-503, 45-5-507

SENTENCING AND SENTENCES (Continued)
Restitution by offender (Continued)

  crime victims compensation and assistance account, subrogation, 46-18-248
  criminal mischief, 45-6-101
  default, 46-18-245, 46-18-247, 46-18-261
  defenses, 46-18-244
  definitions, 46-18-243
  failure to pay, effect on deferred or suspended sentence, 46-18-203
  fish and wildlife, for illegal killing and possession, 87-1-111 — 87-1-113
  hearings on, 46-9-512, 46-18-246, 46-18-247, 46-18-261, 87-1-111
  home arrestees, condition, 46-18-1003
  investigation and report on victim's loss, 46-18-242, 46-18-261
  location of victim unknown, effect, 46-18-250
  minor offenders, 41-5-103
    approval for and criteria, 41-5-403, 41-5-522
    order for, 41-5-102, 41-5-103, 41-5-523
  multiple victims, 46-18-248
  nonsupport, order for, 45-5-621
  nonviolent felony offenders, by, 46-18-225
  parole
    order of, cited in, 46-23-215
    violations, effect, 46-23-1025
  partner or family member assault victims, 40-15-103, 45-5-206, 46-6-602, 46-23-1005
  payment requirements, 46-18-241, 46-18-261
    supervision, 46-18-245
    type and time of, 46-18-244
    waiver or modification, 46-18-246, 46-18-247, 46-18-261, 46-23-1011
  pretrial diversion agreements, conditions, 46-16-130
  ritual abuse of minor, 45-5-627
  setoff, 46-18-249
  supervised release, plan for, 46-23-405
Restrictions and conditions
  additional, 46-18-202
  deferred sentence, upon, 45-9-202, 46-18-201, 46-18-203, 46-18-222, 46-18-223, 46-18-255
  home arrest, 46-18-1002
  sexual or violent offenders, 46-18-255
  statement of, 46-18-115
  suspended sentence, upon, 45-9-202, 46-18-201, 46-18-222, 46-18-223, 46-18-255
  violations, 46-18-201, 46-18-203
Review, 46-18-901
  application, 46-18-903
  conflict of interest of judge, 46-18-902
  correction of sentence, 46-18-117
  death sentence, Title 46, chapter 18, part 3
  decision, finality and report, 46-18-905
  mental disease or defect of defendant, 46-14-312
  procedure, 46-18-904
Rules of Evidence inapplicable, Title 26, chapter 10, M.R.Ev., Rule 101
Set aside, 46-21-101
Sexually transmitted disease testing of convicted person when, 46-18-256
Sexual or violent offender registration and restrictions, 46-18-201, 46-18-254, 46-18-255, 46-23-501 — 46-23-507
State prison, for offenses committed while incarcerated in, 46-18-220
Stay of execution
  appeal, pending, 46-20-204; Title 25, chapter 21, M.R.App.P., Rule 7
  death penalty, 46-19-103, 46-20-204; Title 25, chapter 21, M.R.App.P., Rule 7
  review does not stay, 46-18-903

SENTENCING AND SENTENCES (Continued)

Suspended sentence, 46-18-201
  community service as restriction or condition, 45-9-202, 45-9-204, 46-18-201
  concealed weapon, permit to carry — ineligibility, 45-8-321
  costs, payment by defendant as restriction or condition, 46-18-201, 46-18-233
  dangerous weapon, when offense committed with, 46-18-221, 46-18-222, 46-18-224
  data to supreme court, 46-18-604
  drug violations
    alternatives, 45-9-202
    prohibited for, 46-18-201
  exceptions to restrictions, 46-18-222
  fines as restriction or condition, 45-9-202, 46-18-201, 46-18-233
  fugitive, defendant considered when, 46-23-1014
  hashish, possession — minimum fine prerequisite to suspended sentence, 45-9-102
  marijuana, possession — minimum fine prerequisite to suspended sentence, 45-9-102
  merger of sentence, 46-18-401
  modification, 46-23-1011
  prohibited when, 46-18-201, 46-18-221, 46-18-224, 46-18-502, 61-5-212, 61-8-714, 61-8-722
  revocation, 46-18-203, 46-23-1011, 46-23-1013
    habeas corpus, nonapplicability when, 46-22-101
    petition challenging, 46-21-101
  sexual or violent offender registration, 46-18-254, 46-18-255
  violation during, 46-23-1012, 46-23-1013
"Three strikes and you are out", 46-18-219
Transcripts of proceedings, petition by defendant for, Title 25, chapter 21, M.R.App.P., Rule 9
"Two strikes and you are out", 46-18-219
Vacate, 46-21-101
Work release program, 46-18-701 — 46-18-705, See also **DETENTION CENTERS**

SEPARATION OF POWERS, Const., III, 1

SERVICE OF PROCESS
  See **CIVIL PROCEDURE**

SEVERANCE TAX, Title 15, chapter 35
  See **TAXATION, MINERALS**

SEWAGE DISPOSAL AND SEWER SYSTEMS
Boats, discharge prohibited when, 23-2-521, 23-2-522
Cesspool, septic tank, and privy cleaners, Title 37, chapter 41
Cities and towns, Title 7, chapter 13, parts 42 and 43, See also **SUBDIVISIONS, Sanitation**; **WATER QUALITY**; **WATER SUPPLY, PUBLIC**
  annexation, requirement for receiving services, 7-13-4314
  bonds issued for, 7-13-4203 — 7-13-4205, 7-13-4207
  cemetery associations, free to, 35-20-215
  coal severance tax bond revenue, 17-5-701, 17-5-703; Title 90, chapter 6, part 7
  consolidated governments, 7-7-108
  consumers
    industrial, services to, 7-13-4311, 7-13-4312
    outside municipality, 7-13-4312
    rates, 7-13-4305, 7-13-4306
  election required, 7-7-4222
  expenses, 7-13-4307
  financing, See **CITY FINANCE**
  fire hydrant maintenance district assessments, collection, 7-12-4612
  illegal use, 7-13-4313
  plans and specifications, 18-2-122

SEWAGE DISPOSAL AND SEWER SYSTEMS (Continued)
Cities and towns (Continued)

- plumbing installations, employment of unlicensed plumbers when, 37-69-102, 37-69-301
- pollution abatement, for, 7-7-4405, See also **CITY FINANCE, Revenue bonds**
- port authorities, to, 7-14-1105
- property, condemnation for, 7-5-4106
- public service commission, 7-13-4310
- services
  - annexation, requirement for receiving, 7-13-4314
  - discontinuance and reestablishment deposit, 7-13-4305, 7-13-4306
  - industrial consumers, 7-13-4311
  - outside municipality, persons located, 7-13-4312
  - rates, rentals, and charges, 7-13-4304, 7-13-4307
    - change and readjustment, 7-13-4308
    - collection procedures, 7-13-4309
    - failure to make payments, effect, 7-13-4305, 7-13-4306, 7-13-4313
- sinking fund, 7-13-4307
- sewer systems, 7-13-4105
  - appropriation for, 7-13-4203
  - bond issue, 7-13-4203 — 7-13-4205, 7-13-4207
  - construction, 7-13-4202
  - establishment, 7-13-4201
  - financing, 7-13-4203
  - fund, 7-13-4203, 7-13-4204, 7-13-4207
  - pedestrian malls, 7-14-4704
  - rental charges
    - challenge, procedure, 7-13-4208
    - collection, 7-13-4206
    - determination, 7-13-4205
    - election required, 7-13-4204
    - fund for, special, 7-13-4207
    - rural special improvement districts, applicability of provisions, 7-12-2301
- special improvement districts for construction, See **SPECIAL IMPROVEMENT DISTRICTS**
- tax against property, arrearage as, 7-13-4309
- tax increment financing, costs paid by, 7-15-4288
- water supply, discontinuance when, 7-13-4306

Counties, Title 7, chapter 13, parts 22 and 23
- actions
  - creation, challenging, 7-13-2216
  - projects, involving — costs, 7-13-2218
  - service charges, delinquent — collection, 7-13-2301
  - sue and be sued, right to, 7-13-2217
  - taxes paid under protest, recovery, 7-13-2308
- addition of land, 7-13-2341
- administrative personnel, 7-13-2277 — 7-13-2279
- appropriation of federal or state money to, 7-6-2218
- audits, Title 2, chapter 7, part 5
- bond issues
  - election, 7-13-2321, 7-13-2323
    - electors, qualifications, 7-13-2325
    - notice, 7-13-2324
    - results, 7-13-2327
    - sufficient vote required, 7-13-2328
  - form and execution, 7-13-2328
  - general obligation, 7-13-2331
  - notes, sale in anticipation of federal or state revenue, 7-7-109
  - payment, 7-13-2301

SEWAGE DISPOSAL AND SEWER SYSTEMS (Continued)
Counties (Continued)
  bond issues (Continued)
    powers regarding, 7-13-2221
    public fund deposits, security for, 17-6-103
    refunding, issuance without election, 7-13-2332
    resolution for, 7-13-2321, 7-13-2328
    sale of bonds, 7-13-2329
    taxation, exempt from, 7-13-2330
    tax levy for payment, 7-13-2302
    term of bonds, 7-13-2322
  consolidation of districts, 7-13-2342
  contracts
    federal or state governments, with, 7-13-2221
    power to make, 7-13-2217
    professional services, state, Title 18, chapter 8, part 2
    signing, 7-13-2272, 7-13-2278
  county appropriation of federal or state money to, 7-6-2218
  county election administrator, duties, See **ELECTION ADMINISTRATOR**
  county merger, effect, 7-3-144
  creation
    directors, board of
      appointment when, 7-13-2234
      election held when, 7-13-2231
    election for
      certificate, 7-13-2214
      conduct, 7-13-2211
      insufficient favorable vote, effect, 7-13-2213
      notice, 7-13-2208, 7-13-2210
      qualifications to vote, 7-13-2212
    land
      addition of, 7-13-2341
      benefited, application to include, 7-13-2209
      exclusion, 7-13-2343 — 7-13-2348
      property description, correction, 7-13-2340
    lawsuits challenging, limitations, 7-13-2216
    order for, 7-13-2214
    petition, 7-13-2204
      decision on, 7-13-2208
      hearing, 7-13-2205, 7-13-2206, 7-13-2208
      irregularities, effect, 7-13-2207
      notice, 7-13-2205, 7-13-2207, 7-13-2216
    protests, 7-13-2206
    water pollution clean-up orders, request for, 75-5-601
  directors, board of
    administrative personnel, 7-13-2277 — 7-13-2279
    appointment, 7-13-2232
      procedure, 7-13-2235, 7-13-2259, 7-13-2260
    compensation, 7-13-2273
    composition, 7-13-2232
    conduct of business, 7-13-2274
    governing body, as, 7-13-2231
    ordinances and resolutions, procedures, 7-13-2274, 7-13-2275
    organization, 7-13-2271
    president, 7-13-2271, 7-13-2272
    qualifications, 7-13-2233
    term of office, 7-13-2234
    vacancies, filling, 7-13-2258, 7-13-2262

SEWAGE DISPOSAL AND SEWER SYSTEMS (Continued)
Counties (Continued)

- dissolution, 7-13-2351
- election administrator, duties, See **ELECTION ADMINISTRATOR**
- elections
  - addition of land, for, 7-13-2341
  - bond issues, for, See **Counties**, bond issues
  - campaign practices exceptions, 13-37-206
  - candidates, 7-13-2225, 7-13-2246
  - canvass of vote, 7-13-2256
  - combination, 7-13-2225
  - consolidation of districts, for, 7-13-2342
  - corporate property owners, vote by, 7-13-2254
  - exclusion of land, for, 7-13-2348
  - expansion of district to include unincorporated area, for, 7-13-2341
  - first regular election held when, 7-13-2234
  - general election laws, applicability, 7-13-2222
  - nonresident property owners, vote by, 7-13-2255
  - officers
    - failure to qualify, effect, 7-13-2258
    - recall, 7-13-2261
  - procedures, 7-13-2235
- eminent domain, 7-13-2218
- employees, 7-13-2278, 7-13-2279
- exclusion of land
  - board of directors, initiation by, 7-13-2348
  - decision on, 7-13-2346
  - hearing and notice, 7-13-2345, 7-13-2348
  - order, effect, 7-13-2347
  - petition, 7-13-2343, 7-13-2344
- financial reports, Title 2, chapter 7, part 5
- funds and funding, 7-13-2221
  - depositary, designation, 7-13-2311
  - federal funds or contracts, 7-6-2218, 7-13-2221, 7-13-2301
  - notes, sale in anticipation of federal or state revenue, 7-7-109
  - rates, fees, and charges established, 7-13-2275
  - reserve funds, 7-13-2302
  - services charges, 7-13-2301
- gifts or grants, 7-13-2217, 7-6-2218, 7-7-109, 7-13-2217
- hard-rock mining impact, Title 90, chapter 6, part 3
- incorporation
  - certificate of, 7-13-2215
  - validity, proceedings regarding, 7-13-2216
- initiative and referendum, 7-13-2276, 7-13-2348
- interpretation of provisions, 7-13-2202
- liens, 7-13-2221, 7-13-2310
- merger of counties, effect, 7-3-144
- motor vehicles
  - license plates, 61-3-332, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, License plates**
  - new vehicle sales tax, exemption, 61-3-502
  - registration fees, exemption, 61-3-321
  - weed control fee, exemption, 61-3-510
- obligations, payment, 7-13-2221
- plans and specifications, 18-2-122
- powers, 7-13-2217, 7-13-2218, 7-13-2221

SEWAGE DISPOSAL AND SEWER SYSTEMS (Continued)
Counties (Continued)

- projects, water and sewer
  - plumbing installations, exemption from licensing provision when, 37-69-102
  - powers relating to, 7-13-2218
  - roads, construction across, 7-13-2219
  - state lands, right-of-way across, 7-13-2220
- property, powers regarding, 7-13-2217, 7-13-2340, 7-13-2341
- public utility provisions, exemption, 69-3-101
- roads, construction across, 7-13-2219
- state lands, right-of-way across, 7-13-2220
- taxation
  - assessment, method, 7-13-2303, 7-13-2306
  - bonds exempt from, 7-13-2330
  - collection, 7-13-2309
  - exclusion of land, effect of order for, 7-13-2347
  - levy, 7-13-2302
    - hearing and protest, 7-13-2306, 7-13-2307
    - notice of intention, 7-13-2304
      - contents, 7-13-2306
      - legal sufficiency, 7-13-2305
    - purposes, 7-13-2221, 7-13-2302
  - lien, to be, 7-13-2310
  - protest, payment under, 7-13-2308
- warrants, 7-13-2278, 7-13-2311
- water pollution, clean-up orders — request for creation, 75-5-601

Health, local boards and departments — rulemaking authority, 50-2-116
Infectious waste, discharge into system permitted when, 75-10-1005
Megalandfill siting, Title 75, chapter 10, part 9, See **MEGALANDFILL SITING**
Metropolitan sanitary and/or storm sewer districts, Title 7, chapter 13, part 1

- administration, 7-13-112
- architectural services contracts, Title 18, chapter 8, part 2
- bond issues, 7-13-151, 7-13-152, 7-13-154 — 7-13-156
  - public fund deposits, security for, 17-6-103
- boundaries, 7-13-102, 7-13-107, 7-13-112
  - changes in, 7-13-113, 7-13-123
- budget, preparation and filing, 7-13-146
- creation
  - authorization, 7-13-101
  - recreation, 7-13-123
  - resolution for, 7-13-111
  - resolution of concurrence, 7-13-106
  - resolution of intention, 7-13-102
    - concurrence required, 7-13-105
    - federal property provisions, inclusion, 7-13-122
    - hearings and notice, 7-13-107, 7-13-123
    - references to, 7-13-103
    - transmittal, 7-13-104
- engineers, 7-13-102; Title 18, chapter 8, part 2
- federal funding, authorization, 7-13-142, 7-13-143
- federal property within, status, 7-13-122
- funding for
  - bond fund, 7-13-152, 7-13-154
  - operation and maintenance fund, transfers from, 7-13-152, 7-13-153
  - rates, charges, and rentals, 7-13-141, 7-13-143, 7-13-144, 7-13-156
  - reserve fund, 7-13-144, 7-13-151 — 7-13-156
- land surveying services contracts, Title 18, chapter 8, part 2

SEWAGE DISPOSAL AND SEWER SYSTEMS (Continued)
Metropolitan sanitary and/or storm sewer districts,... (Continued)

- liens, 7-13-128, 7-13-154
- motor vehicles
  - license plates, 61-3-332, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, License plates**
  - new vehicle sales tax, exemption, 61-3-502
  - registration fees, exemption, 61-3-321
  - weed control fee, exemption, 61-3-510
- ordinances for rates, charges, and rentals, 7-13-141
- plans and specifications, 18-2-122
- plumbers, unlicensed — employment when, 37-69-102, 37-69-301
- protests, 7-13-108, 7-13-111
  - hearings, 7-13-107, 7-13-110, 7-13-126, 7-13-127
  - proceedings, sufficient to bar, 7-13-109, 7-13-110
- records, 7-13-115
- reserve fund
  - authorization, 7-13-151
  - covenants, 7-13-156
  - revenues for, 7-13-144, 7-13-152, 7-13-156
  - transfers to, 7-13-152 — 7-13-154
- rural special improvement district provisions, applicability, 7-13-114
- special provisions, 7-12-2301
- tax levy
  - federal loans, repayment, 7-13-142
  - improvements — resolution, hearing, and notice, 7-13-124, 7-13-126, 7-13-127
  - operation and maintenance, for, 7-13-115, 7-13-145
  - reserve fund revenues, to provide, 7-13-144

Plumbers, Title 37, chapter 69
Public works, director of — authority, 7-3-1331
Rural special improvement districts, sanitary or storm sewers, 7-12-2112, 7-12-2301, See **RURAL SPECIAL IMPROVEMENT DISTRICTS**
Salmonid fish, parts, or eggs, 87-3-222
Sanitarians, duties, 37-40-101, See also **SANITARIANS**
Sanitary or storm sewer districts, special provisions, 7-12-2301
Solid waste, Title 75, chapter 10, See **SOLID WASTE MANAGEMENT**
Special improvement districts, sanitary sewers, 7-12-4113
Subdivisions, Title 76, chapter 4, part 1, See **SUBDIVISIONS, Sanitation**
Taxation of systems, 15-7-103
Treasure state endowment program, financial assistance, Title 90, chapter 6, part 7
Utility provisions, exemptions, 69-3-101
Water quality, Title 7, chapter 13, part 45; Title 75, chapter 5, See **WATER QUALITY**
Water supply and sewer districts, Title 7, chapter 13, part 30; Title 75, chapter 6, See **WATER SUPPLY, PUBLIC**

SEXUAL OR VIOLENT OFFENDER REGISTRATION, 46-23-501 — 46-23-508
See also **CRIMES, Sexual or violent offenders**

SHERIFF
See **COUNTY SHERIFF**

SHERIFFS' RETIREMENT SYSTEM
Administration, Title 19, chapter 2, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM**
Beneficiary
- death benefits, options, 19-7-901
- designation, 19-7-1001
- postretirement adjustment, 19-7-708 — 19-7-710

SHERIFFS' RETIREMENT SYSTEM (Continued)

Benefits, See also **Death benefits**
  alternate payees, 19-2-907
  bankruptcy, exemption, 31-2-106
  compensation limit, 19-2-1005
  disability retirement, See **Disability retirement benefits**
  discrimination prohibited, 49-2-309
  distributions, required, 19-2-1007
  early retirement, See **Service retirement benefits**
  forfeitures, use prohibited, 19-2-1006
  optional, 19-7-801, 19-7-503, 19-7-1001
  postretirement adjustment, 19-7-708 — 19-7-710
  service retirement, See **Service retirement benefits**
  tax exemption when, 19-2-1004
  workers' compensation benefits, effect, 19-2-905
Citation of Sheriffs' Retirement Act, 19-7-105
"Compensation" defined, 19-7-101
Contributions, See also **Members**
  accumulated contributions, 19-7-101
  disposition, 19-7-402
  elected official's salary not subject to, when, 19-7-501
  employer — pick up, payment, and rate, 19-7-403, 19-7-404
  military service, previous and active or previous service in reserves, 19-7-803
  public service employment, for qualification of service in, 19-7-802
  rate, 19-7-403
  refunds, city-county consolidation — effect, 19-7-801
  service credits, additional — for qualification, 19-7-804
Death, See also **Death benefits**
  member
    prior to retirement, 19-7-901
    service retirement benefits, effect on, 19-7-801
  retiree
    optional benefits, effect on, 19-7-1001
    service retirement benefits, effect on, 19-7-503
Death benefits, See also **Benefits**
  before retirement, 19-7-901
  city-county consolidation, effect, 19-7-801
  distributions, required, 19-2-1007
Definitions, 19-2-303, 19-7-101
Dependent child, benefit payments, 19-7-801
Disability retirement benefits, 19-7-601, 19-7-612
  city-county consolidation, effect, 19-7-801
  determination of disability, 19-7-601
  medical examination requirements, 19-7-612
  postretirement adjustment, 19-7-708 — 19-7-710
Discrimination prohibited, 49-2-309
Early retirement, See **Service retirement benefits**
Establishment, 19-7-102
Exemption, 19-2-1004
Fine, 19-2-1009
Fraud, 19-2-1009
Funds
  federal funding, 19-7-402
  pension trust fund, 19-7-101
    administrative expenses, postretirement adjustment — funding determination, 19-7-709
    investment, 19-7-402, 19-7-709

SHERIFFS' RETIREMENT SYSTEM (Continued)
Funds (Continued)
    pension trust fund (Continued)
        sources of money, 19-7-402
        transfers, 19-2-704, 19-7-802
    postretirement adjustment, reserve fund, 19-7-709
Investigators, 19-7-101
    ineligibility when, 19-7-302
    membership required, 19-7-301
Legal process, exemption, 19-2-1004
Marital status, discrimination based on — prohibited, 49-2-309
Members
    contributions deducted, 19-7-403
    inactive vested or nonvested, 19-7-301
    public service employment, qualification of service in, 19-7-802
    reemployment of retired, 19-7-1101
Membership, 19-7-301
    ineligibility for other systems, 19-7-302
    military service, previous and active or previous service in reserves, 19-7-803
    reemployment exclusion, 19-7-1101
Police officers' retirement system, membership when, 19-7-801, 19-9-404
Postretirement adjustment
    eligibility, 19-7-708
    funding, 19-7-709
    payment and amount, 19-7-709, 19-7-710
Public Employees' Retirement Board, duties, Title 19, chapter 2, part 4
Public Employees' Retirement System
    administration, Title 19, chapter 2
    membership in, 19-7-301, 19-7-302, 19-7-801
    retirement account, within, 19-7-402
    service credits transferred to, 19-3-509
Reemployment of retired member, 19-7-1101
Records, 19-2-1009
Service credits
    additional, purchase, 19-7-804
    elected officials, ineligibility when, 19-7-501
    firefighters' unified retirement system, transfers to, 19-13-404
    game wardens' retirement system, transfers to, 19-8-902
    highway patrol officers' retirement system, transfers to, 19-6-802
    military service, previous and active or previous service in reserves, 19-7-803, 19-7-804
    municipal police officers' retirement system, transfers to, 19-9-405
    public employees' retirement system, transfers to, 19-3-509
    public service employment, qualification, 19-7-802
    service retirement allowance, calculation, 19-7-501, 19-7-503
    termination, involuntary — additional, 19-2-706
Service retirement benefits
    alternate payees, 19-2-907
    city-county consolidation, effect, 19-7-801
    computation, 19-7-503
    death of member, effect, 19-7-801, 19-7-503
    distributions, required, 19-2-1007
    early retirement, 19-7-502
    elected officials, retirement date — election, 19-7-501
    eligibility and application, 19-7-801, 19-7-501
    involuntary retirement, 19-7-504
    postretirement adjustment, 19-7-708 — 19-7-710
    reduction when, 19-7-301
    reemployment of retired member, effect, 19-7-1101

SHERIFFS' RETIREMENT SYSTEM (Continued)

Sex, discrimination based on — prohibited, 49-2-309
Social security system, separateness, 19-1-104
Survivorship benefits
  alternate payees, 19-2-907
  distributions, requirements, 19-2-1007
  optional forms, 19-2-1001
  postretirement adjustments, 19-7-708, 19-7-709
  surviving spouse, payments, 19-7-801
Workers' compensation benefits, effect, 19-2-905

SHOOTING GALLERIES, 7-21-4201

SHOOTING PRESERVES
  See **FISH AND WILDLIFE**

SHOOTING RANGES
Community decay ordinances, nonapplicability, 7-5-2110
Disorderly conduct, nonapplicability, 45-8-101
Easement for range safety zone, 70-17-101
Lead, copper, or brass deposits, 7-5-2109, 76-9-102
Litter control provisions, nonapplicability, 7-5-2109, 76-9-102
Noise level standards, nonapplicability, 45-8-111, 76-9-102
Operation, suspension when, 76-9-105
Planning, effect, 76-9-103
Policy, 76-9-101
Pollution standards, nonapplicability, 76-9-102
Prohibitions, 76-9-102
Public nuisance, nonapplicability, 45-8-111
Relocation, when, 76-9-105
Safety defects, correction, 76-9-105
Zoning, effect, 76-9-103, 76-9-104

SHOPLIFTING
City or town control, 7-32-4303
Civil penalty, 27-1-718
Temporary detention by merchant, 46-6-506

SIGNS, 7-14-4102
  See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Traffic-control devices; OUTDOOR ADVERTISING**, generally

SILICOSIS
Benefits
  administration, 39-73-102, 39-73-103
  amount, 39-73-103, 39-73-107
  applicability of laws, 39-73-103
  application for, 39-73-105, 39-73-111
  appropriations, 39-73-107
  assignment prohibited, 39-73-110
  bankruptcy, exemption, 31-2-106
  cooperation with governmental entities, 39-73-102
  definitions, 39-73-101
  determination, 39-73-106, 39-73-107
  election of remedy, 39-72-708, 39-73-104, 39-73-107
  eligibility, 39-72-708, 39-73-104, 39-73-108
  execution prohibited, 39-73-110
  federal grants, 39-73-103

SILICOSIS (Continued)
Benefits (Continued)

federal law, applicability, 39-73-102, 39-73-103
funding, 39-73-103, 39-73-107
garnishment prohibited, 39-73-110
institutionalized claimant, ineligible, 39-73-108
investigations, 39-73-106
medical examinations, 39-73-101, 39-73-102, 39-73-106
notice, 39-73-106
prevention programs, 39-73-102
representative payee, appointment and responsibilities, 39-73-111
rulemaking authority, 39-73-102, 39-73-105 — 39-73-107
setoff of occupational disease benefits, 39-72-708, 39-73-104, 39-73-107
surviving spouse, payment to, 39-73-109
total amount, 39-73-103, 39-73-107
writing, application, 39-73-105
Benefits under Occupational Disease Act, See also **OCCUPATIONAL DISEASE**
amount, 39-72-707, 39-72-711
compromise settlement, 39-72-711
definitions, 39-72-102
election of remedy, 39-72-708, 39-73-104, 39-73-107
exclusivity of benefits, 39-72-708, 39-73-104, 39-73-107
reduction when complicated by tuberculosis, 39-72-707
supplementing of benefits prohibited, 39-72-708, 39-73-104, 39-73-107
tuberculosis as complication, reduction of benefits, 39-72-707
Defined, 39-72-102, 39-73-101
Election of remedy, 39-72-708, 39-73-104, 39-73-107
Prevention programs, 39-73-102
Representative payee, appointment and responsibilities, 39-73-111
Setoff of benefits, 39-72-708, 39-73-104, 39-73-107

SIMULTANEOUS DEATH ACT, 72-2-114
See **ESTATES AND PROBATE**, **Simultaneous death**

SINGLE AUDIT ACT, STATE OF MONTANA, Title 2, chapter 7, part 5
See **AUDITS AND AUDITORS**, **Local government entities**

SKIING AND SKIERS
See also **TRAMWAYS**
Definitions, 23-2-702, 23-2-732
Passenger Tramway Safety, Board of — representation on, 2-15-1896
Policy of state, 23-2-701
Purpose of provisions, 23-2-731
Resort tax, 7-6-4461 — 7-6-4469
Ski area operators, duties. 23-2-733, 23-2-734
Skiers, duties and conduct, 23-2-735, 23-2-736
Tourist-oriented directional signs, business eligibility, 60-5-522

SLANDER
See **DEFAMATION**

SMALL BUSINESSES
Air quality stationary source
compliance assistance advisory council, 2-15-2110, 75-2-106
definitions, 75-2-103
exceptions, 75-2-108
fees, supporting, 75-2-220
noncompliance penalties, 75-2-421, 75-2-422
representative, duties, 75-2-106, 75-2-109

SMALL BUSINESSES (Continued)
Air quality stationary source (Continued)

- technical and environmental compliance assistance program, 75-2-107
- waivers, 75-2-108

Agriculture, expansion of business opportunities, Title 90, chapter 9
Business incubators, 15-24-1801, 15-24-1802, 90-8-201
Capital companies, development through and qualified investments, Title 90, chapter 8
Close corporations, Title 35, chapter 9
Family businesses, labor provisions, 39-3-406, 39-51-204, 39-71-401
Health insurance availability, Title 33, chapter 22, part 18
Insurance, limited benefit disability, 33-22-1201 — 33-22-1205

- tax credits for providing, 15-30-129, 15-31-132

Licensing

- city, Title 7, chapter 21, parts 41 and 42
- coordination, Title 30, chapter 16

Loan participations to create jobs, incentives, 17-6-318, 17-6-319
Microbusiness development, Title 17, chapter 6, part 4
Minimum wage exclusions, 39-3-406
Motor fuel marketing, Title 30, chapter 14, part 8
Overtime compensation exclusions, 39-3-406
Purchasing preferences, state, Title 18, chapter 5, part 3
Reclaimable material, property to collect or process — tax credits and deduction, Title 15, chapter 32, part 6
Renewable energy sources and energy conservation grants, research centers for, 90-4-106
Right to work, 39-33-101 — 39-33-105
Science and technology financing, purpose, 90-3-101, 90-3-505
Small business corporations, taxation, See also **TAXATION, INDIVIDUAL INCOME**

- adjusted gross income, 15-30-111
- computer equipment donated to schools, 15-30-126
- corporation license or income tax, nonapplicability, 15-31-202
- definitions, 15-31-123, 15-31-201
- dissolution, effect, 15-31-203
- fee, minimum, 15-31-202, 15-31-204
- investment credits, 15-30-161, 15-30-162, 15-31-123
- termination or revocation of election, 15-31-209

Small business independent liability funds, 15-30-107, 15-30-127, 15-31-117, 15-31-118; Title 33, chapter 27
Small business investment companies, investment in, 15-33-101 — 15-33-106
Small Business Licensing Coordination Act, Title 30, chapter 16
Small Business Purchasing Act, Title 18, chapter 5, part 3
University system and private college endowment fund contributions, tax credit, 15-30-163, 15-31-135
Wind-generated electricity, commercial investment, 15-32-402 — 15-32-407
Workers' compensation, election of and exclusion from coverage, 39-71-118, 39-71-123, 39-71-401

SMALL CLAIMS COURT, DISTRICT COURT
Abolishment, 3-12-104
Affidavits

- disqualification of judge, for, 3-1-805
- interpleader, 25-34-106, 25-34-201
- pauper's, applicability of laws, 25-34-208
- plaintiff, of, 3-12-202, 25-34-201, 25-34-203 — 25-34-205, 25-34-208, 25-34-301

Answer, 25-34-203, 25-34-207, 25-34-208
Appeal, 25-34-403
Appearance of defendant, 25-34-201, 25-34-203, 25-34-204
Assigned claims prohibited, 25-34-105
Attachment or garnishment not available, 25-34-202
Clerk of the court

- affidavit forms supplied by, 25-34-201

SMALL CLAIMS COURT, DISTRICT COURT (Continued)
Clerk of the court (Continued)

- assistance to claimant, 3-12-202
- district court clerk to be, 3-12-103
- fees, 25-34-208
- hearing date set by, 25-34-204
- interpleaded funds, disbursement, 25-34-201
- interpleader affidavits, 25-34-106, 25-34-201
- oaths, power to administer, 1-6-101
- order of court, duties, 25-34-203
- return of service, filing with, 25-34-206

Commencement of actions, 25-34-201
Complaint, 25-34-201, 25-34-203
Construction of laws, 3-12-101, 25-34-101
Costs, 25-34-201, 25-34-203, 25-34-402, 25-34-403
Counterclaim, 25-34-207, 25-34-301
Court reporter, 25-34-302
Creation, 3-12-102, 3-12-103
District court

- appeal to, 25-34-403
- removal of actions from, 3-12-106, 25-34-103
- removal of actions to, 25-34-207

Duration, 3-12-104
Evidence, 25-34-303
Fees, 25-34-203, 25-34-205, 25-34-208
Findings of fact, 25-34-302
Hearing date, 25-34-203, 25-34-204
Hours of court, 3-12-105
Informality of proceedings, 25-34-101, 25-34-302
In forma pauperis, 25-34-208
Interpleader actions, 25-34-102, 25-34-106, 25-34-201
Joinder of claims, 3-12-106, 25-34-102
Judges, See also **JUDGES AND JUSTICES**, generally

- appointment, 3-12-201
- assistance to claimant, 3-12-101, 3-12-202, 25-34-101, 25-34-201
- hearing date, rules for, 25-34-204
- interpleader affidavits, 25-34-106, 25-34-201
- multicounty district, judges in, 3-12-203
- multijudge court, division of responsibilities, 3-12-105
- qualifications and oath of office, 3-12-201
- salary and expenses, 3-12-201, 3-12-203
- substitute judge, 3-1-805

Judgment, 25-34-302, 25-34-401, 25-34-403, 25-34-404
Jurisdiction, 3-12-106, 25-34-102
Jury trial, 25-34-301, 25-34-302, 25-34-401
Location, 3-12-105
Order of court/notice to defendant, 25-34-201, 25-34-203
Parties, 25-34-105, 25-34-106, 25-34-201
Purpose, 3-12-101, 25-34-101
Record of proceedings, 25-34-302
Service of process, 25-34-204 — 25-34-207
Setoff, 25-34-207, 25-34-301
Subpoenas, 25-34-303
Venue, 25-34-104

SMALL CLAIMS COURT, JUSTICES' COURTS
Adjournment, 3-10-1005

SMALL CLAIMS COURT, JUSTICES' COURTS (Continued)

Affidavits
  disqualification of justice, for, 3-1-805
  interpleader, 25-35-508
  pauper's, applicability of laws, 25-35-608
Appeal, 3-10-1005, 25-35-803 — 25-35-806
Appearance of parties, 3-10-1005, 25-35-601, 25-35-603, 25-35-606, 25-35-608
Assigned claims prohibited, 25-35-505
Commencement of action, 25-35-601
Complaint, 25-35-601 — 25-35-604, 25-35-607, 25-35-608
Costs, 25-35-802
Counterclaim, 25-35-606 — 25-35-608
Creation, 3-10-1002
Docket, 3-10-1005
Evidence, 25-35-702
Fees, 25-35-604, 25-35-605, 25-35-608
Hearing date, 25-35-603
Hours of court, 3-10-1003
Informality of proceedings, 25-35-501, 25-35-701
In forma pauperis, 25-35-608
Instruction pamphlet, 25-35-601
Interpleader actions, 25-35-502, 25-35-508
Judgment, 3-10-1005, 25-35-801, 25-35-803, 25-35-807
Jurisdiction, 3-10-1004, 25-35-502
Justice of the peace, See also **JUDGES AND JUSTICES**, generally
  assistance to claimant, 25-35-601
  evidence, production, 25-35-702
  hearing date, determination, 25-35-603
  interpleader affidavits, 25-35-508
  record on appeal, forwarding, 25-35-804
  substitute justice, 3-1-805
  waiver of jury trial and representation upon failure to remove, notice to parties, 25-35-605
Location, 3-10-1003
Number of claims permitted, 25-35-505
Order of court/notice to defendant, 3-10-1005, 25-35-601 — 25-35-604, 25-35-607
Parties, 25-35-505, 25-35-508, 25-35-601
Pleadings, 25-35-605, 25-35-607
Purpose, 3-10-1001, 25-35-501
Record of proceedings, 25-35-703, 25-35-804
Removal from or to district court, 25-35-503, 25-35-606
Removal to justice's court, 25-35-605, 25-35-606, 25-35-806
Rules of Justice and City Court Procedure inapplicable, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 1
Service of process, 25-35-603, 25-35-604, 25-35-606, 25-35-803
Setoff, 25-35-606
Subpoenas, 25-35-702
Venue, 25-35-504
Witnesses, 25-35-702

SMALL EMPLOYER HEALTH INSURANCE AVAILABILITY ACT, Title 33, chapter 22, part 18
  See **INSURANCE, DISABILITY**

SMALL TRACT FINANCING ACT OF MONTANA, Title 71, chapter 1, part 3
  See **TRUST INDENTURES**, generally

SMITH RIVER MANAGEMENT ACT, Title 23, chapter 2, part 4
  See **RIVERS AND STREAMS**

SMOKING
Fireworks, sale or display areas — prohibited, 50-37-104
Government buildings
    local, work — reservation of areas for, 50-40-201
    state
        smoke-free, declared as, 50-40-107, 50-40-202 — 50-40-205
        smoking area, designation, 50-40-204, 50-40-205
Public places, Title 50, chapter 40
School district and community college district facilities, tobacco-free areas, 50-40-107, 50-40-201
Smokeless powder and small arms primers, storage areas — prohibited, 50-61-121

SNOWMOBILES
    See also **VEHICLES**, generally
Accidents, 23-2-635, 23-2-651 — 23-2-656
Acknowledgment, certificates of ownership — transfer of ownership, signature, 23-2-612
Actions
    products liability, effect of snowmobiler's responsibility provisions, 23-2-654
    recovery of penalties or sales violation restraining order or injunction, 23-2-641
Administration of provisions, 23-2-615
Affidavits required when, 23-2-612, 23-2-615
Animals, driving or harassment prohibited when, 23-2-633
Areas, snowmobile
    comparative negligence, effect, 23-2-656
    definitions, 23-2-652
    liability, 70-16-302
    operators, 23-2-653, 23-2-656
    purpose of provisions, 23-2-651
    rental equipment, 23-2-652, 23-2-655
    risks associated with sport, 23-2-651, 23-2-653, 23-2-654, 23-2-656
    snowmobilers, assumption of responsibilities and duties, 23-2-654
    trail maintenance vehicles or equipment, 23-2-653, 23-2-654
Assignment or attachment of security interest, 23-2-611, 23-2-612
Bicycle trails, operation on — when, 60-3-304
Brakes, requirements, 23-2-631
Careless operation prohibited, 23-2-632
Certificate of ownership, 23-2-601, 23-2-611 — 23-2-616, 23-2-622
Collector's item, 23-2-616, 23-2-621
Competition, exemptions, 23-2-614, 23-2-634
Damage caused by, 23-2-632, 23-2-635, 23-2-651 — 23-2-656
Dealers, See also **Manufacturers, distributors, or importers**
    bond not required, 23-2-619
    cancellation of dealership or distribution contract, inventory repurchase requirements, 30-11-701 — 30-11-704, 30-11-711 — 30-11-713
    certificates of ownership, requirements, 23-2-611, 23-2-612
    demonstration snowmobiles, 23-2-612, 23-2-619
    fee in lieu of tax, nonapplicability, 23-2-615.1
    fees, 23-2-619
    franchise or sales agreement, 23-2-619
    identification cards, 23-2-619
    inventory, 23-2-611, 23-2-615.1
    records, 23-2-612, 23-2-619
    registration certificates, 23-2-619
    stickers, affixation and records, 23-2-612
Death or injury caused by, 23-2-632, 23-2-635, 23-2-651 — 23-2-656
Decals, 23-2-601, 23-2-612, 23-2-614, 23-2-616 — 23-2-618, 23-2-620, 23-2-621, 23-2-642

SNOWMOBILES (Continued)

Decibel limitations, 23-2-601, 23-2-634, 23-2-641, 23-2-642
Definitions, 23-2-601, 23-2-614, 23-2-652
Driver's license required for operation when, 23-2-631
Education, revenue for, 60-3-201
Enforcement of provisions, 23-1-122, 23-2-616, 23-2-619, 23-2-634, 23-2-641, 60-3-201, 87-1-503
Equipment, 23-2-631, 23-2-633, 23-2-634, 23-2-652 — 23-2-655
Evidence
  certificates of ownership, 23-2-601
    presumption of joint ownership with right of survivorship, 23-2-612
  certificate of registration, 23-2-601
  registration application, evidence of payment of fee in lieu of tax, 23-2-616
  security interest, perfection, 23-2-611
Exhaust system requirements, 23-2-634, 23-2-641, 23-2-642
Facilities, funding, 23-2-615, 23-2-616, 23-2-619, 60-3-201
Fee in lieu of tax, 15-16-202, 23-2-611, 23-2-612, 23-2-615.1 — 23-2-618, 23-2-620, 23-2-642
Fees
  certificate of ownership, 23-2-611 — 23-2-613
  county motor vehicle computer fee, 61-3-511
  dealers, application and registration, 23-2-619
  decals, 23-2-616, 23-2-617
  exemptions, 23-2-614
  local government levy prohibited, 23-2-643
  nonresident temporary-use permit, 23-2-615
  payment, evidence of, 23-2-601
  registration, 23-2-616, 23-2-619, 23-2-621
  security interest, filing and for failure to file satisfaction, 23-2-611
  transfer of ownership, 23-2-612
Fines and forfeitures, 23-2-615, 23-2-642, 23-2-644
Firearms, discharging from snowmobile unlawful, 23-2-633
Footpaths, operation on — when, 60-3-304
Game animals, driving or harassment prohibited when, 23-2-633
Gasoline license tax, distribution for facilities and safety promotion, 60-3-201
Highways, operation on, See **Roads and streets, operation on**
Identification
  dealer cards, 23-2-619
  number, 23-2-611, 23-2-621
Incapacity of operator, operation unlawful, 23-2-632
Injunction, 23-2-641
Injury or death caused by, 23-2-632, 23-2-635, 23-2-651 — 23-2-656
Landowners, 23-2-634, 23-2-652, 70-16-302
Liability
  area operators, 23-2-653
  fish, wildlife, and parks — department of, 70-16-302
  landowner, 70-16-302
  products liability actions, effect of snowmobiler's responsibility provisions, 23-2-654
Liens, 23-2-601, 23-2-611, 23-2-612, 30-9-203, 30-9-302
Lights, requirements, 23-2-631, 23-2-633, 23-2-653
Livestock, driving or harassment prohibited when, 23-2-633
Local governments, regulatory authority limited, 23-2-631, 23-2-643
Manufacturers, distributors, or importers, See also **Dealers**
  certificate of ownership application, contents, 23-2-611
  franchise or sales agreements, 23-2-619
  injunction or restraining order, 23-2-641
  noise limitation requirements, 23-2-634, 23-2-641, 23-2-642
  products liability actions, 23-2-654

SNOWMOBILES (Continued)

Motor numbers, 23-2-611
Mufflers, 23-2-634, 23-2-641, 23-2-642
Natural areas, multiple uses, 76-12-121
Negligence, 23-2-653, 23-2-656
New snowmobile, 23-2-601
    certificate of ownership and dealer sticker, 23-2-611, 23-2-612
    sound level limitations, 23-2-634, 23-2-641, 23-2-642
Noise suppression requirements, 23-2-601, 23-2-634, 23-2-641, 23-2-642
Nonresident temporary-use permit, 23-2-614, 23-2-615
Off-highway vehicle provisions, nonapplicability, 23-2-801
Operation prohibited when, 23-2-611, 23-2-616, 23-2-631 — 23-2-633, See also **Roads and streets, operation on**
Operators, 23-2-601, 23-2-651 — 23-2-656
Private land, operation on, 23-2-611, 23-2-632
Products liability actions, effect of snowmobiler's responsibility provisions, 23-2-654
Races, exemptions, 23-2-614, 23-2-634
Racing snowmobiles, 23-2-615, 23-2-622
Reckless operation unlawful, 23-2-632
Registration, 23-2-616, 23-2-621, 61-3-511
    application, 23-2-612, 23-2-616, 23-2-618, 23-2-619, 23-2-621
    certificate of registration, 23-2-601, 23-2-612, 23-2-616, 23-2-619
    computer system for, 61-3-345 — 61-3-347
    dealer registration certificate, 23-2-619
    exemptions, 23-2-614, 23-2-622
    expiration, 23-2-618
    fee in lieu of tax, payment required prior to, 15-16-202, 23-2-616
    fees, 23-2-601, 23-2-616, 23-2-619, 23-2-621
    grace period, 23-2-612
    local government regulatory authority limited, 23-2-643
    operation without, 23-2-612
    receipt, issuance and possession, 23-2-616
    reregistration, 23-2-616, 23-2-620
    transfer of ownership, 23-2-616
Rental equipment, 23-2-652, 23-2-655
Restraining order, 23-2-641
Right-of-way when crossing street or highway, 23-2-631
Risks assumed by snowmobilers, 23-2-651 — 23-2-656
Roads and streets, operation on, 23-2-631, 23-2-632
    brakes, requirements, 23-2-631
    certificate of ownership required, 23-2-611
    lights, requirements, 23-2-631, 23-2-633
    "roadway" defined, 23-2-601
Rules, 23-2-614, 23-2-642
Safety
    operator incapacity, 23-2-632
    products liability actions, 23-2-654
    rental equipment, 23-2-655
    revenue for, 60-3-201
    safety education course, 23-2-631
    street and highway crossings, 23-2-631
Security interest, 23-2-601, 23-2-611, 23-2-612, 30-9-203, 30-9-302
Serial numbers, 23-2-612, 23-2-615, 23-2-621
Sound levels limited, 23-2-634, 23-2-641, 23-2-642
Speed, 23-2-632, 23-2-654
Stickers, 23-2-612, 23-2-614, 23-2-615

SNOWMOBILES (Continued)

Stolen and recovered, reports, 23-2-602
Streets, operation on, See **Roads and streets, operation on**
Taxes
    fee in lieu of, 15-16-202, 23-2-612, 23-2-615.1 — 23-2-618, 23-2-620, 23-2-642
    payment, evidence of, 23-2-601
Title to, 23-2-611, 23-2-612
Trails and trail maintenance, 23-2-652 — 23-2-654
Transfer of ownership, 23-2-612, 23-2-616
Violations
    decal, failure to display, 23-2-642
    fines and forfeitures, 23-2-615, 23-2-642, 23-2-644
    nonresident temporary-use permit, false statements in obtaining and failure to display, 23-2-615
    operation unlawful when, 23-2-632
    penalties, 23-2-641, 23-2-642

SOCIAL SECURITY
Administration
    expenses, 19-1-202
    political subdivision employee plans, 19-1-503
    rulemaking authority, 19-1-201
Benefits
    child support or child support-related maintenance, effect, 25-13-608
    execution, exemption when, 25-13-608
    federal-state agreements, 19-1-401, 19-1-402
    political subdivision employees, 19-1-501
    public assistance eligibility, effect on, See **PUBLIC ASSISTANCE**
Birth records, disclosure to determine eligibility, 50-15-122
Child support
    medical support reform, effect of receipt, 40-5-806, 40-5-819, 40-5-823
    state information agency to obtain information, 40-5-165
    use of number, 23-7-312, 40-5-443
Contribution account
    establishment, 19-1-601
    funds, sources, 19-1-503, 19-1-701
    interest and income from, 19-1-202, 19-1-701
    interest penalty, waiver upon written explanation, 19-1-706
    investment, 19-1-602
    management, 19-1-602
    payments from, 19-1-603, 19-1-604
    payments to, See **Contributions**
    teachers' contributions, 19-1-813
    transfer to general fund, 19-1-602
    use, limitations, 19-1-603
    withdrawals, 19-1-603
Contributions
    delinquent payments, collection, 19-1-706
    errors, adjustment, 19-1-702
    federal-state agreement provisions, 19-1-402
    generally, 19-1-701, 19-1-825
    higher education, institutions of — budget requirements, 19-1-825
    legislative appropriations, 19-1-701, 19-1-825
    liability for, 19-1-702, 19-1-705
    payroll deductions for, 19-1-702, 19-1-705, 19-1-813, 19-1-825, 39-3-101
    political subdivisions, 19-1-704 — 19-1-706
    refunds, 19-1-603, 19-1-702

SOCIAL SECURITY (Continued)
Contributions (Continued)

- school districts, 19-1-813, 19-1-814, 20-9-501
- state departments, budget requirements, 19-1-703
- state employees, 19-1-702
- teachers, 19-1-813, 19-1-825

Crime victims compensation benefits, effect on, 53-9-103, 53-9-125
Damages, payments as collateral source reduction, 27-1-307, 27-1-308
Definitions, 19-1-102
Developmental Disabilities Planning and Advisory Council, representation, 2-15-2204
Eligibility, 19-1-101, 19-1-812
Estates, augmented — exclusion, 72-2-222
Exclusions, 19-1-103
Federal laws, effect of changes in, 19-1-826
Federal-state agreements

- authority for, 19-1-401, 19-1-824
- contents, 19-1-402
- payments concerning, 19-1-603, 19-1-604
- plans for political subdivision employees, conformity, 19-1-503

Firefighters excluded, 19-1-103
Higher education, institutions of, See **Teachers' participation in**
Legislature

- appropriations, 19-1-701, 19-1-825
- policy, 19-1-101, 19-1-802

Managed care program, waiver, 53-6-113, 53-6-708
Medicaid eligibility, effect, 53-6-131
Medicare

- assignments, notice required, 53-5-901
- crime victims compensation benefits, effect on, 53-9-103, 53-9-125
- disability insurance
  - group insurance, conversion — limitation on eligibility, 33-22-513
  - home health care coverage provisions, nonapplicability, 33-22-1003
  - individual family continuity of coverage provisions, 33-22-307, 33-22-308
  - mental illness, alcoholism, and drug addiction provisions — nonapplicability, 33-22-704
- health care providers, notice concerning assignments, 53-5-901
- health service corporation group plans, conversion to individual policies — limitation on eligibility, 33-30-1015
- institutions, state — payment for care in, 53-1-401, 53-1-501, 53-1-502
- legislators, group benefit provisions, 2-18-704
- long-term care facilities participating in residents' rights, 50-5-1104, See **LONG-TERM CARE FACILITIES, Residents' rights**
- long-term care facilities, utilization reviews, 33-32-105
- medicaid program for payment of premiums, deductibles, and coinsurance, 53-6-101, 53-6-131
- power of attorney, authority relating to benefits, 72-31-201, 72-31-234
- public employees, group benefit provisions, 2-18-704
- small employer health insurance, qualifying previous coverage, 33-22-1803
- state employees, group benefit provisions, 2-18-703
- supplement insurance minimum standards, See **INSURANCE, DISABILITY**, **Medicare supplement insurance**

Nursing homes, income paid to — exclusion from income for property tax purposes, 15-6-134, 15-30-171
Occupational disease benefits, effect of social security payments, 39-72-701, 39-72-706
Optometric services, discrimination by public agencies prohibited, 37-10-104
Policy, declaration, 19-1-101
Political subdivision employees, plans for

- administration, 19-1-503
- approval, 19-1-502
- contributions, 19-1-704, 19-1-705

SOCIAL SECURITY (Continued)
Political subdivision employees, plans for (Continued)

- delinquent payments, collection, 19-1-706
- reports, 19-1-503
- requirements, 19-1-503
- submission, 19-1-501
- termination, 19-1-502, 19-1-503

Power of attorney, authority relating to benefits, 72-31-201, 72-31-234
Public Employees' Retirement Board, duties, Title 19, chapter 2, part 4
Referendums

- authorization, 19-1-301
- certification, 19-1-304, 19-1-811, 19-1-823
- conduct, 19-1-302
- higher education, institutions of, 19-1-822
- notice, 19-1-303
- school districts, by, 19-1-811

Retirement systems, separateness, 19-1-101, 19-1-104, 19-1-802, 19-1-821
School districts, special education — allowable costs, 20-7-431, 20-7-435, See also **Teachers' participation in**
Secured transactions, financing statements — use of number, 30-9-402
Selective service system, driver's license information provided to — use of number prohibited, 61-5-126
Services, coverage, 19-1-402, 19-1-503
Supplemental income payments, 52-1-104, 53-6-101
Teachers' participation in

- conflicting laws, 19-1-801
- contributions, collection, 19-1-813, 19-1-814, 19-1-825, 20-9-501
- eligibility, 19-1-812
- federal laws, effect of changes in, 19-1-826
- federal-state agreement, 19-1-824
- multiple systems, participation in, 19-1-802
- purpose of provisions, 19-1-801
- referendums for, 19-1-811, 19-1-822
  - certification, 19-1-811, 19-1-823
- reporting entities, merger, 19-1-815
- retirement system, separateness, 19-1-821
- rights under other laws, effect, 19-1-802
- service credits for out-of-state employment, exemption from refund requirement, 19-20-402

Vital statistics information, disclosure to determine eligibility, 50-15-122
Voter registration, use of number, 13-2-114
Wills, international — information limitation, 72-2-909
Workers' compensation benefits, effect of social security payments, 39-71-701, 39-71-702, 39-71-710

SOCIAL WORKERS
Actions against, 37-22-401
Adoption investigations, contracts for, 40-8-109
Adult protective service teams, membership, 52-3-805
Board of Social Work Examiners and Professional Counselors, 2-15-1854, 37-22-201, See also COUNSELING AND COUNSELORS
Bribery, 37-22-411
Chemical dependency counselors, Title 53, chapter 24, See **CHEMICAL DEPENDENCY, Counselors**
Child abuse and neglect, responsibilities, See **CHILD ABUSE AND NEGLECT**
Child protective teams, members of, 41-3-108
Choice of practitioner, 33-22-111
Client-social worker relationship, 27-1-1103, 37-22-401
Conciliation court, counselors for — when, 40-3-124, 40-3-125
Confidentiality of information, 27-1-1103, 37-22-401
Continuing education requirements, 37-22-201

SOCIAL WORKERS (Continued)

Counseling
  chemical dependency, Title 53, chapter 24, See **CHEMICAL DEPENDENCY, Counselors**
  partner or family member assault offenders, 45-5-206
  professional, applicability of provisions, 37-23-201
  psychological, by — allowed when, 37-17-104
Developmental disabilities, persons with — report and investigation of abuse, neglect, or exploitation, 52-3-804, 52-3-811, See **DEVELOPMENTAL DISABILITIES, Abuse, neglect, or exploitation**
Disability insurance, insured's selection of practitioner, 33-22-111
Disclosure, 37-22-401
Display of license, 37-22-303
Elderly persons — report and investigation of abuse, neglect, or exploitation required, 52-3-804, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Ethical standards
  distribution of copies, 37-22-201
  licensing, requirement for, 37-22-301
Examinations, 37-22-201, 37-22-301
False statements, 37-22-411
Fines, 37-22-411
Fraud, 37-22-411
Guardianship proceedings, as visitor, 72-5-313
Health maintenance organization providers, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**
Health service corporations, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**
Insurance, disability — insured's selection of practitioner, 33-22-111
Insurance Information and Privacy Protection Act, Title 33, chapter 19, See **INSURANCE, Information and privacy protection**
Interns, 37-22-305
Licenses and licensing, Title 37, chapter 22, part 3
  discrimination in issuance prohibited, 49-3-204
  display of license, 37-22-303
  effective date, 37-22-303
  examinations, 37-22-201, 37-22-301
  expiration, 37-22-303
  fees, 37-22-302, 37-22-304
  fraud in obtaining, 37-22-411
  issuance, 37-22-303, 49-3-204
  letters of reference, 37-22-301
  list of licensees, publication, 37-22-201
  nonresidents, 37-22-301
  renewal, 37-22-201, 37-22-304
  requirements, 37-22-301
  services prior to, 37-22-305
Lien for services, Title 71, chapter 3, part 11
List of licensees, publication, 37-22-201
Local Citizen Review Board, membership requirements, 41-3-1003
Medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Mental health professional, as, 27-1-1101 — 27-1-1103
Merit system qualification, 53-2-203
Minors
  abuse and neglect, responsibilities, See **CHILD ABUSE AND NEGLECT**
  privileged communications, exception, 37-22-401
Misrepresentation, 37-22-411
Nonresidents, 37-22-301, 37-22-305
Payment for services
  disability insurance, Title 33, chapter 22

SOCIAL WORKERS (Continued)
Payment for services (Continued)

  lien for, Title 71, chapter 3, part 11
  medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Penalties for violations, 37-22-411
Privileged communications, 27-1-1103, 37-22-401
Professional counseling, applicability of provisions, 37-23-201
Psychological counseling by, allowed when, 37-17-104
Purpose of provisions, 37-22-101
Qualifications, 37-22-301
Regulation generally, See **PROFESSIONS AND OCCUPATIONS**
Representation as licensed social worker, 37-22-305
Schools, special education — allowable costs, 20-7-431
"Social work" defined, 37-22-102
Students, 37-22-305
Title, limitation on use, 37-22-305
Utilization reviews, Title 33, chapter 32, See **INSURANCE, DISABILITY**
Violations, 37-22-411
  child abuse and neglect, failure to report, 41-3-207
  penalties, 37-22-411
  prosecutions, recommendation, 37-22-201
Violent behavior of patient, duty to warn of and liability, 27-1-1101 — 27-1-1103

SOIL SURVEYS, 76-11-201, 76-11-202

SOLID WASTE MANAGEMENT
  See also **ENERGY**
Actions, 75-10-228, 75-10-231
Administration, 75-10-104, 75-10-117
Administrative enforcement, 75-10-227
Agriculture, Department of — agreements, 80-8-110
Air quality permit for incineration facility, 75-2-215
Alternative technologies, 75-10-807
Animals, dead
  disposition unlawful when, 75-10-213
  dumping or leaving, 75-10-212, 75-10-233
Appeals, 75-10-223
Appropriations, 75-10-117
Asbestos, disposal, 50-64-104
Beverage containers, detachable openings prohibited, 75-10-301 — 75-10-303
Bonds, See **Districts**; **Local governments**
Capital equipment, funds for purchase, 75-10-125
Carriers for, See **MOTOR CARRIERS**, **Waste carriers**
Citation of Montana Solid Waste Management Act, 75-10-201
Cities and towns
  annexation with provision of services, Title 7, chapter 2, part 47, See **CITIES AND TOWNS, Annexation with provision of services**
  districts, See **Districts**
  landfills, ground water monitoring, 75-10-203, 75-10-204, 75-10-207
City-county consolidated government, authority of director of public works, 7-3-1331
Civil penalties, 75-10-228
Composting, 75-10-104, 75-10-802, 75-10-804, 75-10-805
Containers
  "container site" defined, 75-10-103
  detachable openings prohibited, 75-10-301 — 75-10-303
Contracts, 7-5-2306, 75-10-112
Dead animals
  disposition unlawful when, 75-10-213

SOLID WASTE MANAGEMENT (Continued)
Dead animals (Continued)

- dumping or leaving, 75-10-212, 75-10-233

Disposal, 75-10-203, See also **Incineration**
- agreements, 80-8-110
- districts, Title 7, chapter 13, parts 2 and 3
- exclusions from provisions and exceptions to, 75-10-214
- facilities, See **Systems**
- fee for management and regulation, 75-10-104, 75-10-115 — 75-10-118, 75-10-204, 75-10-221
- hazardous wastes, See **HAZARDOUS WASTES**
- household hazardous waste, 75-10-104, 75-10-807
- license requirements, See **Licenses**
- megalandfills, Title 75, chapter 10, part 9, See **MEGALANDFILL SITING**
- out-of-state waste, 75-10-118, 75-10-204
- procedures, 75-10-204
- reduction of waste, 75-10-802 — 75-10-804
- sanitarians, duties, 37-40-101, See also **SANITARIANS**
- sites
  - classification and suitability, 75-10-204
  - ground water monitoring, 75-10-204, 75-10-207
  - hazardous wastes, disposal at, 75-10-406
- special waste, 75-10-802, 75-10-807
- state plan, 75-10-807
- unauthorized areas, in — prohibited when, 75-10-212

Districts, Title 7, chapter 13, parts 2 and 3
- administration, 7-13-213
- audits, Title 2, chapter 7, part 5
- bonds, issuance, 7-13-236, 7-13-237, 7-13-301, 7-13-308, 7-13-309
- cities and towns
  - directors, board of — members, 7-13-214, 7-13-305
  - inclusion, 7-13-203, 7-13-207
  - joint districts, contracts with, 7-13-304, 7-13-305
  - resolution of intention, transmittal to, 7-13-206
- county attorney, role, 7-13-218
- creation
  - authorization, 7-13-203
  - resolution of intention, 7-13-204
  - changes, 7-13-212
  - concurrence or nonconcurrence, 7-13-207
  - notice, 7-13-208
  - sufficiency of description, 7-13-205
  - transmittal to municipalities, 7-13-206
- definitions, 7-13-202, 7-13-302
- directors, board of, 7-13-202, 7-13-302
  - appointment, 7-13-213, 7-13-305
  - composition, 7-13-214
  - powers and duties, 7-13-204, 7-13-215, 7-13-216, 7-13-305, 75-10-112
- findings and purpose, 7-13-201, 7-13-301
- hard-rock mining impact, Title 90, chapter 6, part 3
- joint districts, 7-13-301, 7-13-303
  - bonds, 7-13-301, 7-13-308, 7-13-309
  - cities and towns, contracts with, 7-13-304, 7-13-305
  - debt service fund, 7-13-310
  - funds and accounts, 7-13-306, 7-13-310
  - service charges, 7-13-307, 7-13-308
  - tax exemption, 7-13-311
- megalandfill siting, 75-10-918, 75-10-927

SOLID WASTE MANAGEMENT (Continued)
Districts (Continued)

  program for collection or disposal of refuse, implementation, 7-13-216
  property, 7-13-236, 7-13-237, 7-13-309, 7-13-311
  protests, 7-13-209 — 7-13-210
  revenue bonds, 7-13-236, 7-13-237, 7-13-308
  service charges
    assessed how, 7-13-216, 7-13-231, 7-13-232
    collection, 7-13-233, 7-13-307
    proceeds, disposition, 7-13-234, 7-13-236, 7-13-308
  solid waste management systems, 7-13-236, 7-13-237, 7-13-308, 7-13-309, 7-13-311
  tax levy, 7-13-237, 7-13-308, 7-13-309
  transition, 7-1-202
  treasure state endowment program, financial assistance, Title 90, chapter 6, part 7
Dumping garbage, dead animals, or refuse — penalty, 75-10-212, 75-10-233
Educational programs, 75-10-104, 75-10-215, 75-10-806, 75-10-807
Enforcement, 75-10-104, 75-10-227, 75-10-228, 75-10-231, 75-10-233
Environmental standards, federal regulations or guidelines — comparable stringency requirement, 75-10-107
Facilities, See **Systems**
Federal
  funds, loans, and grants, 75-10-105, 75-10-117
  state plan, incorporation of regulations, 75-10-807
Fees for management and regulation of disposal, 7-13-231, 75-10-104, 75-10-105, 75-10-115 — 75-10-117, 75-10-204, 75-10-221
  out-of-state waste, 75-10-118, 75-10-204
Fines for violations, 75-10-116, 75-10-232, 75-10-233
Front-end implementation funds, 75-10-103, 75-10-125
Front-end organizational funds, 75-10-103, 75-10-104, 75-10-121
Front-end planning funds, 75-10-103, 75-10-104
Garbage, dumping or leaving — penalty, 75-10-212, 75-10-233
Gifts or grants, 75-10-117
  agreements, rules for, 75-10-104, 75-10-106
  capital equipment purchases, 75-10-125
  eligibility requirements, 75-10-106
  federal, 75-10-105
  front-end implementation funds, 75-10-103, 75-10-125
  front-end planning funds, 75-10-103, 75-10-104
  loan payments, 75-10-121
  local government powers, 75-10-112
  rules for, 75-10-104, 75-10-106, 75-10-125
  state grants, 75-10-103, 75-10-104, 75-10-125
  systems, planning and implementation, 75-10-105, 75-10-125
Ground water monitoring of landfills and disposal sites, 75-10-204, 75-10-207
Hazardous or deleterious substance, release by facility — liability, 75-10-715
Hazardous wastes, Title 75, chapter 10, part 4, See **HAZARDOUS WASTES**
Health, local board of — rules, 75-10-112
Health officers, local — licenses for disposal
  notification and validation, 75-10-222, 75-10-223
  revocation or denial, notice, 75-10-224
Household hazardous waste, 75-10-104, 75-10-203, 75-10-215, 75-10-807
Household waste, 75-10-203, 75-10-207, 75-10-214, 75-10-715, 75-10-903
Importation of solid waste, moratorium, 75-10-209
Incineration, See also **Disposal**
  air quality permit, 75-2-215
  facilities, See **Systems**
  fee, 75-10-118

SOLID WASTE MANAGEMENT (Continued)
Incineration (Continued)

- out-of-state waste, 75-10-118, 75-10-204
- reduction of waste, 75-10-802 — 75-10-804

Infectious waste, 75-10-1005, 75-10-1006
Informational programs, 75-10-104, 75-10-806, 75-10-807
Injunction, 75-10-231
Integrated waste management

- citation of Montana integrated waste management act, 75-10-801
- composting, 75-10-104, 75-10-802, 75-10-804, 75-10-805
- definitions, 75-10-802
- hearings, 75-10-807
- informational programs, 75-10-104, 75-10-806, 75-10-807
- megalandfill siting application, evaluation — factors considered, 75-10-920
- priorities, 75-10-804, 75-10-807
- purchasing of recycled supplies and materials, 75-10-806
- recycling, 75-10-104, 75-10-802, 75-10-804 — 75-10-806
- reduction target, 75-10-803, 75-10-805, 75-10-807
- source reduction and recycling program, 75-10-805
- state solid waste management plan, 75-10-807

Interlocal agreements, 75-10-112
Interstate transport, moratorium, 75-10-209
Landfills

- megalandfills, Title 75, chapter 10, part 9, See **MEGALANDFILL SITING**
- municipal, 75-10-203
  - ground water monitoring, 75-10-204, 75-10-207
  - household hazardous waste, 75-10-215
  - household waste, 75-10-203, 75-10-207
  - infectious waste, 75-10-1005
  - junkyards, exclusion, 75-15-203
  - transportation, department of — authority when, 75-15-223
- operators, training, 75-10-807
- reduction of waste, 75-10-802 — 75-10-804

Land for, acquisition by department of transportation, 75-15-223
Lease of systems, 75-10-112
Legislative findings and policy, 75-10-202
Lessees or owners of land, disposal of wastes, 75-10-214
Licenses

- applications, 75-10-115, 75-10-204, 75-10-221, 75-10-222
- consultations with local government, 75-10-102
- discrimination in issuance prohibited, 49-3-204
- fees, 75-10-115, 75-10-204, 75-10-221
- megalandfills, See **MEGALANDFILL SITING**
- notification, 75-10-222
- period of effectiveness, 75-10-221
- renewal, 75-10-115, 75-10-204, 75-10-221
- requirements, 75-10-221, 75-10-902, 75-10-933, 75-10-935, 75-10-950
- revocation or denial, 75-10-224
- validation, 75-10-222, 75-10-223
- violations, 75-10-228

Loans for

- administration, 75-10-104
- agreements for, 75-10-106, 75-10-121
- approval, 75-10-124
- departmental powers, 75-10-105, 75-10-124
- federal, 75-10-105
- front-end organizational funds, 75-10-103, 75-10-104, 75-10-121

SOLID WASTE MANAGEMENT (Continued)
Loans for (Continued)

  noncompliance, effect, 75-10-124
  payment schedules, 75-10-121, 75-10-124
  priorities, setting, 75-10-122
  requisites, 75-10-121
  rules for, 75-10-104, 75-10-106, 75-10-112
  sale contracts or leases, requirements, 75-10-112
  state loans, 75-10-104, 75-10-121, 75-10-123
Local governments, 75-10-103
  agreements, 75-10-125
  audit requirements, 75-10-121, 75-10-125
  bonds, 7-7-2501, 7-7-4402, 75-10-112, 75-10-123
  capital equipment, trade or sale, 75-10-125
  contracts, 7-5-2306, 7-5-4304, 7-5-4321
  districts, Title 7, chapter 13, parts 2 and 3, See **Districts**
  franchises, granting, 7-5-4321, 7-5-4322
  grants to, See **Gifts or grants**
  installment purchase contracts, 7-5-2306
  licensing of systems, consultations, 75-10-102
  loans to, See **Loans for**
  noncompliance with loan provisions, effect, 75-10-124
  powers and duties generally, 75-10-112
  records, financial, 75-10-121, 75-10-125
  state plan, preparation, 75-10-111
  user's fee, assessment, 75-10-113
Marketing materials from, 75-10-104, 75-10-112, 75-10-121, 75-10-802, 75-10-805, 75-10-806
Megalandfill siting, Title 75, chapter 10, part 9, See **MEGALANDFILL SITING**
Moratorium, interstate transport, 75-10-209
Mortgage of systems, 75-10-112
Notice and orders, 75-10-227
Out-of-state waste, disposal fee, 75-10-118, 75-10-204
Penalties for violations, See **Violations**
Permit for incineration facility, 75-2-215
Pesticides, provisions concerning, 80-8-110
Policies
  integrated waste management, 75-10-804
  legislative, 75-10-202
  public, 75-10-102
Pull-tabs on containers prohibited, 75-10-301 — 75-10-303
Purpose of provisions, 75-10-101
Recycling, 75-10-101 — 75-10-104, 75-10-121, 75-10-203, 75-10-215, 75-10-802, 75-10-804 — 75-10-806, 80-8-110; Title 15, chapter 32, part 6
  transportation of recyclables, 69-12-101, 69-12-301, 69-12-302, 69-12-406
Reduction of waste, target date, 75-10-104, 75-10-802, 75-10-804, 75-10-805, 75-10-807
Refuse, dumping or leaving — penalty, 75-10-212, 75-10-233
Resource recovery facilities, See **Systems**
Reuse, 75-10-101 — 75-10-104, 75-10-203, 75-10-215, 75-10-804
Rural special improvement districts, Title 7, chapter 20, part 12, See **RURAL SPECIAL IMPROVEMENT DISTRICTS, Improvements**
Sale of systems, 75-10-112
Sanitarians, duties, 37-40-101, See also **SANITARIANS**
Solid waste, 75-10-103, 75-10-203
  disposal, See **Disposal**
  local jurisdiction, disposition, 75-10-112
  marketing materials from, 75-10-112, 75-10-121

SOLID WASTE MANAGEMENT (Continued)

Solid waste management account, 75-10-115, 75-10-117, 75-10-118, 75-10-228, 75-10-910, 75-10-921, 75-10-943, 75-10-1006
Special improvement districts, Title 7, chapter 12, parts 41 and 42, See **SPECIAL IMPROVEMENT DISTRICTS, Improvements**
Special waste, 75-10-802, 75-10-807
State grants or loans, See **Gifts or grants**; **Loans for**
State plan, 75-10-103
  adoption, 75-10-106
  compliance, exemption when, 75-10-112
  hearings, 75-10-111, 75-10-807
  integrated waste management provisions, in accordance with, 75-10-807
  megalandfill siting application, evaluation — factors considered, 75-10-920
  modifications, 75-10-112
  preparation, 75-10-104, 75-10-111, 75-10-807
  system plans, conformance, 75-10-125
"Storage of wastes" defined, 75-10-203
Systems, 75-10-103, 75-10-203
  air quality permit for incineration facility, 75-2-215
  amount of waste to be managed, 75-10-104, 75-10-221
  audits, 75-10-121, 75-10-125
  control, 75-10-202
  costs for management and regulation, 75-10-102, 75-10-115
  discontinuance, approval, 75-10-125
  disposal sites
    classification and suitability, 75-10-204, See also **Disposal**
    ground water monitoring, 75-10-204, 75-10-207
  districts, Title 7, chapter 13, parts 2 and 3, See **Districts**
  fees, 75-10-104, 75-10-105, 75-10-115, 75-10-117, 75-10-118
  financing, 7-13-236, 7-13-237, 7-13-308, 7-13-309, 75-10-112
  fines, 75-10-116
  franchise, 7-5-4321, 7-5-4322
  grants for, 75-10-105, 75-10-125
  ground water monitoring, 75-10-204, 75-10-207
  hazardous or deleterious substance, release — liability, 75-10-715
  implementation, grants for, 75-10-105, 75-10-125
  injunction, 75-10-231
  inspections, 75-10-115, 75-10-205
  license requirements, See **Licenses**
  loans for, 75-10-105, See also **Loans for**
  local government
    bonds, 7-7-2501, 7-13-236, 7-13-237, 7-13-301, 7-13-308, 7-13-309, 75-10-123
    contracts, 7-5-2306, 7-5-4304, 7-5-4321
    districts, Title 7, chapter 13, parts 2 and 3, See **Districts**
    powers, 75-10-112
  maintenance, 75-10-204
  operation, 7-13-311, 75-10-121, 75-10-204
  out-of-state waste, 75-10-118
  plans for
    approval, 75-10-104, 75-10-121, 75-10-125
    grants, 75-10-105, 75-10-125
    rules governing, 75-10-104, 75-10-106, 75-10-204
  records, 75-10-121, 75-10-125, 75-10-204
  revegetation of rights-of-way and disturbed lands, 7-14-2131, 7-22-2152, See also **WEEDS AND WEED CONTROL**
  review, 75-10-115

SOLID WASTE MANAGEMENT (Continued)
Systems (Continued)

  rules governing, 75-10-104, 75-10-106, 75-10-121, 75-10-125, 75-10-204
  termination, approval, 75-10-125
  transporting of wastes, See **Transporting of wastes**
  treatment of wastes, 75-10-204
  user's fees, 75-10-113
Transportation, Department of — acquisition of land for, 75-15-223
Transporting of wastes
  agreements, 80-8-110
  hazardous wastes, Title 75, chapter 10, part 4, See **HAZARDOUS WASTES**
  household hazardous waste, 75-10-104, 75-10-807
  infectious waste, 75-10-1005
  interstate, moratorium, 75-10-209
  license requirements, See **Licenses**
  procedures, rules for, 75-10-204
  securing of load, requirement, 61-8-370
  special waste, 75-10-802, 75-10-807
  "transport" defined, 75-10-204
Treasure state endowment program, financial assistance, Title 90, chapter 6, part 7
Treatment of wastes, 75-10-203, 75-10-204, 80-8-110
User's fees, 75-10-113
Variance from rules, 75-10-206
Violations
  civil penalties, 75-10-228
  corrective actions, 75-10-227
  dead animals
    disposition, when, 75-10-213
    dumping or leaving, when — penalty, 75-10-212, 75-10-233
  disposal of wastes in unauthorized areas, when — penalty, 75-10-212, 75-10-233
  dumping garbage, when — penalty, 75-10-212, 75-10-233
  injunction, 75-10-231
  license or permit provisions, 75-10-227, 75-10-228
  notice to violator, 75-10-227
  penalties, 75-10-228, 75-10-232, 75-10-233
    collection, action for, 75-10-231
  rules, 75-10-227, 75-10-228, 75-10-231
  warnings, 75-10-227
Water quality, nonsignificant activities, 75-5-317

SOLID WASTE MANAGEMENT DISTRICTS, Title 7, chapter 13, parts 2 and 3
  See **SOLID WASTE MANAGEMENT**

SOVEREIGN IMMUNITY, Const., II, 18
  See also **CIVIL PROCEDURE, Governmental entities, actions involving; GOVERNMENT, Actions** entries; **Claims against**; **Immunity from liability**; **Liability**
Limitations, Const., II, 18
Uniform Transboundary Pollution Reciprocal Access Act, applicability, 75-16-108, See **POLLUTION**

SOVEREIGNTY
  See also **FOREIGN LAWS**; **JURISDICTION**
Criminal jurisdiction
  arrest by customs or immigration officers, 46-6-412
  close pursuit, 46-6-411
  extent, 46-2-101
  extradition, effect, 46-30-102
  law enforcement agency officers, interstate mutual aid agreements, 44-11-304, 44-11-308
Generally, 2-1-102

SOVEREIGNTY (Continued)

Military courts, jurisdiction, 10-1-401, 10-1-403, 10-1-408
People, resides in, 2-1-101
Popular sovereignty, Const., II, 1; II, 2
Property ownership, 70-1-201
Space, 67-1-202, 67-1-203
Unenumerated rights retained by people, Const., II, 34

SPECIAL FUEL TAX ACT, 15-70-101, 15-70-103, 15-70-111, 15-70-301 — 15-70-307, 15-70-323 — 15-70-336
    See **TAXATION, GASOLINE AND VEHICLE FUELS**

SPECIAL IMPROVEMENT DISTRICTS
Actions
    bondholders' rights, enforcement, 7-12-4251
    contractors, against, 7-12-4152
    court proceedings, nature, 7-12-4253
    owner of land, who considered, 7-12-4111
    taxes paid under protest, recovery, 7-12-4185
Administrative fee as incidental expense, 7-12-4101, 7-12-4123, 7-12-4169
Advertising costs, See **Incidental expenses**
Appeals, 7-12-4257
Assessments, See also **Tax levy**
    allocation, statement of, 7-12-4115
    area option, 7-12-4162
    assessed valuation option, 7-12-4162
    bid proposals, effect of delay in reception, 7-12-4149
    bonds, maturity, 7-12-4247
    certification, 7-12-4181
    city-county consolidated governments, authority, 7-3-1332
    city court, jurisdiction, 3-11-103
    collection, 3-11-103, 7-12-4181 — 7-12-4183, 7-12-4191
    commission-manager government, applicability of provisions, 7-3-4442
    corner lots, treatment, 7-12-4171
    corrections, 7-12-4186
    county property owners, treatment, 7-12-4102
    credit allowed when, 7-12-4167
    damages, for amount recovered, 7-12-4170
    deferred payments, 7-12-4188
    delinquent, 7-12-4182, 7-12-4183, 7-12-4191, 7-12-4194
        penalty and interest, 15-16-102, 15-16-103
        reinstatement, 7-12-4184
        tax deeds, redemption by interested party, 15-18-111
        tax sales, 7-12-4182 — 7-12-4184, 7-12-4227, 7-12-4228, See also **TAXATION, PROPERTY, Tax sales**, municipality as purchaser
        withdrawal, 7-12-4182, 7-12-4183
    due date, 7-12-4188
    equal amount option, 7-12-2151, 7-12-4162
    errors, effect, 7-12-4187
    exceptions, 7-12-4124, 7-12-4166, 7-12-4173, 85-7-2011
    expenses of making, See **Incidental expenses**
    federal property, exception, 7-12-4173
    flood control projects, for, 76-5-1113
    frontage option, 7-12-4163
    grading street by property owners, credit allowed, 7-12-4167
    improvements, cost of maintenance, 7-12-4179
    increase, 7-12-4192

SPECIAL IMPROVEMENT DISTRICTS (Continued)
Assessments (Continued)

- installment payments, 7-12-4102, 7-12-4182, 7-12-4183, 7-12-4188 — 7-12-4190, 7-12-4194
- interest, 7-12-4189, 7-12-4190
- invalid, 7-12-4186
- irrigation district property, exemption, 85-7-2011
- jurisdiction of city court, 3-11-103
- land fronting excepted work, exception, 7-12-4166
- lien, as, 7-12-4133, 7-12-4182, 7-12-4183, 7-12-4191, 7-12-4224
  - unpaid assessments, on, 7-12-4182, 7-12-4183, 7-12-4224, 7-12-4248
- limitation on amount of taxes levied, nonapplicability, 15-10-402, 15-10-412
- method of making, 7-12-4161, 7-12-4175
  - resolution of intention, inclusion, 7-12-4104, 7-12-4106, 7-12-4113, 7-12-4176
- modification, 7-12-4178
- multimunicipality organization, effect, 7-3-4312
- nonpayment, interest and penalties, 7-12-4188
- offstreet parking option, 7-12-4165, 7-12-4175
- options, 7-12-4162 — 7-12-4165, 7-12-4175
- ordinance for method of, 7-12-4175
- payments, 7-12-4102
  - delinquent, 7-12-4182 — 7-12-4184
  - due date, 7-12-4188
  - interest, 7-12-4189
  - lien, extinguishment, 7-12-4191
- prepayment, 7-12-4190, 7-12-4206
- property owners
  - county, treatment, 7-12-4102
  - misnomers or mistakes, effect, 7-12-4187
- reassessment, 7-12-4186, 7-12-4192
- reduction, 7-12-4186, 7-12-4192
- resolution
  - delinquent payments, 7-12-4182 — 7-12-4184
    - reinstatement, 7-12-4184
  - levy, to, 7-12-4122, 7-12-4170
    - damages, amount recovered — for, 7-12-4170
    - interest, inclusion of amount, 7-12-4189
  - payments, due date, 7-12-4188
- resort community bond issues, revenue for, 7-6-4466
- schedule, preparation, 7-12-4122
- school districts, 20-9-406, 20-9-438, 20-9-440
- special, judicial determination of validity, See **Court proceedings**
- tax-exempt property subject to, Const., VIII, 5
- unplatted, undedicated, or unsurveyed land, 7-12-4174
- utility connections, for, 7-12-4133, 7-12-4164
- utility service connections, option, 7-12-4164
- water conservation control projects, for, 76-5-1113
- water user entities, nonprofit — exemption, 7-12-4124

Bankruptcy provisions, 7-7-131 — 7-7-134
Bids, See also **PUBLIC CONTRACTS**
- awarding of contracts, See **Contracts**
- bonds and warrants, sale, 7-12-4204
- call for, 7-12-4141
- grading, price for cutting and filling, 7-12-4167
- none received, procedures, 7-12-4144, 7-12-4149
- notice, 7-12-4141, 7-12-4142
- not required when, 7-12-4147, 7-12-4153
- opening, 7-12-4141, 7-12-4142

SPECIAL IMPROVEMENT DISTRICTS (Continued)
Bids (Continued)

readvertisement, 7-12-4144, 7-12-4149
rejection, 7-12-4143 — 7-12-4145
retroactive application of procedures, 7-12-4146
security, 7-12-4141, 7-12-4145
Bondholders
covenants to protect, 7-12-4245
municipalities' obligations to, 7-12-4250
rights, enforcement, 7-12-4251
Bonds and warrants
amortization bonds, 7-12-4203
denomination of bonds, 7-12-4203
details regarding, 7-12-4203, 7-12-4247
escrow account, 7-12-4194
flood control or water conservation projects, for, 76-5-1117
improvement costs, amount, 7-12-4169
insurers, investment in, 33-2-814, See also **INSURERS ORGANIZATION AND REGULATION GENERALLY, Investments**
interest, 7-12-4101, 7-12-4123, 7-12-4169, 7-12-4193, 7-12-4194, 7-12-4203, 7-12-4206
assessments, rate applicable to, 7-12-4189
rate, 17-5-101 — 17-5-104
investment
approval required, 7-7-123
income, 7-12-4192
refunding bond proceeds, 7-12-4194
issuance, 7-12-4102, 7-12-4194, 7-12-4203, 7-12-4204, 7-12-4244
costs, 7-12-4101, 7-12-4194, 7-12-4201, 7-12-4246
judicial determination regarding validity, See **Court proceedings**
resolution for, 7-12-4190, 7-12-4194, 7-12-4225, 7-12-4245
maturity, 7-12-4194, 7-12-4247
notes, sale in anticipation of federal and state revenue, 7-7-109
outstanding
principal amount, increase or decrease — effect, 7-12-4192
refunding bonds, 7-12-4194
payment, 7-12-4106, 7-12-4203, 7-12-4206, 7-12-4223, 7-12-4229
pooling of bonds, 7-12-4193
prepayment, 7-12-4192, 7-12-4205, 7-12-4206
proceeds, disposition, 7-12-4192, 7-12-4194, 7-12-4205
public fund deposits, security for, 17-6-103
redemption, 7-12-4192, 7-12-4194, 7-12-4203, 7-12-4205, 7-12-4206, 7-12-4247, 7-12-4248, 17-5-105
refunding bonds, 7-12-4102, 7-12-4192, 7-12-4194, 7-12-4203
registration, 7-12-4203, 7-12-4206
revolving fund, secured by, See **Revolving fund**; **Supplemental revolving fund**
sale, 7-12-4194, 7-12-4204, 7-12-4245, 17-5-106
serial bonds, 7-12-4203
signing, 7-12-4203
supplemental revolving fund, See **Supplemental revolving fund**
term, 7-12-4203
use, 7-12-4201
validation of bonds, Title 17, chapter 5, part 2
Boundaries
change, 7-12-4179
description, 7-12-4104
City clerk, role, 7-12-4122, See **CITY OR TOWN CLERK**
City council, duties, See **CITY OR TOWN COUNCILS**
City-county consolidated governments, authority, 7-3-1332

SPECIAL IMPROVEMENT DISTRICTS (Continued)

City engineer
  appointment when, 7-12-4119
  compensation, 7-12-4101, 7-12-4169, See also **Incidental expenses**, generally
  contractor's delinquency, reporting, 7-12-4152
  defined, 7-12-4101
  estimates furnished by, 7-12-4109, 7-12-4205
  expense records, 7-12-4121
  grading, cutting and filling — certification of number of yards, 7-12-4167
  owners, work done by, 7-12-4168
City treasurer, duties, See **CITY TREASURER**
Commission-manager government, applicability of provisions, 7-3-4442
Community services buildings, subject to levy, 15-6-209
Contractors, See also **PUBLIC CONTRACTS**, **Contractors**
  bond, 7-12-4151
  default, 7-12-4152
  owners of property as, 7-12-4147, 7-12-4151, 7-12-4152
  payment, 7-12-4205
Contracts, See also **PUBLIC CONTRACTS**
  awarding, 7-12-4143, 7-12-4149, 7-12-4244
  bidder, successful, 7-12-4148, 7-12-4149
  completion, 7-12-4152
  failure or refusal to enter, 7-12-4145, 7-12-4149
    effect, 7-12-4150
  grading, price for cutting and filling, 7-12-4167
  improvements
    combination of several, 7-12-4117
    purchase of existing, 7-12-4153
  owners of property, for work by, 7-12-4147
  writing required, 7-12-4147, 7-12-4148
Corner lots, 7-12-4171
Costs, See **Court proceedings**; **Improvements**; **Incidental expenses**
County property, inclusion, 7-12-4102
Court proceedings
  appeal, 7-12-4257
  cost, 7-12-4258
  hearing, 7-12-4254, 7-12-4255
  judgment or decree, 7-12-4256
  nature of, 7-12-4253
  notice, 7-12-4253, 7-12-4254
    contents, 7-12-4255
  petition, 7-12-4252
Creation, Const., VIII, 5
  authorization, 7-12-4102, 7-12-4103
  costs and expenses, 7-12-4169, See also **Incidental expenses**
  not required when, 7-14-4109
  protests, See **Protests**
  purposes, 7-12-4102, 7-12-4103, 7-12-4175
  resolution for creation, 7-12-4102, 7-12-4114
    assessments
      allocation, statement of — inclusion, 7-12-4115
      cost of improvements, 7-12-4162
  resolution of intention, 7-12-4102, 7-12-4104, 7-12-4114
    extension of district, provisions regarding, 7-12-4109
    federal property fronting improvements, status, 7-12-4173
    improvements, combination of several, 7-12-4117

SPECIAL IMPROVEMENT DISTRICTS (Continued)
Creation (Continued)
  resolution of intention (Continued)
    notice of passage, 7-12-4106
    paving materials, description, 7-12-4134
    reference to, 7-12-4105
  utility lines and facilities, underground conversion for, See **UTILITIES**, **Underground conversion**
Damages
  payment, 7-12-4170
  railways, caused by — repairs, 7-12-4135
Debt service fund, 7-12-4194
Definitions, 7-12-4101, 7-12-4107, 7-12-4111, 7-12-4162, 7-12-4203, 7-12-4243, 7-12-4249
Determinations
  description of work, reference to, 7-12-4105
  publication and posting, 7-12-4107, 7-12-4108
Disincorporation of cities, statement regarding obligations, 7-2-4911
District fund
  bond account, 7-12-4194
  bonds and warrants
    drawn against, 7-12-4203
    investment of proceeds, interest on, 7-12-4205
    payment, 7-12-4194, 7-12-4225
  construction account, 7-12-4205
  deficiency, 7-12-4194, 7-12-4223, 7-12-4225, 7-12-4248, 7-12-4249
  interest account, 7-12-4194
  loans to, 7-12-4223, 7-12-4225, 7-12-4229, 7-12-4248
    lien arising from, 7-12-4224, 7-12-4248
  transfers from, 7-12-4222
District reserve account, 7-12-4169, 7-12-4223
Ditches, open — for protection from, 7-31-4207
Elections, 13-1-104, 13-1-107, 13-1-301, 13-1-302, 13-1-401
  bond issues, 7-12-4244
  supplemental revolving fund, approval of ordinance for creation, 7-12-4243
Engineer, See **City engineer**
Expenses, See **Improvements**; **Incidental expenses**
Extension of proposed district, 7-12-4109, 7-12-4113, 7-12-4114
Federal property within, status, 7-12-4173
Funds, See **Debt service fund**; **District fund**; **Revolving fund**; **Sinking fund**; **Supplemental revolving fund**
Grading streets, See **Streets**
Grants, 7-7-109
Grassplots or trees, 7-12-4102
  maintenance, 7-12-4136
Hearings
  adjournment, 7-12-4118
  assessments, formula for determining, 7-12-4175
  court proceedings, 7-12-4254, 7-12-4255
  proceedings generally, 7-12-4118
  protests, 7-12-4106, 7-12-4112
  refunding bonds, issuance, 7-12-4194
  tax levy, resolution for, 7-12-4177, 7-12-4178
Improvements
  assessments to defray costs, 7-12-4161, See **Assessments**
  authorization, 7-12-4102
  bids, See **Bids**
  bonds issued for, See **Bonds and warrants**
  combination of several in resolution or contract, 7-12-4117
  completion, 7-12-4205

SPECIAL IMPROVEMENT DISTRICTS (Continued)
Improvements (Continued)

- contracts for, See **Contracts**
- costs
  - assessments to defray, See **Assessments**
  - damages, amount recovered from as part of, 7-12-4170
  - determination, 7-12-4246
  - estimates, 7-6-4221, 7-12-4104, 7-12-4106
  - incidental expenses, as, 7-12-4169, See also **Incidental expenses**
  - payment, See **Bonds and warrants**
  - tax increment financing, paid by, 7-15-4288
  - tax levy for, See **Tax levy**
- county property, 7-12-4102
- damages incurred as result of
  - payment, 7-12-4170
  - railways, caused by — repairs, 7-12-4135
- defined, 7-12-4101
- description, 7-12-4104, 7-12-4106
- expenses in making, 7-12-4102
  - payment, See **Bonds and warrants**
  - property benefited by, charged to, 7-12-4109
- federal property, fronting — status, 7-12-4173
- maintenance, 7-12-4102
  - assessments, See **Assessments**
  - costs, payment, 7-12-4179, See also **Assessments**
  - district, designation, 7-12-4116
  - fund, 7-12-4180
  - trees and grassplots, 7-12-4136
- notice, 7-12-4105
- offstreet parking, See **Offstreet parking**
- order for, 7-12-4114
- owners of property, done by, 7-12-4147, 7-12-4167, 7-12-4168
- paving, See **Streets**
- protests, See **Protests**
- purchase of existing, 7-12-4106, 7-12-4153
- resolution of intention, See **Creation**
- resort communities, bond issues for, 7-6-4466
- sanitary sewers, protests overruled when, 7-12-4113
- tax increment financing, costs paid by, 7-15-4288
- trees and grassplots, maintenance, 7-12-4136

Incidental expenses
- cost of improvements, as, 7-12-4169, 7-12-4201, 7-12-4246
- defined, 7-12-4101
- demands, manner of making, 7-12-4123

Intention to create, resolution for, See **Creation**, resolution of intention
Interest and sinking fund money, investment, 7-12-4207
Investments
- bond or warrant proceeds, 7-12-4192, 7-12-4194, 7-12-4205
- interest and sinking fund money, 7-12-4207
- surplus reserves, 7-12-4226

Judgments or decrees, 7-12-4256
Judicial determination of validity of proceedings, See Court proceedings
Liability, Title 2, chapter 9, part 1, See **GOVERNMENT LIABILITY**
Liens
- assessments, 7-12-4133, 7-12-4182, 7-12-4183, 7-12-4191
- errors, effect, 7-12-4187
- revolving fund loans, from, 7-12-4224, 7-12-4248

SPECIAL IMPROVEMENT DISTRICTS (Continued)

Lighting districts, See **STREET LIGHTING DISTRICTS**
Maintenance, See **Improvements**
Maintenance districts, See **STREET MAINTENANCE DISTRICTS**
Maintenance fund, 7-12-4180
Mayors, cities not having — provision for, 7-12-4120
Multimunicipality organization, effect, 7-3-4312
Nature of, designation, 7-12-4116
Nonfrontage sides, allocation of costs, 7-12-4172
Notes, sale in anticipation of federal and state revenue, 7-7-109
Notices
    affidavit required, 7-12-4107
    bid proposals, 7-12-4141, 7-12-4142
    bonds
        redemption, 7-12-4206
        sales, applicable provisions, 7-12-4194, 7-12-4204
    county property owners, treatment, 7-12-4102
    court hearings, 7-12-4253 — 7-12-4255
    description of work, reference to, 7-12-4105
    hearings, 7-12-4118, 7-12-4175, 7-12-4253 — 7-12-4255
    property damage, 7-12-4170
    publication and posting, 7-12-4107, 7-12-4108
    resolutions
        intention, passage, 7-12-4106
        tax levy, 7-12-4177
    writing required, 7-12-4170, 7-12-4206, 7-12-4254
Number of district, designation, 7-12-4102, 7-12-4104
Offstreet parking
    establishment or improvement, assessments for, 7-12-4165, 7-12-4175, See also **Assessments**
    improvement districts, provisions applicable to, 7-14-4711 — 7-14-4714, 7-14-4716, 7-14-4718, 7-14-4731 — 7-14-4733
Open ditches, for protection from, 7-31-4207
Open-space land, for, 7-12-4102
Orders
    assessments and taxes
        correction and relevy, 7-12-4186
        delinquent, withdrawal, 7-12-4182, 7-12-4183
    description of work, reference to, 7-12-4105
    publication and posting, 7-12-4107, 7-12-4108
    revolving fund
        excess money, transfer when, 7-12-4227
        loans from, 7-12-4225
Ordinances
    assessments
        collection, 7-12-4183
        correction and relevying, 7-12-4186
        formula for determining, 7-12-4175
    bondholders' rights, granted by, 7-12-4251
    court proceedings, certified copies, 7-12-4252
    pavement, regarding, 7-12-4101
    revolving fund, creation, 7-12-4221
    supplemental revolving fund, creation, 7-12-4243, 7-12-4250
    taxes
        collection, 7-12-4183
        correction and relevying, 7-12-4186

SPECIAL IMPROVEMENT DISTRICTS (Continued)

Owners of property, See also **Property**
  assessments, See **Assessments**
  contractors, as, See **Contractors**
  contracts for work, See **Contracts**
  county property, not included in district when, 7-12-4102
  damage claims, payment, 7-12-4170
  grading streets, 7-12-4167
  improvements done by, 7-12-4147, 7-12-4167, 7-12-4168
  protests, See **Protests**
  revolving fund funds returned to, when, 7-12-4229
  tax levy, notice of resolution, 7-12-4177
  utility connections, 7-12-4133
  who considered, 7-12-4111
Parking, improvement districts — applicability of provisions, 7-14-4711 — 7-14-4714, 7-14-4716, 7-14-4718, 7-14-4731 — 7-14-4733
Park, public — for, 7-12-4102
Paving, See **Streets**
Pedestrian mall improvement districts, provisions applicable to, 7-14-4711 — 7-14-4714, 7-14-4716, 7-14-4718, 7-14-4731 — 7-14-4733
Printing costs, See **Incidental expenses**
Private property, See **Property**
Proceedings
  hearings, See **Hearings**
  improvements, combination of several, 7-12-4117
  judicial determination of validity, See **Court proceedings**
  notices, publication and posting — effect of errors, 7-12-4108
  protests sufficient to bar, 7-12-4112, 7-12-4113
Property, See also **Owners of property**
  federal, within — status, 7-12-4173
  leased, 7-12-4111, 7-12-4228
  open-space land, acquisition for, 7-12-4102
  parks, public — acquisition for, 7-12-4102
  private, acquisition
    district created for, 7-12-4103, 7-12-4104
    right-of-way, for, 7-12-4131
  tax sale, when, 7-12-4182 — 7-12-4184, See also **TAXATION, PROPERTY**, **Tax sales**, municipality as purchaser
    disposition, 7-12-4228
    purchase, 7-12-4227
Protests
  creation of district, 7-12-4102, 7-12-4110
  extension of proposed district, 7-12-4114
  hearings, 7-12-4106, 7-12-4112
  insufficient, 7-12-4114
  offstreet parking, formula for determining assessment, 7-12-4175
  overruled when, 7-12-4113, 7-12-4114
  proposed improvements, 7-12-4110
  sufficient, to bar proceedings when, 7-12-4112, 7-12-4113
  tax levy, 7-12-4177, 7-12-4178
    payment, 7-12-4185
  validity of proceedings, petitions to determine, 7-12-4255
  withdrawal, 7-12-4112
  writing required, 7-12-4106, 7-12-4110
Public park, for, 7-12-4102
Purposes, 7-12-4102, 7-12-4103

SPECIAL IMPROVEMENT DISTRICTS (Continued)

Railroads, repairs due to operation of, 7-12-4135
Repairs
  assessments, statement of allocation, 7-12-4115
  district, designation, 7-12-4116
  street railway, due to operation of, 7-12-4135
Resolutions
  assessments, to levy, See **Assessments**
  bondholders' rights, granted by, 7-12-4251
  bonds
    issuance, 7-12-4194, 7-12-4225, 7-12-4245, 7-12-4248, 7-12-4250
    pooling, for, 7-12-4193
  boundaries, change, 7-12-4179
  court proceedings, certified copies, 7-12-4252
  creation, of, See **Creation**, resolution for creation
  description of work, reference to, 7-12-4105
  improvements
    character for which bonds may be issued, determination, 7-12-4244, 7-12-4250
    cost of maintenance, for, 7-12-4179
  intention, of, See **Creation**, resolution of intention
  notes, issuance and sale in anticipation of revenue, 7-7-109
  pavement, regarding, 7-12-4101
  publication and posting, 7-12-4107, 7-12-4108
  tax levy, for, See **Tax levy**
  terms of district, joint city-county resolution, 7-12-4102
Revolving fund, See also **Supplemental revolving fund**
  all-purpose levy, not to include levy for, 7-6-4453
  bond and warrant proceeds, 7-12-4169, 7-12-4222, 7-12-4229, 7-14-4712, 7-14-4732
  creation, 7-12-4193, 7-12-4221
  disposal of funds, 7-12-4229
  elimination not allowed when, 7-12-4221
  excess money, 7-12-4227
  interest from investments, 7-12-4226
  liens from loans, 7-12-4224
  loans to or from, 7-12-4106, 7-12-4222, 7-12-4223, 7-12-4225, 7-12-4229
  obligation, duration, 7-12-4225
  property, proceeds from disposal or sale of tax certificates, 7-12-4228
  sources of money, 7-12-4106, 7-12-4222, 7-12-4225
  tax levy to fund, See **Tax levy**
  transfers to or from, 7-12-4222, 7-12-4227, 7-12-4228
Rural, See **RURAL SPECIAL IMPROVEMENT DISTRICTS**
Sanitary sewers, protests overruled when, 7-12-4113
Sinking fund, 7-12-4193, 7-12-4205, 7-12-4207
Streetcar tracks, paving streets where located, 7-12-4134
Street railways, repairs due to operation of, 7-12-4135
Streets
  contractor's bond, 7-12-4151, See also **Contractors**
  contracts, See **Contracts**, generally
  cost, payment, 7-12-4162, 7-12-4163, See also **Assessments**; **Supplemental revolving fund**
  definitions, 7-12-4101
  district, purpose of creation, 7-12-4102, 7-12-4103
    not required when, 7-14-4109
  grading by owners of property, 7-12-4167
  lighting districts, See **STREET LIGHTING DISTRICTS**
  maintenance districts, See **STREET MAINTENANCE DISTRICTS**
  modification, 7-12-4131

SPECIAL IMPROVEMENT DISTRICTS (Continued)
Streets (Continued)

- parking, See **Offstreet parking**; **Parking**
- paving
  - protests overruled when, 7-12-4113
  - resolution of intention, description of kinds, 7-12-4104
  - streetcar tracks, street where located, 7-12-4134
- private property, acquisition for, 7-12-4103, 7-12-4131, 7-12-4176
- railroads, repairs due to operation of, 7-12-4135
- streetcar tracks, paving where located, 7-12-4134
- utilities
  - connections, 7-12-4133
  - underground placement, 7-12-4132
- work done by owners of property, 7-12-4168

Supplemental revolving fund, See also **Revolving fund**
- applicability of provisions, 7-12-4242
- bonds issued, guaranty, 7-12-4245, See **Bonds and warrants**
- creation, 7-12-4241, 7-12-4243
  - judicial determination of validity, See **Court proceedings**
- loans from, 7-12-4248
- maintenance, 7-12-4241, 7-12-4243
- operation, 7-12-4248
- use, 7-12-4248

Surplus reserves, investment, 7-12-4226

Tax deeds, 7-12-4184

Tax levy, See also **Assessments**
- collection, 3-11-103, 7-12-4182, 7-12-4183, 15-16-102, 15-16-103
- delinquent payments, 7-12-4182, 15-16-102, 15-16-103
- interest, 7-12-4189
- invalid, 7-12-4186
- jurisdiction of city court, 3-11-103
- limitation on amount of taxes levied, nonapplicability, 15-10-402, 15-10-412
- property tax notices, inclusion of assessment in, 15-16-101
- protest, payment under, 7-12-4185
- refunded when, 7-12-4186
- relevy, 7-12-4186, 7-12-4192
- resolution for, 7-12-4176
  - delinquent payments, 7-12-4182
  - hearing, 7-12-4178
  - notice, 7-12-4177
  - preparation, 7-12-4122
- revolving fund, to fund, 7-12-4106, 7-12-4222, 7-12-4225, 15-10-412
- schedule, preparation, 7-12-4122

Tax sales, delinquent assessments, 7-12-4182 — 7-12-4184, 7-12-4227, 7-12-4228, See also **TAXATION, PROPERTY**, **Tax sales**, municipality as purchaser

Torts, See **GOVERNMENT LIABILITY**, **Claims**; **Immunity**; **TORTS**

Trafficways and courts, See **Streets**

Trees or grassplots, 7-12-4102
- maintenance, 7-12-4136

Unplatted, undedicated, or unsurveyed land — inclusion, 7-12-4174

Utilities
- connection, 7-12-4133, 7-12-4164
- creation for extension of services, 7-12-4102
- facilities, transfer to regulated utility, 7-12-4130
- lines and facilities, underground conversion for, See **UTILITIES**, **Underground conversion**
- underground placement, 7-12-4132

Warrants, See **Bonds and warrants**

SPECIAL IMPROVEMENT DISTRICTS (Continued)

Water user entities, nonprofit — exemption from assessments, 7-12-4124
Work, See **Improvements**

SPECIAL PROCEEDINGS
Accrual of cause of action, See generally **STATUTES OF LIMITATIONS**
Affidavits as evidence, Title 26, chapter 1, part 10
Agreed statement of facts, See **CIVIL PROCEDURE**
Appeal, See also **APPELLATE PROCEDURE**
  costs, unnecessary, Title 25, chapter 21, M.R.App.P., Rule 33
  permitted, Title 25, chapter 21, M.R.App.P., Rule 1
  public officer as party, substitution, Title 25, chapter 21, M.R.App.P., Rule 37
  rehearing, petition for, Title 25, chapter 21, M.R.App.P., Rule 34
Arbitration, Title 27, chapter 5
Arrest, civil, See **ARREST**
Attachment, Title 27, chapter 18
Birth date, judicial determination, Title 27, chapter 32
Certiorari, Title 27, chapter 25
Claim and delivery, Title 27, chapter 17
Confession of judgment, See **JUDGMENTS AND DECREES**
Contempt when, 3-1-501
Costs, 25-10-101, 25-10-102, 25-10-105; Title 25, chapter 21, M.R.App.P., Rule 33
Declaratory judgments, See **JUDGMENTS AND DECREES**
Definitions, 25-1-102, 27-1-102, 27-2-101, 70-19-101
Drainage districts, See **DRAINAGE DISTRICTS**, **Actions**
Eminent domain, Title 70, chapter 30
Execution, in aid of, Title 25, chapters 13 and 14
Forcible entry and detainer and unlawful detainer, Title 70, chapter 27
Injunction, Title 27, chapter 19
Irrigation districts, See **IRRIGATION DISTRICTS**, **Actions**
Judge, effect of vacancy, 3-1-311
Judgments, effect, 26-3-201
Judicial record of other state, enforcement by, 26-3-203
Jurisdiction of district court, 3-5-302
Malpractice
  chiropractic, review by panel, Title 27, chapter 12
  medical, review by panel, Title 27, chapter 6
Mandamus, Title 27, chapter 26
Name, change of, Title 27, chapter 31
Nuisances, Title 27, chapter 30
Orders, effect, 26-3-201, 26-3-202
Parties, 25-5-101 — 25-5-103
  public officer as, substitution, Title 25, chapter 21, M.R.App.P., Rule 37
Partition, Title 70, chapter 29
Police officer, recovery of salary, 7-32-4121
Prisoners as witnesses, 26-2-201 — 26-2-203
Prohibition, writ of, Title 27, chapter 27, part 1
Quiet title, Title 70, chapter 28
Quo warranto, Title 27, chapter 28
Receivers, appointment, Title 27, chapter 20
Rehearing, petition for, Title 25, chapter 21, M.R.App.P., Rule 34
Replevin, Title 27, chapter 17
Review, Title 27, chapter 25
Review other than appeal, costs, 25-10-105
Rules of Appellate Procedure, applicability, Title 25, chapter 21, M.R.App.P., Rules 1, 52, 53
Rules of Civil Procedure, applicability, Title 25, chapter 20, M.R.Civ.P., Rules 81(a), 81(c)

SPECIAL PROCEEDINGS (Continued)

Seizure of person or property, Title 25, chapter 20, M.R.Civ.P., Rule 64
Statutes of limitations, 25-1-102, 27-2-101, See generally **STATUTES OF LIMITATIONS**
Submission of controversy without action, Title 27, chapter 7, part 1, See also **CIVIL PROCEDURE, Agreed statement of facts**
Tuberculosis, proceeding for examination or treatment, 50-17-105, 50-17-115
Water
    adjudication of rights, See **WATER USE, Adjudication of rights; WATER COURTS**
    authority of department of natural resources and conservation, 85-1-213

SPECIFIC PERFORMANCE
    See **REMEDIES**

SPEECH, FREEDOM OF, 45-8-107, 49-2-602; Const., II, 7

SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS
Administration of provisions, 37-15-202
Advertising, 37-15-102
Aides, 37-15-102, 37-15-313
Board of, 2-15-1849; Title 37, chapter 15, part 2
Disciplinary actions, 37-15-308
Enforcement of provisions, 37-15-202
Exemptions, 37-15-103
Federal agencies, employment by, 37-15-103
Fees, 37-15-301, 37-15-304, 37-15-307, 37-15-308
Fines, 37-15-322
Fraud, 37-15-102
Hearing aid dispenser, audiologist licensed as, 37-15-103, 37-16-402, 37-16-405
Injunction when, 37-15-323
Institutional residents, ancillary charges — payment, 53-1-401, 53-1-501, 53-1-502
Interns, 37-15-103
Licenses and licensing, Title 37, chapter 15, part 3
    appeals from failure of examinations, 37-15-201
    applicants' qualifications, 37-15-202, 37-15-303
    application forms and fees, 37-15-302, 37-15-307
    continuing education requirement, 37-15-308
    discrimination in issuance prohibited, 49-3-204
    examinations, 37-15-304
        failure, appeals from, 37-15-201
        fee, 37-15-307
        preparation, approval, and grading, 37-15-201, 37-15-303
        renewal, for, 37-15-308
        subject and scope, 37-15-303
    expiration, 37-15-306, 37-15-308
    fees, 37-15-301, 37-15-304, 37-15-307, 37-15-308
    issuance, 37-15-301, 37-15-306
    lapse and reinstatement, 37-15-308
    list of licensees and registrants, publication, 37-15-312
    local tax prohibited, 37-15-311
    qualifications, 37-15-202, 37-15-303
    registration of aides, 37-15-307, 37-15-313
    renewal, 37-15-308
    required, 37-15-301
    temporary, 37-15-103
Local license tax prohibited, 37-15-311
Nonresidents, 37-15-103

SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS (Continued)

Payment for services
  fraud or misrepresentation, obtained by, 37-15-102
  institutional residents, ancillary charges — payment, 53-1-401, 53-1-501, 53-1-502
Physician assistants-certified utilization plans, applicability, 37-20-303
"Practice of audiology" defined, 37-15-102
"Practice of speech-language pathology" defined, 37-15-102
Privileged communications, 26-1-806, See also **EVIDENCE, Privileges**
Purpose of provisions, 37-15-101
Regulation generally, See **PROFESSIONS AND OCCUPATIONS**
Schools, special education — allowable costs, 20-7-431
Superintendent of public instruction, contracts for audiological services, 20-7-403
Teachers' Retirement System, membership required when, 19-20-302
Trainees, 37-15-103
"Unethical conduct" defined, 37-15-102
Unlawful practices
  injunction, 37-15-323
  penalty, 37-15-322
  prosecution, 37-15-202
Utilization reviews, Title 33, chapter 32, See **INSURANCE, DISABILITY**

SPORTS AND SPORTING EVENTS
  See also specific sport
Agents for professional athletes, exclusion from employment agency laws, 39-5-102
Ammunition, blank — signal or ceremonial use, 50-37-102
Animal fighting exhibitions unlawful, 45-8-210
Assault upon sports official, criminal offense, 45-5-211
Beer or wine sales, 16-3-103, 16-4-204, 16-4-301, 16-4-501
Boats and boating, Title 23, chapter 2, part 5
Boxing, Title 23, chapter 3
Bribery unlawful, 45-8-214
Calcutta pools, authorization and exception, 23-5-221 — 23-5-224
Easement for conducting, 70-17-101
Fantasy sports leagues, Title 23, chapter 5, part 8
Fireworks, applicability of laws, 50-37-102
Gambling, Title 23, chapters 5 and 7
Gross vehicle weight fee exemption for nonprofit training facility vehicles, 61-10-214
Horses and horseracing, Title 23, chapter 4
Insurance
  blanket disability, See **INSURANCE, DISABILITY**
  entertainments, See **INSURANCE, CASUALTY**
Landowner's liability, 70-16-301, 70-16-302
Lottery, Title 23, chapter 7
Nonprofit athletic organization, child labor exemption, 41-2-104
Pools, Title 23, chapter 5, part 5
Recreation, defined as, 70-16-301
Rodeos, See **RODEOS**
Skiing, Title 23, chapter 2, part 7
Snowmobiles, Title 23, chapter 2, part 6
Tax exemption for nonprofit training facilities, 15-6-201
Tramways, Title 23, chapter 2, part 7
Unemployment insurance coverage for athletes, 39-51-2109
University system facilities, 20-25-302
Wrestling, Title 23, chapter 3

STANDARD NONFORFEITURE LAW FOR INDIVIDUAL DEFERRED ANNUITIES, Title 33, chapter 20, part 5
  See **INSURANCE, LIFE, Standard nonforfeiture law, individual deferred annuities**

STANDARD NONFORFEITURE LAW FOR LIFE INSURANCE, Title 33, chapter 20, part 2
  See **INSURANCE, LIFE, Standard nonforfeiture law, life insurance**

STANDARD VALUATION OF RESERVE LIABILITIES LAW, LIFE INSURANCE, 33-2-521 — 33-2-529
  See **INSURERS ORGANIZATION AND REGULATION GENERALLY, Reserves**, life insurance, standard valuation of reserve liabilities

STATE AERONAUTICAL REGULATORY ACT
  See **AERONAUTICS**, generally

STATE AGENCY FOR FEDERAL SURPLUS PROPERTY
  See **PUBLIC CONTRACTS, Surplus property**, agency for federal surplus property

STATE ANIMAL, 1-1-508

STATE ARBORETUM
Designation, 1-1-513

STATE ARCHIVES AND ARCHIVIST
  See also **PUBLIC RECORDS, State archives**
Archivist, 2-6-302, 22-3-202, 22-3-203
Local government records committee and subcommittee, membership, 2-6-402, 2-6-403
Essential records, storage, 2-6-206
Noncurrent records of permanent value, preservation, 22-3-201 — 22-3-203
Official records, 2-6-211, 2-6-302 — 2-6-304
Transfer of records to, 2-6-211, 2-6-302 — 2-6-304

STATE AUDITOR, 2-15-601
  See also generally **EXECUTIVE BRANCH; PUBLIC OFFICERS OR EMPLOYEES**
Access to state offices, 17-1-123
Advisory councils, creation, 2-15-122
Candidacy for other office, Const., VI, 5
Canvassers, state board — member of, 13-15-502
Capitol Restoration Commission, member of and appointments to, 5-17-202
Death, Const., VI, 6
Department head, powers as, 2-15-105
Deputy, 2-15-602
Duties, Const., VI, 1; VI, 4
Election duties, 13-15-502, 13-25-106
Election of, 2-16-201, 13-12-207, 13-16-504; Const., IV, 8; VI, 1; VI, 2; VI, 3; VI, 6
Executive branch administrative policies, conflicts, 2-15-103
Executive branch officer, Const., VI, 1
Federal forest reserve money, duties, 17-3-211, 17-3-212, 17-3-214
Fire department relief associations, duties, 19-18-205, 19-18-206, 19-18-512, 19-18-513, 19-18-606
Firefighters' Unified Retirement System, duties, 19-18-606, 19-13-604, 19-13-1006
Fire prevention and investigation program, insurance premium tax payments to fund, 50-3-109
Hail Insurance, Board of — member, 2-15-3003
Impeachment, subject to, Const., V, 13; Title 5, chapter 5, part 4
Insurance commissioner, ex officio — as, 2-15-1903, See **INSURANCE, COMMISSIONER OF**
Insurance Department, See **INSURANCE, DEPARTMENT OF**
Insurers, life — notice of compliance filed with, 33-20-213
Land Commissioners, Board of — member, Const., X, 4

STATE AUDITOR (Continued)

Motor vehicle theft or insurance fraud information, 61-3-106
Police Officers' Retirement Systems, duties, 7-32-4120, 19-9-208, 19-9-702, 19-9-1007, 19-19-202, 19-19-305, 19-19-506
Police retirement fund board of trustees, payments or reports, 19-19-204, 19-19-205, 19-19-506
Public office, may not hold other public office, Const., VI, 5
Qualifications, Const., VI, 3
Records, Const., VI, 1
Residence, 2-16-111; Const., VI, 1; VI, 3
Resignation, Const., VI, 6, See also **PUBLIC OFFICERS OR EMPLOYEES, Vacancy in office**
Salary, 2-16-405, 5, See also **WAGES AND SALARIES**
Securities, authority concerning, 17-1-124
Securities commissioner, office of, 2-15-1901
  mining or oil companies, fraudulent financing investigations, 30-14-702, 30-14-703
  securities regulation, duties, See **SECURITIES AND SECURITIES REGULATION**
Supreme court clerk, settlement and accounts, 3-2-405
Surety corporations, certification and publication of deficiencies, 33-26-101
Term of office, Const., IV, 8; VI, 1; VI, 6
Vacancy in office, 2-15-602; Const., VI, 6, See also **PUBLIC OFFICERS OR EMPLOYEES**
Volunteer firefighters' compensation fund, deposit of insurance premium tax to, 19-17-301

STATE BALLAD, 1-1-511

STATE BAR OF MONTANA
Appellate Defender Commission, recommendations for appointment to, 2-15-1020
Application fees, 37-61-205
Child support, uniform guidelines — notice to, 40-5-209
Chiropractic Legal Panel
  composition, 27-12-401
  consultation on procedural rules, 27-12-204
  members, selection, 27-12-402, 27-12-404
Code commissioner, consultation with, 1-11-204
Commission on Courts of Limited Jurisdiction, training and certification of certain judges, Title 3, chapter 1, part 15
Criminal cases, special master — member of bar as, 3-5-122
Criminal history record information and fingerprints, applicants for admission, 44-5-302
District court judge pro tempore or special master, qualifications, 3-5-113, 3-5-114
Examination fees, 37-61-205
Examining Board, members' appointment to, 37-61-102
Medical Legal Panel
  composition, 27-6-401
  consultation on procedural rules, 27-6-204
  members, selection, 27-6-402, 27-6-404
Recodification, consultation regarding, 1-11-204
Reports to supreme court, 37-61-205
Rules of Civil Procedure
  advisory committee for, members, 3-2-702
  hearing on existing or proposed rules, petition to supreme court, 3-2-703
  suggestions and consideration, Title 25, chapter 20, M.R.Civ.P., Rule 86(a)
Uniform State Laws, Commission on — appointments to, 1-12-101, 1-12-102

STATE BIRD, 1-1-504

STATE BUILDING ENERGY CONSERVATION ACT, Title 90, chapter 4, part 6
  See **ENERGY**

STATE CAPITOL
  See **CAPITOL AND OTHER STATE BUILDINGS**

STATE COMPUTER CENTER, 2-17-501, 30-9-403

STATE COORDINATOR OF INDIAN AFFAIRS
  See **INDIANS**

STATE DEBT COLLECTION SERVICE
Accounts of indebtedness, 17-4-102
  collection, 17-4-103 — 17-4-105
Aggrieved persons, hearings, 17-4-111
Child support debts, 17-4-104, 17-4-105, 23-7-312
Commercial collection agencies, contracts with, 17-4-105
Debts not collectible, 17-4-109
Definitions, 17-4-101
Hearings, 17-4-105, 17-4-111
Money collected, disposition, 17-4-106
Offsets, 17-4-105
Rules, 17-4-104, 17-4-105, 17-4-110
Taxes, delinquent — collection, 15-1-708, 15-16-119, 17-4-101, 17-4-103, 17-4-106
Uncollectible debts, 15-1-708, 17-4-104, 17-4-105, 17-4-107, 39-51-3207
Write-off procedures, 17-4-104, 17-4-107
Written-off debts, collection, 17-4-108

STATE EMPLOYEE PROTECTION ACT, Title 2, chapter 18, part 12
  See **PUBLIC OFFICERS OR EMPLOYEES, State employee protection when positions eliminated**

STATE FINANCE, Const., VIII
Accounting system
  administrative rules, nonapplicability, 2-4-102
  interentity loans, records, 17-2-105, 17-2-107
  treasury fund structure act, 17-2-101 — 17-2-111
  uniform, to be, 17-1-102
Action for false claims to public agencies, 17-8-231
Administration, general, Title 17, chapter 1
Agencies
  accounting system for, 17-1-102
  appropriations, treasury accounts for, 17-2-106
  cash change funds, 17-2-201
  contingent revolving accounts, 17-2-201
  deposits
    requirements, 17-6-105
      exceptions, 23-1-105, 87-1-601
    retention by agency, 17-2-202
  expenditure control, 17-1-102
  financial
    affairs, examination, 17-1-102
    reports, 17-2-110
Appropriations, See **APPROPRIATIONS**
Audits, Title 5, chapter 13
Bad debts, collection, Title 17, chapter 4, part 1
Bonds and bond issues, Title 17, chapter 5
Budget and budgeting, Title 17, chapter 7, See **BUDGET AND BUDGETING; BUDGET AND PROGRAM PLANNING, OFFICE OF**
Claims against state, settlement, Title 2, chapter 9, part 3, See **GOVERNMENT LIABILITY, Claims**
Claims for disbursements
  assignment, 17-8-211, 17-8-212
  audit, 17-8-202

STATE FINANCE (Continued)
Claims for disbursements (Continued)

- authorization for disbursement, 17-8-201
- county sheriff, 7-32-2144
- definitions, 17-8-241
- disapproval, 17-8-201
- false, 17-8-231, 45-7-210
- form, 17-8-201
- interest assessment on amounts due, 17-8-241 — 17-8-244
- local government entities, payments to, 17-8-311
- original, filing and storage, 17-1-122
- payment, 17-8-241 — 17-8-244
- refunds, 17-8-101, 17-8-203
- rules, 17-8-201
- submission, 17-8-201, 17-8-211
- transmittal, 17-8-201, 17-8-202

Contingent revolving accounts, 17-2-201
Debt
- collection, Title 17, chapter 4, part 1
- creation, Const., VIII, 8; VIII, 9; VIII, 11
- general fund spending reductions not allowed when, 17-7-140

Definitions, 17-1-101, 17-1-502, 17-3-102, 17-3-301, 17-8-105, 17-8-107, 17-8-241, 17-8-311
Depositories for public funds, See **STATE TREASURER**, **Depositories**
Deposits of public funds, 17-6-101
- federal grant money, 17-3-106
- insurance, 17-6-102
- interest, 17-6-104, 17-6-105
- security, 17-5-718, 17-5-930, 17-6-102, 17-6-103, 17-6-105
- withdrawal, 17-6-101, 17-6-105

Disbursements
- appropriations, Const., VIII, 14, See **APPROPRIATIONS**
- authorization, 17-8-201
- budget
  - inclusion, 17-7-111, 17-7-123
  - priority listing, 17-7-102
- claims for, See **Claims for disbursements**
- control, 17-1-102
- deferred revenue, limitations and exception, 17-8-107
- definitions, 17-8-105, 17-8-107, 17-8-311
- levels of expenditure, 5-12-303, 17-1-102
- limitations and exceptions, 17-8-103, 17-8-106, 17-8-107
- local government entities, to, 17-8-311
- nongeneral fund money, priority, 17-2-108
- procedures, 17-8-102
- quarterly allotment system, 17-8-102
- records, 17-1-102, 17-8-201
- refunds, 17-8-101
- treasury funds, from, 17-2-105, 17-2-107, 17-2-108, 17-8-101; Const., VIII, 14
- violations and penalty, 17-8-103, 17-8-104
- warrants, See **STATE TREASURER**

Encumbrances, 17-1-102, 17-7-302, 17-7-303
Endowments, Title 17, chapter 3, part 10
Expenditures, See Disbursements
Federal assistance
- acceptance of funds, 17-3-105
- administering agency, 17-3-105
- applications for funds, 17-3-102

STATE FINANCE (Continued)
Federal assistance (Continued)

budget amendment approval requirement, 17-3-108
cost allocation plan, 17-3-110
definitions, 17-3-102
expenditure, 17-3-108
fiscal officer for receipt, 17-3-106
indians, funds for, 17-3-107
indirect costs, 17-3-102, 17-3-110, 17-3-111
procurement provisions, applicability, 18-4-132
purpose of provisions, 17-3-101
reports, 17-3-109
Federal return on state resources
flood control act, revenue from, 17-3-231, 17-3-232
forest reserve money, 17-3-211 — 17-3-214
taylor grazing act, revenue from, 17-3-221, 17-3-222
Federal sums in lieu of taxes, See also **COUNTY FINANCE, In-lieu payments for taxes**
agreements, 17-3-301, 17-3-302, 17-3-304
definitions, 17-3-301
payments, 17-3-303 — 17-3-305
privilege tax, credit against, 15-24-1204
requests for, 17-3-302
Financial reports, procedures, 17-2-110
Fiscal analysis, Title 5, chapter 12
Fiscal officers, 17-3-106; Title 17, chapter 1
Fiscal year, 17-2-110
Fraud, waste, or abuse
recovery, 5-13-312
toll-free number to report, 5-13-311
Funds, See **Public funds**; See also **TREASURY FUNDS AND ACCOUNTS**
Gifts
expenditure, 17-8-105
institutions, to, Title 17, chapter 3, part 10
investment funds, 17-6-202, 17-6-203
Grants to institutions, Title 17, chapter 3, part 10
Housing authorities, municipal — bonds and payments, 7-15-4503, 7-15-4465
Housing, Board of — credit of state not pledged on obligations of, 90-6-123
Housing projects, Title 17, chapter 3, part 3
Indirect cost recovery plan, 17-1-510
Institutions, Title 17, chapter 3, part 10
Investment
housing authority bonds, in, 7-15-4465
public funds, Const., VIII, 13; Title 17, chapter 6, part 2
Legislation affecting, fiscal note requirements, 5-4-201, 5-4-203
Legislative analysis, Title 5, chapter 12
Legislative studies regarding, 5-5-215
Legislature, assistance to, 17-1-103
Loans to state, use of proceeds, Const., VIII, 11
Long-range building program, Title 17, chapter 5, part 4; Title 17, chapter 7, parts 1 and 2
Money of account, 30-12-601
Notes, tax and revenue anticipation, 17-1-201, 17-1-203, 17-1-204
Obligations, registration, Title 17, chapter 5, part 11
Open-space land, assessments or tax levies for, 76-6-109
Overspending, penalty, 17-8-103, 17-8-104
Payments in lieu of taxes (PILT), Title 17, chapter 3, part 3
Petty cash funds, 17-2-201

STATE FINANCE (Continued)

Public funds
  depositories for, See **STATE TREASURER**
  deposits of, 17-3-106; Title 17, chapter 6, part 1
  discriminatory practices in distribution prohibited, 49-2-308, 49-3-206
  investment of, Const., VIII, 13; Title 17, chapter 6, part 2, See **INVESTMENTS, BOARD OF, generally**
  misuse of, See also **CRIMES, Theft**
    penalty, 17-8-104
    prosecution, 5-13-310
  theft, time limitation on prosecution, 45-1-206
Public officers and employees
  mishandling of funds, 17-8-104
  reports by, 17-2-109
Resettlement projects, Title 17, chapter 3, part 3
Revenue
  accountability, Const., VIII, 12
  anticipation notes, 17-1-201, 17-1-203, 17-1-204
  county collection, coordination, 7-6-2141
  dedication
    definitions, 17-1-502
    legislative findings, 17-1-501
    principles of, 17-1-507
    review and evaluation, criteria for, 17-1-501, 17-1-505, 17-2-111
    termination of special revenue accounts, effect, 17-1-504
    transfer of special revenue account balances to general fund, 17-1-503
  deferred, spending — limitations and exception, 17-8-107
  studies, preparation, 2-7-104, 5-12-302, 5-18-107
Rural rehabilitation projects, Title 17, chapter 3, part 3
Tax and revenue anticipation notes, 17-1-201, 17-1-203, 17-1-204
Taxes, sums in lieu of, Title 17, chapter 3, part 3
Tort claims, settlement, Title 2, chapter 9, part 3, See **GOVERNMENT LIABILITY**, **Claims**
University system, See **UNIVERSITY SYSTEM**, **Finance**
Warrants, Const., VIII, 14, See **STATE TREASURER**

STATE FISH, 1-1-507

STATE FLAG, 1-1-502

STATE FLORAL EMBLEM, 1-1-503

STATE FOSSIL, 1-1-509

STATE GEM STONES, 1-1-505

STATE GEOLOGIST, 20-25-301

STATE GOVERNMENT
Actions involving, See **CIVIL PROCEDURE**, **Governmental entities, actions involving**; **GOVERNMENT LIABILITY**, **Actions entries**; **Claims**
Administrative Procedure Act, Title 2, chapter 4
Agricultural chemical ground water protection, Title 80, chapter 15
Aircraft owned and operated by, registration exemption, 67-3-201
Airports, 67-1-104, 67-1-301 — 67-1-303, See **AIRPORTS AND LANDING FIELDS**, **State airports**
Allegiance to, 1-1-403, 1-1-404
Animal and research facilities protection, Title 81, chapter 30, part 1
Antiquities preservation, cooperation, 2-17-107; Title 22, chapter 3, part 4, See **ANTIQUITIES**, **State agencies**

STATE GOVERNMENT (Continued)

Architectural services contracts, Title 18, chapter 8, part 2
Attorney general opinions, 2-15-501
Audits, Const., V, 10; Title 5, chapter 13
Bomb threats, 50-3-102
Bond issues, Title 17, chapter 5
Bonds, official, Title 2, chapter 9, part 5, See **SURETY BONDS, State officers and employees**
Branches of government, Const., III, 1, See **COURTS GENERALLY; EXECUTIVE BRANCH; JUDGES AND JUSTICES; LEGISLATURE**
Budget and budgeting, Title 17, chapter 7
Buildings — construction, contracts, and program for, Title 18, chapter 2; Title 90, chapter 4, part 6, See also **CAPITOL AND OTHER STATE BUILDINGS**
Carriers
  messages, order of transmission, 69-11-302
  preference in time and price, 69-11-102
Central filing system and index, See **Property**
Cities and towns, technical advice and assistance to, 7-1-4147
Civil disorder, prohibited activities and exceptions, 45-8-107 — 45-8-109
Claims
  against, See **GOVERNMENT LIABILITY**, **Actions** entries; **Claims**
  disbursements, for, Title 17, chapter 8, part 2
Classification and pay plan, Title 2, chapter 18, parts 2 and 3, See **PUBLIC OFFICERS OR EMPLOYEES, Classification; Compensation determination**
Closure of facilities, 39-2-1001 — 39-2-1004
Collective bargaining for employees, Title 39, chapter 31, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Communication systems, 2-17-302
  cooperation with other agencies, 2-17-305
  decisions concerning, basis, 2-17-304
  land mobile public safety radio frequencies, 2-17-311 — 2-17-313
  law enforcement communications system, 2-17-306
  procurement provisions, applicability, 18-4-132, 18-4-313
  rulemaking, 2-17-302
  transfer of funds, equipment, facilities, and employees, 2-17-303
Community service corps program, Title 90, chapter 14, part 1
Concealed weapons, carrying in government buildings, 45-8-328
Consultant services contracts, state, Title 18, chapter 8, part 1
Continuity of government, Const., III, 2
  emergency, Title 10, chapter 3, part 6, See **EMERGENCIES AND EMERGENCY POWERS**
  generally, Const., VI, 6; VI, 14; Title 2, chapter 16, part 5, See **GOVERNOR, Succession**
Contracts, See also **PUBLIC CONTRACTS**
  disputes, Title 18, chapter 1, part 4
  professional services, Title 18, chapter 8, part 2
Costs, shift to local government prohibited, 1-2-116
County-owned land
  deeded to, when, 7-8-102
  transfer to, 7-16-102
Criminal investigation agents, authority, 44-2-115
Criminal proceedings
  attorney general, notice to, 46-1-301, 46-1-302
  extradition, effect, 46-30-102
  prosecution conducted in name of state, 2-1-101
Data processing equipment and facilities, 2-6-214, 2-15-102, 2-15-114, 2-17-501, 2-17-503, 18-4-132, 18-4-313
Deadhead mail facilities, 2-17-301
Deaf persons in official proceedings, interpreters for, Title 49, chapter 4, part 5

STATE GOVERNMENT (Continued)

Debt collection, Title 17, chapter 4, part 1
Deferred compensation programs, Title 19, chapter 50
Detention centers, See **DETENTION CENTERS**
Disabled persons
    employment policy of state, 49-4-202
    special parking spaces, requirements, 49-4-302
Discrimination, See **DISCRIMINATION, Government, state and local**
Drainage district flood control agreements and programs, cooperation, Title 85, chapter 8, part 7
Economic development, See **ECONOMIC DEVELOPMENT**; **LAND USE PLANNING**; **ZONING**
Educational telecommunications network (METNET), 20-9-343, 20-32-101 — 20-32-104
Electronic bulletin board system, 2-17-321 — 2-17-323
Emergency disruption of services, 10-3-103, See **EMERGENCIES AND EMERGENCY POWERS**
Eminent domain, See also **EMINENT DOMAIN**
    right of eminent domain, 70-1-202, 70-1-205, 70-30-101
    private property subject to, 70-30-103
    public uses, 70-30-102
Employees, See **PUBLIC OFFICERS OR EMPLOYEES**
Energy alerts and emergencies, See also **ENERGY**
    curtailment of use, 90-4-309
    obligations of executives, 90-4-311
Energy conservation measure grants, 90-4-102, 90-4-109
Energy, state policy, 90-4-1001 — 90-4-1004, 90-4-1010, 90-4-1011
Engineering services contracts, Title 18, chapter 8, part 2
English, official and primary language, 1-1-510
Environmental Policy Act, Title 75, chapter 1, parts 1 — 3
Environmental programs, private property protection, 75-1-106
Ethics, Code of, Const., XIII, 4; Title 2, chapter 2, part 1
Evaluation of agencies, Title 2, chapter 8, See **EXECUTIVE BRANCH, Legislative review**
Executive branch, Title 2, chapter 15, See **EXECUTIVE BRANCH**
Fair Practices, Code of, Title 49, chapter 3
Family Policy Act, 40-7-101, 40-7-102
Farm animal and research facilities protection, Title 81, chapter 30, part 1
Federal assistance programs, Title 17, chapter 3, part 1
Federal Mandates Act, Title 2, chapter 1, part 4
Federal surplus property, Title 18, chapter 5, part 2
Fire protection, mutual aid agreements, 7-33-2108, 7-33-4112
Fiscal analysis and fiscal analyst, Title 5, chapter 12, See **LEGISLATIVE FINANCE**
Fiscal year, 17-2-110
Form of government, choice of people, Const., II, 2
Fraud, waste, or abuse of resources
    action to recover money, 5-13-312
    reporting, toll-free number for, 5-13-311
Gender balance on boards, commissions, committees, and councils, 2-15-108
Grants
    audit by legislative auditor, 5-13-304
    reclamation and development grants program, See **RECLAMATION**
Health care providers, utilization reviews, 33-32-105, See also **INSURANCE, DISABILITY, Utilization reviews**
Historic sites and buildings owned by, local management, 22-3-601 — 22-3-603, See also **ANTIQUITIES; HISTORICAL SOCIETY**
Immunity from liability, Title 2, chapter 9, part 1, See **GOVERNMENT LIABILITY**
Incentive program for employees, Title 2, chapter 18, part 11
Indian Affairs, Committee on — duties concerning, 5-19-108
Information Technology Advisory Council, State, 2-17-502

STATE GOVERNMENT (Continued)

Insurance
  buildings, See **CAPITOL AND OTHER STATE BUILDINGS**
  employees, See **PUBLIC OFFICERS OR EMPLOYEES, Group benefits**, state employees
Interlocal cooperation
  agreements, See **INTERLOCAL COOPERATION**
  commission, information furnished to, 7-11-227
Inventories, See **Property**
Irrigation districts, contracts with, 85-7-1971 — 85-7-1975
Job sharing, 2-18-101, 2-18-102, 2-18-107, See also **PUBLIC OFFICERS OR EMPLOYEES**
Judicial notice of official acts, Title 26, chapter 10, M.R.Ev., Rule 202, See also **EVIDENCE, Judicial notice**
Judiciary, See generally **COURTS GENERALLY; JUDGES AND JUSTICES**
Jurisdiction, Title 2, chapter 1, parts 1 and 2, See **JURISDICTION**
Labor organizations for employees, Title 39, chapter 31, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Land surveying services contracts, Title 18, chapter 8, part 2
Law enforcement teletypewriter communications system, agency participation in, 44-2-301
Leases, See **Motor vehicles**, generally; **Property**; **PUBLIC CONTRACTS, Lease of buildings**; **Procurement, state**; **STATE LANDS**
Legal advertising, publication requirements, Title 18, chapter 7, part 2
Legislative branch, See **LEGISLATURE**
Legislative Council, investigative authority, 5-11-106
Legislative review of agencies, Title 2, chapter 8, See **EXECUTIVE BRANCH, Legislative review**
Legislative studies regarding, 5-5-215
Liability, Title 2, chapter 9, part 1, See **GOVERNMENT LIABILITY**
Long-range building program, Title 17, chapter 5, part 4; Title 17, chapter 7, part 2
Mailing and messenger service, facilities, 2-17-301
Mailing lists
  compilation prohibited when, 30-9-403
  distribution or sale prohibited when, 2-6-109
Motorcycles, safety training fee exemption, 20-7-514
Motor vehicles
  assignment and transfer, 2-17-412
  costs for administration and maintenance, 2-17-413, 2-17-422, 2-17-423
  custodian, department of highways as, 2-17-411, 2-17-412
  gasohol, use requirements, 2-17-414
  gross vehicle weight fee exemption, 61-10-214
  interagency rental, rules, 2-17-413
  junk vehicle disposal fee, exemption, 61-3-508
  license plates, 61-3-332, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, License plates**
  motorcycles, safety training fee exemption, 20-7-514
  motor pool, helena-based — exceptions, 2-17-411
  operating history records, 2-17-422, 2-17-423
  personal vehicles, compensation for use — when, 2-17-421
  purchase requisitions, 2-17-403
  seal on, 2-17-402
  title to, 2-17-401
  use
    mileage allowance, 2-18-503
    restrictions, 2-17-421
    rules, 2-17-423
    violations and penalty, 2-17-432
  weed control fee, exemption, 61-3-510
Natural areas preservation, Title 76, chapter 12, part 1

STATE GOVERNMENT (Continued)

Nepotism, Title 2, chapter 2, part 3, See **NEPOTISM**
9-1-1 emergency telephone system, Title 10, chapter 4, parts 1 — 3
Nonsmoking areas in work areas, reservation, 50-40-202 — 50-40-205
Officers, See **EXECUTIVE BRANCH; PUBLIC OFFICERS OR EMPLOYEES**
Open meetings, Const., II, 9; Title 2, chapter 3, part 2, See **OPEN OR PUBLIC MEETINGS**
Open-space land preservation, Title 76, chapter 6, See **LAND USE PLANNING**
Organization, Title 2, chapter 15, part 1, See **EXECUTIVE BRANCH**
Parking, disabled persons' special spaces — requirements, 49-4-302
Pay plan and classification, Title 2, chapter 18, parts 2 and 3, See **PUBLIC OFFICERS OR EMPLOYEES, Classification; Compensation determination**
Payroll system, Title 2, chapter 18, part 4
Performance audits, Title 2, chapter 8, See **EXECUTIVE BRANCH, Legislative review**
Pesticides — research, cooperation, and applicability of provisions, 80-8-102, 80-8-105, 80-8-107, 80-8-109, 80-8-110, 80-8-213, See also **PESTS AND PESTICIDES**
Planning and economic development, See **ECONOMIC DEVELOPMENT; LAND USE PLANNING; ZONING**
Press room, 2-17-103
Printing, Title 18, chapter 7, parts 1 and 3
Prison industries training program services and products, use, 53-30-131, 53-30-133
Privatization of programs or services, 2-8-301 — 2-8-304, 16-2-408, 18-4-301, 18-4-303
Process, style of, 2-1-101, See also **CIVIL PROCEDURE, Process**
Procurement for, Title 18, chapter 4
Property, See also **STATE LANDS**
  account, statement of, 17-1-122
  actions involving real property, 70-19-301 — 70-19-305
  agencies
    functions transferred, rights, 2-15-132
    ownership records
      definitions, 77-1-701
      filing, 77-1-703
      index, 77-1-705
      transfer to, when, 77-1-702
  art work in state buildings, ownership, 22-2-407
  disposal, 77-1-705
  emergencies, See **EMERGENCIES AND EMERGENCY POWERS**
  eminent domain, See **Eminent domain**
  escheat, acquisition by, 70-1-203, See **ESTATES AND PROBATE**
  extent of ownership, 70-1-202
  highway patrol officers' equipment and uniforms as, 44-1-105
  index, 77-1-705
  inspection, 2-17-201
  insurance proceeds, use, 2-17-105
  inventory, 2-17-202, 22-3-423
  investment in, 17-6-201
  leases, See **PUBLIC CONTRACTS, Lease of buildings**
  management generally, Title 2, chapter 17
  occupancy will not confer title against, 70-19-406
  official records, 2-6-303
  ownership, 70-1-102
  ownership records, 77-1-701 — 77-1-707
  parks, damage or destruction, 23-1-106
  public records, 2-6-205, 2-6-303
  sale of, 18-6-101 — 18-6-103
  statutes of limitations, See **STATUTES OF LIMITATIONS**
  surplus property, Title 18, chapter 5, part 2

STATE GOVERNMENT (Continued)
Property (Continued)

taxation
acquisition by, 70-1-204
of, See **TAXATION, PROPERTY, State property**
title, original and ultimate, 70-1-201
transportation, department of — ownership records, 77-1-702, 77-1-706
vending facilities on, blind person preference, Title 18, chapter 5, part 5
water, land under, 70-1-202
Protection of persons, 49-1-201
Publications library distribution center, 22-1-211 — 22-1-218, See **LIBRARIES, State publications library distribution center**
Public participation in, Const., II, 8; Title 2, chapter 3
Purchase of goods and services, Title 18, chapter 4
Quo warranto proceedings in name of, 27-28-101, 27-28-301
Racial balance on boards, commissions, committees, and councils, 2-15-108
Recall Act, Title 2, chapter 16, part 6
Reclamation and development grants program, See **RECLAMATION**
Records management and preservation, Title 2, chapter 6, part 2, See **PUBLIC RECORDS**
Recycling program, Title 75, chapter 10, part 8
Rental of buildings or goods and services, Title 18, chapter 3, part 1; Title 18, chapter 4
Reorganization, 2-15-101, 2-15-102, 2-15-131, 2-15-132, 2-15-137, See **EXECUTIVE BRANCH, Organization**
Research and development, See **ECONOMIC DEVELOPMENT; LAND USE PLANNING; SCIENCE AND TECHNOLOGY FINANCING; ZONING**
Research and farm animal facilities protection, Title 81, chapter 30, part 1
Retirement of employees, Title 19, chapters 3 and 20, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM; TEACHERS' RETIREMENT SYSTEM**
Retrenchment of facilities, 39-2-1001 — 39-2-1004
Seat of, See **CAPITOL AND OTHER STATE BUILDINGS**
Self-insurance, 2-9-202, 2-9-211, 2-18-812, See **GOVERNMENT LIABILITY, Insurance; PUBLIC OFFICERS OR EMPLOYEES, Group benefits**, state employees
Separation of powers, Const., III, 1
Session laws, copies to, 5-11-203
Shooting ranges, protection, 76-9-101 — 76-9-105
Small business licensing coordination, Title 30, chapter 16
Small businesses, purchase preference to, Title 18, chapter 5, part 3
Smoke-free, buildings to be, 50-40-107, 50-40-202 — 50-40-205
Smoking areas, designation, 50-40-204, 50-40-205
Snowmobiles owned by, exemption from fee requirement, 23-2-614
Social worker provisions, applicability, 37-22-305
Solid waste management districts, grants or contributions, 7-13-236, 7-13-308
Sovereign immunity, Const., II, 18, See **GOVERNMENT LIABILITY, Immunity**
Sovereignty, 2-1-101, 2-1-102, See **SOVEREIGNTY**
State-Tribal Cooperative Agreements Act, Title 18, chapter 11, part 1
Student loan program, guaranteed — information concerning delinquent loans, 20-26-1111
Succession of public officers, See **Continuity of government**
Surplus property, Title 18, chapter 5, part 2
Swimming pools or swimming areas operated or owned by, license exemption, 50-53-201
Symbols, Title 1, chapter 1, part 5
Telecommunication systems, See **Communication systems**
Telephone service, 2-17-301, See also **Communication systems**
Television districts, contracts with, 7-13-2510
Theft of money or property, notification to legislative auditor and attorney general, 5-13-309
Torts, See **GOVERNMENT LIABILITY, Claims; TORTS**
Transportation of passengers or property, free or reduced rates when, 69-11-109
Treasure state living cultural treasures program, 2-15-236 — 2-15-238

STATE GOVERNMENT (Continued)

Unemployment insurance coverage, Title 39, chapter 51, See **UNEMPLOYMENT INSURANCE, Governmental entities**
Unions, Title 39, chapter 31, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Upper Clark Fork River Basin Steering Committee, representation on, 85-2-338
Waste reduction and management, Title 75, chapter 10, part 8, See **SOLID WASTE MANAGEMENT, Integrated waste management**
Water pollution, clean-up orders issued to, 75-5-601
Water quality districts, aid, 7-13-4517
Workers' compensation, Title 39, chapter 71, See **WORKERS' COMPENSATION, Public employers**
Youth correctional facilities, industries programs — goods and services from, 52-5-120, 52-5-121

STATE GRASS, 1-1-506

STATE LANDS
Abandoned riverbeds, See **Islands and abandoned riverbeds**
Acknowledgments
  patents, not required, 77-2-342
  sales, assignment of certificate of purchase, 77-2-334
Acquisition of land, Const., X, 11
  appraisal required, 77-1-202
Actions, 77-1-105, 77-1-111, 77-1-207
  foreclosure of pledge or mortgage, 77-6-403
  mining lessee's surety bond, violation of terms, 77-3-120
  patents, cancellation, 77-2-345
  sales, recovery of forfeitures, 77-2-323
Administration generally, Title 77, chapter 1
Advisory Council, State Land Board — rates or fees, recommendations, 77-1-120, 77-1-208, 77-1-802, 77-6-202, 77-6-205, 77-6-502
Affidavits
  certificates of purchase, application for substitute, 77-2-335
  coal mining permit applications, to verify use of coal, 77-3-321
  easement applications, verification, 77-2-102
  nonmetallic mineral lessees' reports, verification, 77-3-205
  recreational use, application for damage compensation, 77-1-809
Agricultural land owned by state, foreclosed — nonapplicability of right of immediately preceding owner, 25-13-902
Agricultural leases, See **Surface leases**
Airport influence areas located on, 67-4-211
Annexation to cities and towns, Title 7, chapter 2, part 44, See **CITIES AND TOWNS, Annexation of contiguous government land**
Antiquities, Title 22, chapter 3, See **ANTIQUITIES**
Appraisals
  acquisition of land, requirement, 77-1-202
  agricultural lands, rental value, 77-6-101
  cabin or home sites, license or lease — sale, 77-1-208, 77-2-320
  city and town lots, 77-2-320, 77-6-101, 77-6-503
  commercial property, rental value, 77-6-503
  departmental responsibility, 77-1-301
  exchange, requirements, 77-2-203, 77-2-211
  falsification, 77-1-112, 77-1-115, 77-3-409
  grazing lands, carrying capacity, 77-6-101, 77-6-201, 77-6-502
  leases generally, restrictions, 77-1-113
  oil and gas leases, regarding, 77-3-409, 77-3-442
  rules for, 77-1-206
  sales, 77-2-310, 77-2-320, 77-2-322, 77-2-323
Appraisement book, recording, 7-4-2613

STATE LANDS (Continued)

Burial site protection, Title 22, chapter 3, part 8, See **HUMAN SKELETAL REMAINS AND BURIAL SITE PROTECTION**
Cabin site licenses or leases, 77-1-208
  recreational use, closure when, 77-1-804
  sale of leased site, 77-2-318 — 77-2-320
    investments, board of — purchase of contract for deed or mortgage, 17-6-207
Centennial acre, Title 2, chapter 89, part 2
Centennial mansion, governor's, 77-1-221
CERCLA, lands or buildings granted pursuant to, 77-1-211, 77-2-302
Certificate of purchase, See **Sales**
Cities and towns
  annexation of land, Title 7, chapter 2, part 44, See **CITIES AND TOWNS**, **Annexation of contiguous government land**
  federal land, effect of sale or transfer, 77-2-401
  lot leases, See **Surface leases**
  recreational use, land access for, 77-1-101, See **Recreational use**
  sales to, 77-2-306
City-county consolidated governments, sales to, 77-2-306
Classification, Const., X, 11
  basis for, 77-1-402
  capability inventory, 77-1-403
  classes, enumeration, 77-1-401
  departmental responsibility, 77-1-301
  falsification, 77-1-112, 77-1-115
  highways, state funds — basis for apportionment, 60-3-206
  records, 77-1-404
  state forests, 77-5-101, See **State forests**
Coal leases
  authorization, 77-3-301, 77-3-302
  bids, 77-3-312
  bond requirements, 77-3-313
  cancellation, 77-1-111
  conditions on manner of mining, 77-3-306
  duration, 77-3-314
  form, 77-3-311
  geologic information, confidentiality, 77-3-308
  improvements on land, 77-3-307
  lands subject to, 77-3-302
  lessees rights, protection, 77-3-304
    geologic information, confidentiality, 77-3-308
  limitations, 77-3-305
  mining leases, how affected, 77-3-114
  permits for private use and for schools, effect, 77-3-321
  procedures for, 77-3-312
  rentals or royalties
    collection, 77-1-301
    delinquent, 77-1-111
    disposition, 77-3-318
    payment, 77-1-301, 77-3-313, 77-3-317
    report, 77-3-317
    terms, 77-3-316
  rules relating to, 77-3-303
Coal mining
  permits for private use and for schools, 77-3-321
  permittees, geologic information — confidentiality, 77-3-308

STATE LANDS (Continued)

Commercial development, lease of land valuable for, See **Surface leases**
Community service corps and volunteer projects, 90-14-105
Conservation districts, Title 76, chapter 15, See **CONSERVATION DISTRICTS**
Conservation easements, 77-2-319
Counties
  equalization payments to, See **Equalization payments**
  exchange of land with, See **Exchange**
  federal land, effect of sale or transfer, 77-2-401
  recreational use, land access for, 77-1-101, See **Recreational use**
  rodent control provisions, applicability, 7-22-2208
  sales to, 77-2-306
Court actions affecting, 77-1-111
Crop production, classification for, See **Classification**
Deeds and conveyances, See also **Patents**
  cabinsite sales, purchase of contract for deed, 17-6-207
  errors within, 77-1-205
  ownership records, 77-1-701
  right-of-way deeds, 77-2-103
Definitions, 77-1-101, 77-1-701, 77-6-221
Development, 77-1-602
  income
    deductions, 77-1-607, 77-1-608
    use, restrictions, 77-1-606
  policy regarding, 77-1-601
  resource development account, 77-1-602, 77-1-604, 77-1-609
  rules for, 77-1-603
  types, 77-1-605
Devises, 77-1-213; Const., X, 11
Disposition, legal action for challenge — written undertaking required, 77-1-110
Donations, 77-1-213, 77-1-214
Drainage districts, within, 85-8-101, 85-8-612
Easements
  appeals, 77-2-107
  applications, 77-2-102
    processing, 77-2-103
  certificate of purchase, reservations in, 77-2-327
  charge for granting, 77-2-106
  conservation, 77-2-319
  county water and/or sewer district projects, 7-13-2220
  federal land, sale or transfer, 77-2-401
  fish, wildlife, and parks — department of, acquisition, 87-1-209
  lakes and streams, land bordering, 77-2-303, 77-2-319
  leased lands
    involvement of lessee, 77-2-107
    sale, upon, 77-2-318, 77-2-319
  nature of, 77-2-104
  ownership records, nonapplicability, 77-1-701
  patents, inclusion, 77-2-343
  public uses, for, 77-2-101
  recreational use, access for, 77-1-101, See **Recreational use**
  streams and lakes, land bordering, 77-2-303, 77-2-319
  termination, 77-2-105
Employees, See **Public officers, employees, or representatives**
Equalization payments
  acres involved, list, 77-1-501

STATE LANDS (Continued)
Equalization payments (Continued)

  computation, 77-1-502
  distribution and use, 77-1-506, 77-1-507
  forms for, 77-1-503
  processing of statements, 77-1-504
  warrants, issuance, 77-1-505
Exchange, Const., X, 11
  appraisal requirements, 77-2-203, 77-2-211
  approval required, 77-2-207
  authorization for, 77-1-204
  counties, with, 77-2-202
  departmental responsibility, 77-1-301
  improvements, settlement for, 77-2-206
  natural areas preservation, for, 76-12-107
  notice and hearing, 77-2-204, 77-2-215
  private land, for, 77-2-203; Const., X, 11
    restrictions, 77-2-205
  public entity, with, 77-2-351
  regents of higher education, board of — authority, 20-25-307
  timbered land, 77-2-211, 77-5-101
    final order, 77-2-216
    investigation and findings, 77-2-213, 77-2-214
    notice and hearing, 77-2-215
    rules, 77-2-212
    status of exchanged lands, 77-2-217
  tribal governments, with, 77-2-201
  united states, with, 77-2-201
Farm mortgage lands, transfers validated, 20-9-602
Federal conservation reserve program, participation, 77-6-116
Federal facilities and installations, 77-1-212, 77-6-103
Federal government leases, 77-6-103
Federal irrigation projects, land within, 77-2-305, 77-2-307, 77-2-343
Federal land
  exchange for, See **Exchange**
  forestry purposes, for, 77-1-214
  grants
    acceptance, 77-1-211
    selection and location of lands, 77-1-304
  recreational use, access for, 77-1-101, See **Recreational use**
  sale or transfer, 77-2-401
    action by commissioner, 77-2-403
    hearings, 77-2-401, 77-2-402
Fines, fees, and forfeitures
  cabin site licenses and leases, establishment of fees, 77-1-208
  coal leases, disposition of fees, 77-3-318
  collection, 77-1-301, 77-1-802
  disposition, 77-1-117, 77-1-802
  mining leases, disposition of fees and penalties, 77-3-106
  nonmetallic mineral leases, disposition of fees, 77-3-206
  prospecting permits, fees, 77-3-103
  public officers, employees, or representatives — fines, 77-1-115
  recreational use, 77-1-801, 77-1-802, 77-1-806, 87-1-601
  sales, forfeiture by bidders when, 77-2-323
  setting of fees, rules and procedures required, 77-1-106, 77-1-208, 77-1-209, 77-1-302
Forage, noxious weed seed free provisions, 7-22-2126; Title 80, chapter 7, part 9, See **WEEDS AND WEED CONTROL**

STATE LANDS (Continued)

Forcible entry and detainer, actions of, 77-1-111
Foreclosure, 77-1-111, 77-1-604
    agricultural land owned by state, nonapplicability of right of immediately preceding owner, 25-13-902
Forest practices in streamside management zones, 77-5-301 — 77-5-307
Forests, See **FORESTS AND FORESTRY**
Funds
    seizure and sale, money from, 77-1-116
    trust, held in, 77-1-202, 77-1-802
Gas, See **Natural gas, leases for underground storage; Oil and gas leases**
Geothermal resource leases
    application
        fee, 77-4-103
        water rights, for, 77-4-108
    authorization, 77-4-101
    bond requirements, 77-4-106, 77-4-107
    cancellation, 77-1-111
    conflicting leases, 77-4-109
    duration, 77-4-122
    extension, 77-4-123
    improvements
        permission for and disposition of, 77-4-128
        value, procedure to fix, 77-4-129
    operating agreements, 77-4-124
    penalties, disposition, 77-4-127
    pooling agreements, 77-4-125
    provisions generally, 77-4-121
    rentals or royalties, 77-4-121, 77-4-126
        collection, 77-1-301
        delinquent, 77-1-111
        disposition, 77-4-127
        pooling agreements and unit operations, under, 77-4-125
    resources and development, defined, 77-4-102
        nature of, 77-4-104
        state retention, 77-4-105
        water rights in connection, 77-4-108
    rules, 77-4-103
    surface
        lands, rights concerning, 77-4-121
        lessees, compensation, 77-4-107
    unit operations, 77-4-125
Gifts or grants, 77-1-211, 77-1-213, 77-1-701, 77-1-705, 77-2-302, 77-5-101; Const., X, 11
Grazing lands
    classification as, See **Classification**
    leases, 76-16-307, See **Surface leases**
Hazardous substances, release — disposal of lands or buildings acquired as remedial action, 77-2-302
Heritage properties on, Title 22, chapter 3, See **ANTIQUITIES**
Historic properties, local management, Title 22, chapter 3, part 6, See also **ANTIQUITIES; HISTORICAL SOCIETY**
Home sites
    leased, sale, 77-2-318 — 77-2-320
    recreational use, closure when, 77-1-804
Human skeletal remains, protection, Title 22, chapter 3, part 8, See **HUMAN SKELETAL REMAINS AND BURIAL SITE PROTECTION**
Hydroelectric resources, Title 77, chapter 4, part 2, See **Power site leases or licenses**

STATE LANDS (Continued)

- **Institutions**
  - former, sale of, See **Sales**
  - Montana developmental center, loan agreement — foreclosure provision, 90-7-220
  - Montana state hospital, loan agreement — foreclosure provision, 90-7-221
- **Irrigation districts**, right-of-way, 85-7-1909
- **Islands and abandoned riverbeds**, 77-1-102 — 77-1-105
- **Land Commissioners, Board of**, Const. X, 4; Title 77, chapter 1, part 2
- **Leases**, Title 77, chapter 3, See also specific lease
  - abandoned riverbeds or islands, 77-1-103
  - authorization for, 77-1-204
  - buildings, state — contracts for, 18-3-105
  - cabin sites, 17-6-207, 77-1-208, 77-2-318 — 77-2-320
  - cancellation, 77-1-111, 77-2-333
  - certificates of purchase, canceled — effect of reinstatement, 77-2-333
  - classification of land, 77-1-402, See also **Classification**
  - default by purchaser or assignee of land, land open to lease, 77-2-332
  - departmental responsibility, 77-1-301
  - discrimination in issuance prohibited, 49-3-204
  - duration, 77-1-204
  - easements affecting, See **Easements**
  - errors in, 77-1-205
  - exchange of land, proposed
    - improvements, settlement for, 77-2-206
    - notice to leaseholder, 77-2-204
  - full market value, required, 77-6-202
  - grazing districts, within, 76-16-307
  - home sites, sale, 77-2-318 — 77-2-320
  - lakes and streams, land bordering, 77-2-303
  - mining, other leases subject to, 77-3-122
  - ownership records, nonapplicability, 77-1-701
  - rates, rules and procedures required to set, 77-1-106, 77-1-209
  - recreational use
    - closure of leased land, permission required, 77-1-203
    - streams, of — effect of provisions on lessees, 23-2-302
  - refund of money when, 77-1-303
  - regents of higher education, board of — authority, 20-25-307
  - rental payments, penalty for late payment, 77-6-506
  - restrictions, 77-1-113
  - riverbeds, abandoned, 77-1-103
  - sale of land under lease, 77-2-318 — 77-2-320, 77-2-326, See also **Sales**
  - school districts, to, 20-6-621
  - state forests, for, 77-1-214, 77-1-215, See also **FORESTS AND FORESTRY, State forests**
  - stream access law, effect of provisions on lessees, 23-2-302
  - streams and lakes, land bordering, 77-2-303
- **Legacies**, 77-1-213
- **Livestock on**, 76-16-307, 77-6-212, See **Classification**; **Surface leases**
- **Management**, 77-1-202; Const., X, 11
  - departmental responsibility, 77-1-301
  - federal land, effect of sale or transfer, 77-2-401
  - multiple-use, 77-1-203
  - recreational use, 77-1-802, 77-1-808, 87-1-601
- **Military purposes**
  - home guard, availability, 10-1-703
  - leases for, 77-6-103, See also **Surface leases**
  - recreational use, closure when, 77-1-804

STATE LANDS (Continued)

Minerals
  mining leases, See **Mining leases**
  nonmetallic, See **Nonmetallic mineral leases**
  prospecting permits, See **Prospecting permits**
  reservations, 77-2-304
    patents, inclusion, 77-2-343
    sale of land containing, restrictions, 77-2-303
  resources in lands, Title 77, chapter 3
Mines and Geology, Bureau of — examinations of state land and written reports, 20-25-212
Mining leases, 77-3-101, See also **Prospecting permits**
  applications, 77-3-111, 77-3-112
  approval, notice, 77-3-104
  assignment, 77-3-105
  authorization, 77-3-102
  bids for land covered by prospecting permits, 77-3-132
  bonds
    assignment, sureties consent for, 77-3-105
    not required, when, 77-3-122
    prospecting permits, land covered by, 77-3-132
    to protect prior purchasers, lessees, or contractees, 77-3-120
    to state, 77-3-119
  cancellation, 77-1-111
  duration, 77-3-102
  fees and penalties, 77-3-106
  geologic information, confidentiality, 77-3-130
  lands
    examination, 77-3-112
    quantity, 77-3-113
  leases, other — subject to, 77-3-122
  pooling agreements, 77-3-121
  preliminary prospecting periods, 77-3-115
    restrictions during, 77-3-118
  prospecting permittees, leasing privileges, 77-3-132
  provisions generally, 77-3-115, 77-3-117
  recreational use, closure when, 77-1-804
  rentals or royalties, 77-3-115, 77-3-116
    amount, determination, 77-3-112
    collection, 77-1-301
    delinquent, 77-1-111
    disposition, 77-3-106
    payment, bond requirement, 77-3-119
    unit operations, 77-3-121
  restrictions, 77-3-114
  sales and contracts for, subject to, 77-3-122
  term, 77-3-102, 77-3-115, 77-3-117
  title, failure of, 77-3-123
  unit operations, 77-3-121
Montana Conservation Corps work experience projects, Title 23, chapter 1, part 3, See **MONTANA CONSERVATION CORPS**
Multiple-use, See **Management**
Natural areas preservation, 76-12-103, 76-12-107, 76-12-121, See also **LAND USE PLANNING**
Natural gas, leases for underground storage
  authorization, 77-3-501
  bond requirements, 77-3-505
  cancellation, 77-1-111, 77-3-504, 77-3-510

STATE LANDS (Continued)
Natural gas, leases for underground storage (Continued)

- duration, 77-3-508
- hearings, 77-3-503, 77-3-504, 77-3-507
- lands leased, disposition, 77-3-506
- relinquishment, 77-3-511
- rentals
    - collection, 77-1-301
    - delinquent, 77-1-111
    - disposition, 77-3-509
- rules, 77-3-502
- term, 77-3-508
- termination and surrender, 77-3-511, 77-3-512
- waste prevention, 77-3-507

Nonmetallic mineral leases
- authorization, 77-3-201
- cancellation, 77-1-111
- duration, 77-3-203
- fees, 77-3-202, 77-3-206
- geologic information, confidentiality, 77-3-211
- land leased for other purposes, 77-3-207
- lessees rights, 77-3-207, 77-3-208
- penalties, disposition, 77-3-206
- permits for stone, gravel, and sand for public use, 77-3-208
- rentals or royalties, 77-3-204
    - collection, 77-1-301
    - delinquent, 77-1-111
    - disposition, 77-3-206
    - payments, 77-3-204, 77-3-205
- reports, 77-3-205
- surety bonds required when, 77-3-204

Officers, See **Public officers, employees, or representatives**
Oil and gas leases
- acreage, limitations, 77-3-404
- amendment of existing, 77-3-437
- assignments, 77-3-438
- authorization, 77-3-401
- bids, 77-3-407, 77-3-442
- bonuses, 77-3-434, 77-3-436
- cancellation, 77-1-111, 77-3-440, 77-3-441
- damages, when, 77-3-427
- drilling
    - agreements for, 77-3-429
    - commencement or absence of, effect, 77-3-424, 77-3-425
    - completion of productive well, additional development following, 77-3-428
- dry hole clause, 77-3-425
- duration, 77-3-421
- expiration, re-leasing when, 77-3-407
- extension clause, 77-3-422
- fees, 77-3-436, 77-3-438
- forfeiture when, 77-3-426, 77-3-440
- geologic information, confidentiality, 77-3-451
- hearings, 77-3-403, 77-3-424, 77-3-426, 77-3-440
- lands leased
    - contiguous and compact, to be, 77-3-405
    - prior to 1953, re-leasing, 77-3-407
    - release in lieu of offset well, 77-3-427

STATE LANDS (Continued)
Oil and gas leases (Continued)
    lands leased (Continued)
        surface, reservation for disposition, 77-3-443
    litigation concerning, effect on term, 77-3-421
    mining leases, how affected, 77-3-114
    nonproducing, compensatory royalty, 77-3-427
    number held, 77-3-406
    officers or employees, violations
        false statements, 77-3-410
        interest in leases, 77-3-408
        misconduct, 77-3-409
    offset well provisions, 77-3-427
    operating agreements, 77-3-429
    overriding royalties and payments out of production, 77-3-444
    penalties, disposition, 77-3-436
    pooling agreements, 77-3-421, 77-3-430, 82-11-104
    property disposition following termination of lease, 77-3-442
    re-leasing lands leased prior to 1953, 77-3-407
    relinquishment, 77-3-439, 77-3-441
    rentals or royalties, 77-3-432
        amended leases, 77-3-437
        annual, 77-3-423
        collection, 77-1-301
        compensatory, 77-3-427
        credit against, 77-3-423
        delinquent, 77-1-111
        disposition, 77-3-436
        overriding, limitation, 77-3-444
        payments, 77-3-434, 77-3-435
        pooling agreements and unit operations, effect, 77-3-430
        shut-in gas royalty, in lieu of, 77-3-433
    reports by lessees, 77-3-431, 77-3-435
    reservation for disposition of surface, 77-3-443
    rules, 77-3-402
    shut-in gas royalty, 77-3-433
    surrender, 77-3-439, 77-3-441
    term, 77-3-421
    termination
        drilling, absence of commencement, 77-3-424, 77-3-425
        offset well, in lieu of, 77-3-427
        property of lessee, disposition following, 77-3-442
        re-leasing, when, 77-3-407
        rental, nonpayment, 77-3-423
        restrictions on new lease following termination of old, 77-3-441
    transporting oil to market, expense, 77-3-432
    underground storage, See **Natural gas, leases for underground storage**
    unit operations, 77-3-430, 82-11-104
    waste prevention, 77-3-426, 77-3-427
Outdoor recreational resources, Title 23, chapter 2, part 1, See **RECREATION**
Ownership, 70-1-202
Ownership records, 77-1-701
    filing, 77-1-703, 77-1-706, 77-1-707
    index and verification, 77-1-705
    repository, 77-1-704
    rules concerning, 77-1-707
    transfers, 77-1-702, 77-1-707

STATE LANDS (Continued)

Paleontological remains on, Title 22, chapter 3, See **ANTIQUITIES, Heritage properties and paleontological remains**
Parks, See **PARKS, State parks; RECREATION, Outdoor recreation resources**
Patents, See also **Deeds and conveyances**
    actions regarding, 77-1-111
    cancellation, 77-1-111, 77-2-345
    coal leases, how affected, 77-3-304
    contents, 77-2-343
    errors within, 77-1-205
    evidence, copy as, 77-2-344
    execution, 77-2-342
    issuance, 2-15-201
    mining leases, notice regarding, 77-3-104
    received when, 77-2-341
    refund of money when, 77-1-303
Permits
    coal mining
        permittees, geologic information — confidentiality, 77-3-308
        private use and schools, for, 77-3-321
    ownership records, nonapplicability, 77-1-701
    power sites, See **Power site leases or licenses**
    prospecting, See **Prospecting permits**
    timber removal, 77-5-211 — 77-5-213
Posting, 45-8-115, 77-1-804, 77-1-806
Power site leases or licenses, 77-4-202
    applications, 77-4-204, 77-4-206
    authorization, 77-4-201
    bids, 77-4-206, 77-4-207
    cancellation, 77-1-111
    discrimination in issuance prohibited, 49-3-204
    duration, 77-1-204, 77-4-209, 77-4-210
    examination of site, 77-4-204
    investment, amortization, 77-4-211
    joint development, 77-4-210
    municipalities, preference to, 77-4-207
    proposed
        meeting concerning, 77-4-206
        notice for, 77-4-205
    rentals, 77-4-208
        collection, 77-1-301
        delinquent, 77-1-111
    restrictions and regulations, 77-4-203
Private land, exchange of, See **Exchange**
Property interests, transfers, and reservations, See **Easements; Exchange; Sales**
Prospecting permits, See also **Mining leases**
    approval, notice, 77-3-104
    assignment, 77-3-105
    authorization and fees, 77-3-103, 77-3-106
    bids, 77-3-132
    geologic information, confidentiality, 77-3-130
    limitations, 77-3-131
    modification, 77-3-117
    privileges of permittee, 77-3-132
    refund of money when, 77-1-303
Public lands, state lands to be, Const., X, 11

STATE LANDS (Continued)

Public officers, employees, or representatives
- firewardens, as, 77-5-104, See **FORESTS AND FORESTRY**, **Firewardens**
- oil and gas leases or deposits, violations, 77-3-408 — 77-3-410
- power site leases, sale or advertising for sale, 77-4-201
- purchase or lease restrictions, 77-1-113
- seizure of crops and improvements when, 77-2-336
- trees and boughs, coniferous — bill of sale or authorization exhibited on request by, 76-13-601
- violations, 77-1-112, 77-1-113, 77-3-408 — 77-3-410, 77-4-201
  - fines, 77-1-115, 77-1-117
  - prosecution, 77-1-114
  - punishment, 77-1-115, 77-1-116

Public school fund, comprises, Const., X, 2
Records, 77-1-404, 77-1-701 — 77-1-707
Recovery, 77-1-111
Recreational areas, See **PARKS**, **State parks**; **RECREATION**, **Outdoor recreation resources**
Recreational use
- administration, 77-1-804, 77-1-808
- closures
  - leased land, permission required, 77-1-203
  - rules for, 77-1-804
- commercial or concentrated, 77-1-101, 77-1-804
- damage
  - closures due to, 77-1-804
  - compensation, 77-1-808, 77-1-809
  - fires, liability, 77-1-805
- definitions, 77-1-101
- federal funds, 77-1-808
- fines for violations, 77-1-801, 77-1-806, 77-1-808, 87-1-601
- fires, liability, 77-1-805
- fish and game wardens, enforcement powers, 87-1-502, 87-1-504
- gifts, 77-1-808
- hearings, 77-1-804
- liability, 77-1-805, 77-1-806, 77-1-809
- license required, 77-1-801
  - fee, 77-1-802, 77-1-808, 87-1-601
  - forfeiture, 87-1-102
  - special use, 77-1-804
- management, 77-1-802, 77-1-808, 87-1-601
- penalties, 77-1-801, 77-1-804, 77-1-806, 87-1-601
- permission required when, 77-1-203, 77-1-806, 87-1-601
- posting of land, 77-1-804, 77-1-806
- rules, 77-1-203, 77-1-804, 77-1-806, 77-1-810
- state lands recreational use account
  - damage payments, 77-1-809
  - deposits, 77-1-802, 77-1-808, 87-1-601
  - maintenance, 77-1-802
  - weed control management program, 77-1-810
- vehicle use restrictions, 77-1-804
- violations
  - entry to private property without permission, 77-1-806, 87-1-601
  - license, failure to have or to present for inspection, 77-1-801
  - rules, of, 77-1-804
- weed control, 77-1-804, 77-1-808, 77-1-810

STATE LANDS (Continued)

Recreational use of streams
  motor vehicle and off-highway vehicle operation below ordinary high-water mark prohibited when, 61-8-371
  stream access law, effect of provisions, 23-2-302
Refuges for wildlife, Title 87, chapter 5, part 4, See **FISH AND WILDLIFE, Preserves and refuges**
Regents of Higher Education, Board of — authority, 20-25-307, 77-1-101
Rentals, See specific lease in this main category
Representatives, See **Public officers, employees, or representatives**
Reservation of mineral rights, 77-2-304
Resource development, See **Development**
  geothermal, See **Geothermal resource leases**
  hydroelectric, See **Power site leases or licenses**
  multiple-use management, 77-1-203
Rights-of-way upon, See **Easements**
Riverbeds, abandoned, 77-1-102 — 77-1-105
Roads for motorized vehicle use, designation, 77-1-804
Rock resources on, Title 77, chapter 3, See also specific lease
Rodent control, applicability of county provisions, 7-22-2208
Royalties, 77-2-304, 77-3-321, See specific lease
Sales
  abandoned riverbeds or islands, 77-1-103
  acreage, limitations and exceptions, 77-2-307
  advertising unlawful when, 77-4-201
  applications for purchase, 77-2-301
  appraisal requirements, 77-2-310, 77-2-320, 77-2-322, 77-2-323
  approval or disapproval, 77-2-308
  auction, public — to be, 77-2-321, 77-2-323
  authorization for, 77-1-204
  bids and bidding, 77-2-320, 77-2-322 — 77-2-324
  building leases, state — contracts for, 18-3-105
  cabin sites, leased, 77-2-318 — 77-2-320
  CERCLA, lands and buildings granted pursuant to, 77-2-302
  certificates of purchase
    actions regarding, 77-1-111
    assignment, 77-2-334
    cancellation, 77-1-111, 77-2-332
      reinstatement, 77-2-333
    coal leases, how affected, 77-3-304
    contents, 77-2-327
    errors in, 77-1-205
    federal irrigation projects, lands within — description in certificate, 77-2-305
    federal land, 77-2-401 — 77-2-403
    issuance, 77-2-327
      improvements, settlement prior to, 77-2-325
      new, when, 77-2-315
      substitute certificate, 77-2-335
    lost or wrongfully withheld, 77-2-335
    mining leases, notice regarding, 77-3-104
    new, issued when, 77-2-315
    patents, See **Patents**
    refund of money when, 77-1-303
    right-of-way easements, 77-2-103, 77-2-327
    substitute issued when, 77-2-335
    tracts, multiple purchase — requirements, 77-2-312
  city or town lots, leased, 77-2-318 — 77-2-320

STATE LANDS (Continued)
Sales (Continued)

- conservation easement as condition, 77-2-319
- contracts
  - mining leases, subject to, 77-3-122
  - right-of-way easements, how affected, 77-2-103
- control, 77-2-301
- federal irrigation projects, lands within, 77-2-305, 77-2-307, 77-2-343
- federal land, 77-2-401 — 77-2-403
- fish, wildlife, and parks — department of, by, 87-1-209
- forest lands, products from, 77-1-215
- forfeiture when, 77-2-323
- geothermal resource leases, surface lands, 77-4-121
- hazardous substances, release — lands and buildings acquired as remedial action, 77-2-302
- home sites, leased, 77-2-318 — 77-2-320
- improvements on land
  - cancellation of certificate of purchase, effect, 77-2-332
  - lien upon, 77-2-336
  - settlement for, 77-2-318, 77-2-325, 77-2-327
- institutions, former, 77-2-302
- irrigation districts
  - lien status of land, 77-2-315
  - participation in, 77-2-315
  - tax liability for land within, 77-2-313
- liens for amount due, 77-2-336
- limitations, 77-2-323
- mineral reservations, lands containing, 77-2-304
  - restrictions, 77-2-303
- mining leases, subject to, 77-3-122
- municipalities, 77-2-310, 77-2-312
- notice, publication and contents, 77-2-322
- patents, See **Patents**
- payments
  - default, procedure upon, 77-2-332
  - delinquent, 77-2-332, 77-2-333, 77-2-336
  - disposition, 77-2-337
  - interest, 77-1-301
  - manner of making, 77-2-331
  - patents, See **Patents**
  - schedule, computation, 77-2-330
  - terms of, 77-2-329
- possession, time of, 77-2-326
- preference to lessee of land, 77-2-324
- procedures, 77-2-318 — 77-2-320, 77-2-323
- proceeds, disposition, 77-2-337
- public entity, to, 77-2-351
- regents of higher education, board of — authority, 20-25-307
- reservation of mineral rights, 77-2-304
- restrictions on land available for, 77-2-303
- reversion to state, 77-2-314, 77-2-332
- riverbeds, abandoned, 77-1-103
- rules regarding, 77-2-328
- school districts, to, 20-6-621
- survey and platting
  - appraisal and platting prior to sale, 77-2-310
  - certificate of survey, 77-2-318
  - optional when, 77-2-309

STATE LANDS (Continued)
Sales (Continued)
  survey and platting (Continued)
    shore lands, 77-2-311
    subdivision of land when, 77-2-312
  taxation of land sold, 77-2-313
  timber, Title 77, chapter 5, part 2, See **FORESTS AND FORESTRY, Sale of timber**
  unlawful when, 77-4-201
  who may purchase, 77-2-306
    acreage, limitation and exceptions, 77-2-307
    restrictions, 77-1-113
School districts
  equalization payments to, See **Equalization payments**
  federal land, effect of sale or transfer, 77-2-401
  sale or lease of land to, 20-6-621
Soil conservation districts, Title 76, chapter 15, See **CONSERVATION DISTRICTS**
State forests, See also **FORESTS AND FORESTRY**
  designation, 77-5-101, 77-5-102
  development and management, 77-1-204, 77-1-215, 77-5-103
  fireworks within, prohibited, 50-37-103
  land donations for, 77-1-214
  perpetuation, rules regarding, 77-5-202
State Land Board Advisory Council, rates or fees — recommendations, 77-1-120, 77-1-208, 77-1-802, 77-6-202, 77-6-205, 77-6-502
Stream access law, effect of provisions, 23-2-302
Streamside management zones, forest practices in, 77-5-301 — 77-5-307
Streams, ordinary high-water mark — operation of motor vehicle or off-highway vehicle prohibited when, 61-8-371
Subdivision, exemption provision when, 76-3-205, 77-2-318, 77-2-319
Surface leases
  agricultural lease, change from grazing lease, 77-6-209
  appeals
    cancellation, from, 77-6-113, 77-6-208, 77-6-209
      procedures, 77-6-211
    improvements, from valuation, 77-6-306
  applications
    agricultural and grazing purposes, for both, 77-6-107
    renewal, 77-6-205, 77-6-206
    voluntary termination, 77-6-116
  appraisals concerning, 77-6-101, 77-6-201, 77-6-502, 77-6-503
  assignment, 77-6-208
  authorization, 77-6-102, 77-6-103
  bids
    advertisement for, 77-6-202
    agricultural and grazing purposes, for both, 77-6-107
    competitive, 77-6-116, 77-6-202
    deposit, 77-6-203
    renewal leases, 77-6-116, 77-6-205
    rental provisions, 77-6-502, 77-6-508
  bond required when, 77-6-207
  cancellation, 77-6-113, 77-6-205, 77-6-208, 77-6-209, 77-6-212, 77-6-506
    general provisions, 77-1-111, 77-6-210
    notification, 77-6-204
    procedures for, 77-6-211
  coal leases, how affected, 77-3-304
  conditions, 77-6-112 — 77-6-114, 77-6-209
  crops, liens on, 77-6-112
  dangerous drugs, felony offense conviction involving use of land — effect, 77-6-210, 77-6-212

STATE LANDS (Continued)
Surface leases (Continued)

- duration, 77-6-109, 77-6-116
- expiration
  - dates, 77-6-110
  - improvements, removal, 77-6-304
  - notification, 77-6-204
- federal conservation reserve program, participation, 77-6-116
- foreclosure of pledge or mortgage, 77-6-403
- form, 77-6-207
- grazing lands, appraisals, 77-6-101, 77-6-201
- grazing lease, change to agricultural lease, 77-6-209
- hearings when, 77-6-205, 77-6-211
- improvements
  - authorization for, 77-6-301
  - cabin site licenses or leases, applicability, 77-1-208
  - compensation for, 77-6-302
  - liens on, 77-6-112
  - removal, 77-1-208, 77-6-304
  - settlement as prerequisite to issuance of new lease, 77-6-305
  - value, fixing, 77-1-208, 77-6-306
  - water rights as, 77-6-115
- liens on crops and improvements, 77-6-112
- military purposes, for, 77-6-103
- mining leases, notice regarding, 77-3-104
- nonmetallic mineral leases, how affected, 77-3-207
- notification of termination, 77-6-116, 77-6-204
- oil and gas leases, how affected, 77-3-401
- pasturing agreements, 77-6-212
- penalties, 77-6-112, 77-6-210, 77-6-211, 77-6-506
- pledges and mortgages of interests
  - authorization, 77-6-401
  - filing, 77-6-402
  - termination, proof to be filed, 77-6-404
  - transfer of lease, 77-6-403
- policy regarding, 77-6-101
- preference when, 77-6-116, 77-6-205, 77-6-208, 77-6-212
- reinstatement, 77-6-211
- renewal, 77-6-116, 77-6-205, 77-6-206
- rental
  - agricultural leases, 77-6-501
  - appraisals when, 77-6-101
  - bid deposit applied on, when, 77-6-203
  - bidding, competitive — effect, 77-6-508
  - cancellation, effect, 77-6-210
  - change in lease, effect, 77-6-209
  - city lot leases, 77-6-503
  - collection, 77-1-301
  - commercial development, lease of land valuable for, 77-6-503
  - delinquent, 77-1-111
  - determination, 77-6-202
  - due dates and penalty, 77-6-506
  - fixing, formula, 77-6-507
  - grazing leases, 77-6-502, 77-6-507
  - liens on crops and improvements, 77-6-112
  - military purposes, leases for, 77-6-103
  - partial year, rate, 77-6-504

STATE LANDS (Continued)
Surface leases (Continued)
  rental (Continued)
    rates, rules and procedures required for setting, 77-1-106, 77-1-209
    renewal leases, 77-6-205
    summer fallow, no reduction, 77-6-505
  rules for, 77-1-209
  sale of leased city or town lots, 77-2-318 — 77-2-320
  single lease, criteria for determining land included in, 77-6-105
  subleases, 77-6-208, 77-6-210, 77-6-212
  summer fallow, no reduction in rental for, 77-6-505
  term, 77-6-109, 77-6-116
  termination
    pledges and mortgages of interest, filing of proof, 77-6-404
    voluntary, 77-6-116, 77-6-204, 77-6-205
  transfer of lease, 77-6-403
  unit of land defined, 77-6-221
  water rights, acquisition, 77-6-115
  weed management, responsibilities concerning, 7-22-2149, 77-6-114
  withdrawal, 77-6-206
  who may lease, 77-6-108
Survey
  islands and abandoned riverbeds, 77-1-103, 77-1-104
  sales, See **Sales**
Timbered land, exchange for, See **Exchange**; See also **FORESTS AND FORESTRY**
Title, perfection when, 77-1-705
Transfer or sale of federal land, 77-2-401 — 77-2-403
Trespass on, 77-1-111, 77-1-116
Tribal governments, exchange or sale of land, 77-2-201, 77-2-306, 77-2-307
Trust, to be held in, 77-1-102, 77-1-202, 77-1-802, 77-1-808; Const., X, 11
  natural areas preservation, 76-12-103, 76-12-107, See also **LAND USE PLANNING**
Underground storage of natural gas, leases for, See **Natural gas, leases for underground storage**
United States
  exchange of land with, 77-2-201, See **Exchange**
  grants, Const., X, 11
  sale or transfer, 77-2-401 — 77-2-403
Vehicle use by recreationists, restrictions, 77-1-804
Violations, See **Public officers, employees, or representatives**; **Recreational use**
Water
  appropriation of, 85-2-304, See also **WATER USE, Appropriations**
  development projects, See **Development**
  lands under water, See **Islands and abandoned riverbeds**
  recreational use, access for, 77-1-101, See **Recreational use**
Watershed protection, classification, See **Classification**
Weed management, 7-22-2149, 77-1-804, 77-1-808, 77-6-114

STATE PRINTING CONTROL ACT, Title 18, chapter 7, part 3
  See **PUBLIC CONTRACTS, Printing**, state printing

STATE PRISON
  See **CORRECTIONAL FACILITIES**

STATE SEAL, 1-1-501
  See also **STATE SYMBOLS**

STATE SYMBOLS
Animal, 1-1-508
Ballad, 1-1-511
Bird, 1-1-504

STATE SYMBOLS (Continued)

Fish, 1-1-507
Flag, 1-1-502
Flower, 1-1-503
Fossil, 1-1-509
Gem stones, 1-1-505
Grass, 1-1-506
Medal of Valor, 1-1-515
Seal, 1-1-501
  agricultural associations, certificate of incorporation, 35-16-204
  CERCLA bonds and notes, on, 75-10-623
  coal severance tax bonds and notes, 17-5-710
  conservation districts, certificates
    change of name, 76-15-801
    organization, 76-15-213
  cooperative associations, certificate of organization, 35-15-204
  corporate certificates and documents, 35-1-1311
  custody of, 2-6-111; Const., VI, 4
  extradition
    arrest warrants, 46-30-213
    demand for, 46-30-402
  gubernatorial commissions, 2-16-204
  highway general obligation bonds, 17-5-505
  highway revenue bonds, 17-5-922
  housing authorities, certificates of incorporation, 7-15-2108, 7-15-4410
  instruments, affixation generally, 2-15-401
  insurance, commissioner of, 33-1-302
  laws, authentication — acts of congress relating to, Refer to Annotations to Montana Code Annotated, Vol. 1, Federal materials
  long-range building program bonds, 17-5-403
  nonprofit corporation documents, 35-2-1111
  presidential electors, lists of names, 13-25-103
  records, authentication — acts of congress relating to, Refer to Annotations to Montana Code Annotated, Vol. 1, Federal materials
  refunding bonds, 17-5-302
  religious corporations sole, certificate of incorporation, 35-3-203
  renewable resource bonds, 85-1-617
  secretary of state to keep, Const., VI, 4
  state building energy conservation program bonds, 90-4-612
  state flag, upon, 1-1-502
  state general obligation bonds, 17-5-803
  state land patents, 77-2-342
  transportation, department of — conveyances of land, 60-4-207
  unemployment insurance taxes and special assessments, unpaid — certificate of authority for collection, 39-51-1306
  workers' compensation bonds, on, 39-71-2355
Vietnam veterans' memorial, 1-1-512

STATE TAX APPEAL BOARD
  See **TAX APPEAL BOARDS**

STATE TREASURER
  See also **PUBLIC OFFICERS OR EMPLOYEES**, generally
Access to state offices, 17-1-112
Accountability, Const., VIII, 12
Action when state is party, payment of costs
  civil, 25-10-702, 26-2-509, 26-2-510

STATE TREASURER (Continued)
Action when state is party, payment of costs (Continued)

  criminal, extradition, 46-30-411
Acupuncturists' license fees, deposit, 37-13-307
Aging, program funds — deposit, 52-3-102
Air carriers' property tax, deposit, 67-1-303
Alcoholic beverage revenue, 16-1-408, 16-6-107
Alternative energy and energy conservation research development and demonstration account, payments from, 90-4-103
Apiary registration and inspection fees, 80-6-302
Attorneys at law
  admission to bar, application and examination fees, 37-61-205
  license tax, 37-61-213
Authority, discretionary, 17-1-122
Banks and trust companies
  examination fees, 32-1-215
  funds unclaimed when liquidated, disposition, 32-1-537
Benevolent association fees, 33-6-401
Boats and boating
  fees, deposit, 23-2-512
  fines and forfeitures for violations, deposit, 23-2-507
Bonds and bond issues
  appropriations, statutory — payments, determination, 17-7-502
  CERCLA
    interest and principal amount, deposit, 75-10-626
    records, 75-10-623
  coal severance tax
    anticipation notes, power, 17-5-731
    bond fund, duties, 17-5-703
    records, 17-5-710
  county general obligation, interest and principal payments, 7-7-2263
  employment security building
    payment, 17-5-605, 17-5-606, 17-5-615, 17-5-616
    registration, 17-5-606, 17-5-616
  highway general obligation
    debt service account, 17-5-507
    highway capital projects fund, 17-5-506
    records, 17-5-505
  highway revenue
    anticipation notes, powers, 17-5-921
    debt service account, 17-5-911
    records, 17-5-922
  local government, redemption prior to maturity, 17-6-213
  long-range building program
    capital projects fund, 17-5-404
    debt service account, 17-5-405, 17-5-406, 17-5-411, 17-5-421
    definitions, 17-5-401
    fish, wildlife, and parks — hatcheries and facilities, payment, 17-5-416, 17-5-424
    labor and industry, department of — payment, 17-5-431
    public health and human services, department of — payment, 17-5-432
    records, 17-5-403
    regents of higher education, board of — payments, 17-5-421, 17-5-425
  municipal finance consolidation bond funds, investment — custody of securities, 17-5-1641
  official bonds, lien on real estate of surety — settlement of purchase price, 2-9-528
  refunding, registration, 17-5-302
  renewable resource
    records, 85-1-617

STATE TREASURER (Continued)

- **Bonds and bond issues** (Continued)
  - renewable resource (Continued)
    - renewable resource loan debt service fund, transfers from, 85-1-619
  - school bond contingency loan fund, 17-5-703
  - school district, 20-9-435, 20-9-440, 20-9-441
  - state building energy conservation
    - energy conservation program account, 90-4-613
    - records, 90-4-612
  - state general obligation
    - anticipation notes, sale, 17-5-805
    - capital projects account, 17-5-804
    - definitions, 17-5-801
    - records, 17-5-803
- **Bounty claims**, tax levy for payment — deposit, 81-7-118
- **Bounty fund**, payments from, 81-7-115
- **Building and loan association fees**, 32-2-110
- **Campground fees and fines**, 50-52-105
- **Capitol building land grant revenue**, 18-2-107
- **Chemical dependency programs**, federal or private funds, 53-24-104
- **Cigarettes**, license fees, 16-11-124
- **Clerk of the supreme court**, fees collected by — deposit, 37-61-205, 37-61-213
- **Coal severance tax**
  - bonds and notes, 17-5-703, 17-5-710, 17-5-731
  - trust funds, 17-5-703
- **Conservation district appropriations**, payments from, 76-15-530
- **Corporations**, See also **Taxes**
  - attachment of stock, deposit of fees for service upon secretary of state, 27-18-411
  - dissolution — deposit of amounts due unlocatable creditors, claimants, or shareholders, 35-1-943
- **County attorney**, payment of salary, 7-4-2502
- **County license fees**, 7-21-2105, 81-7-119
- **Court information technology account**, 3-1-317, 3-5-904
- **Depositories**
  - agency money, establishment, 17-2-202, 17-6-105
  - highway revenue bond anticipation notes, 17-5-921
  - public funds, 17-6-101, 17-6-102, 17-6-104, 32-1-447, 32-1-534
  - state general obligation bond anticipation notes, 17-5-805
- **Disbursements**, Const., VIII, 14, See also **Warrants, state**
  - records, 17-1-111, 17-2-105
  - treasurer's checks issued when, 17-8-301
- **Drainage district assessments on state lands**, payment, 85-8-612
- **Drugs, dangerous** — mandatory fine for possession and storage, deposit, 45-9-130
- **Escheated estates**
  - claim for property, action against state treasurer, 72-14-301, 72-14-302
  - county money, transfer, 7-6-2421
  - fiduciary deposit, when, 72-14-403
  - public school nonexpendable trust fund, deposit to, 72-14-210
  - sale of property, transmittal of proceeds to, 72-14-204 — 72-14-206, 72-14-209
- **Estates and probate**, See **Escheated estates**; **Taxes**, estate tax; inheritance tax
- **Estray fund**, 69-14-711, 81-4-606, 81-9-403
- **Expenditures**, See **Disbursements**
- **Federal assistance programs**, fiscal officer for, 17-3-106
- **Federal forest reserve money**, duties, 17-3-211, 17-3-212, 17-3-214
- **Federal sums in lieu of taxes**, agreement and receipt, 17-3-304
- **Fees collected by**, disposition, 17-1-111
- **Fire department relief associations disability and relief fund**, duties, 19-18-403, 19-18-513, 19-18-514
- **Fiscal duties generally**, 17-1-111

STATE TREASURER (Continued)

Fish and wildlife
  confiscated or destroyed birds and animals, sale proceeds, 87-1-513
  lands or waters, sale proceeds, 87-1-201
  money generally, deposit and use, 87-1-601
  restitution payments for illegal killing or possession, deposit, 87-1-114
  violations, prosecution costs — payment, 87-1-104
  wildlife conservation license fees, deposit, 87-2-204
  zoo and menagerie fees, deposit, 87-4-808
Floodway obstruction removal fund, 76-5-207, 76-5-405
Forest lands, state — revenue and profit disposition, 77-1-216
Forest protection and fire protection violations, fines from, 76-13-114
Fraternal benefit society fees, 33-7-217
Fraud, 17-6-101
Funds, responsibilities, 17-2-101 — 17-2-110, See also **SCHOOL FINANCE**, specific fund or account
Grain inspection, testing, and weighing fees — deposit, 80-4-721
Hail insurance levy money, duties, 80-2-230, 80-2-232
Hard-rock mining accounts, payments from, 90-6-304
Health care facilities, federal funds and grants — deposit, 50-5-404, 50-5-406
Health service corporation fees, deposit, 33-30-204
Housing discrimination enforcement penalties, deposit, 49-2-510
Inheritance tax, See Taxes
Inspection of books and records by, 17-1-112, 17-1-122, 75-5-1121
Institutions, endowment money — duties, 17-3-1003, 17-3-1004
Insurance
  commissioner of, fees received by — deposit, 33-2-708, 33-4-202, 33-4-505, 33-6-401, 33-7-217, 33-10-230, 33-30-204
  guaranty association refunds, deposit, 33-10-230
  premium tax
    independently procured coverages, on — payment, 33-2-706
    surplus lines, on — penalty for nonpayment, payment, 33-2-312
Insurance administrator certificate of registration fee, deposit, 33-17-603
Insurance producer and consultant license or continuing education fees, 33-17-503, 33-17-1207
Insurers
  examination expenses, money from, 33-1-413
  farm mutual, fees, 33-4-202, 33-4-505
  unclaimed funds following liquidation, deposit, 33-2-1374
Justices' court fines, penalties, and forfeitures — distribution, 3-10-601
Law enforcement teletypewriter communications system account, authority, 44-2-314
Legislative proceedings, fees, 5-11-212
Legislature, information to, 17-1-111
Livestock
  dealer fees, payment to, 81-8-276
  estray fund, 69-14-711, 81-4-606, 81-9-403
  seized animals, sale proceeds, 81-3-204
  stolen, proceeds from sale of vehicles used to transport, 81-5-111
Lobbyist fines and license fees, deposit, 5-7-103
Local government
  audit fees, 2-7-503, 2-7-516
  bonds, redemption prior to maturity, 17-6-213
  funds, investment, 17-6-204
Milk producer, producer-distributor, distributor, and jobber fines — deposit, 81-23-403
Minors, interstate placement — approval of financial agents, 41-4-105
Motorcycle safety training fees, 20-7-514
Motor fuel excise tax money, disposition, 7-14-303

STATE TREASURER (Continued)

Motor vehicles
  collegiate license plate fees and scholarship donations, 61-3-465, 61-3-467
  county motor vehicle computer fee, transmittal to, 61-3-511
  driver's license and motorcycle endorsement fees remitted to, 61-5-121
  excess size and weight permit fees, 61-10-126
  financial responsibility, money or securities as proof — responsibilities, 61-6-138, 61-6-140, 61-6-142
  fines and forfeitures transmitted to, 61-12-701, 61-12-702
  gross vehicle weight fees, 61-10-225
  new motor vehicle sales tax, remittance and disposition, 61-3-502
  off-highway vehicles
    decal fee, 23-2-804
    fines, 23-2-807
    nonresident temporary-use permit fees and fines, 23-2-814
  registration fees, 61-3-321, 61-3-325
  salvage vehicle inspection fees, 61-3-202
  suspense account money remitted to, 61-3-509
  wrecking facility and graveyard money, deposit, 75-10-532
Mustard inspection and weighing fees, deposit, 80-4-307
Natural resource fire protection and conservation, funds for, 76-11-102
Neglect of duty, 17-6-101
9-1-1 emergency telephone system exchange access service fees, 10-4-301
Nonprofit corporations, dissolution — deposit of amounts for unlocatable creditors, claimants, or members, 35-2-732
Noxious weed seed importation or sale fines and fees, 80-7-704
Office hours, 2-16-117
Oil and gas
  class II injection well operating fees, 82-11-137
  deposits generally, disposition and use, 82-11-135
Payroll system, central
  payroll deductions for group insurance, 2-18-702
  warrants
    decedent's, designation of persons to receive, 2-18-412
    lost, issuance of duplicate, 2-18-411
Police officers' retirement funds, duties, 19-19-203
Public assistance funds, duties, 53-2-102, 53-2-205
Public contractor's license fees, deposit, 37-71-105
Public employees' retirement, duties, 19-2-407, 19-2-503, 19-2-506
Public fund deposits
  accountability, Const., VIII, 12
  depositories for, 17-6-101, 17-6-102, 17-6-104, 32-1-447, 32-1-534
  federal grant money, 17-3-106
  liability, 17-6-101
  security, 17-6-102, 17-6-103
  state agencies and institutions, 17-6-105
    exceptions, 23-1-105, 87-1-601
  withdrawal, 17-6-101, 17-6-105, 17-6-201
Rail authority funds, investment, 7-14-1635
Railroad violation penalties and forfeitures, payment to, 69-14-133
Receipts, records, 17-1-111, 17-2-105
Records to be kept, 17-1-111, See also **PUBLIC RECORDS, Executive branch officers**
Rural physician incentive expendable trust fund, 20-26-1501
Rural rehabilitation corporation trust assets, deposit, 80-2-103
School equalization aid, duties, 20-9-212, 20-9-331, 20-9-333, 20-9-360
Securities of state, duties, 17-1-111, 17-1-113
Securities regulation, examination or investigation fees — deposit, 30-10-210

STATE TREASURER (Continued)

Self-sufficiency trust account, deposits to and payments from, 53-18-102
Snowmobiles
  fees, disposition, 23-2-615, 23-2-616
  fines and forfeitures, deposit, 23-2-644
Social security contribution account, payments from, 19-1-604
Social service fees, payment to, 53-2-205
State agencies and institutions, treasurer for, 17-6-105
State land violation fines, fees, and forfeitures — deposit, 77-1-117
State money and securities, custodian, 17-1-111; Const., VIII, 12
State park fees and charges, deposit, 23-1-105
Subdivisions, out-of-state sales — fees, disposition, 76-4-1108
Supreme court marshal's accounts, payment, 3-2-503
Taxes
  bounty claims, levy for payment, 81-7-118
  coal severance tax, See **Coal severance tax**
  corporation taxes, license tax paid to, 15-31-101
  disposition generally, 15-1-501
  electric energy producer's license tax, transmittal to, 15-51-103
  estate tax
    in-kind payment, notification, 72-16-450
    transmittal to, 72-16-912
  federal sums in lieu of, agreement and receipt, 17-3-304
  gasoline and vehicle fuels taxes
    collection by, 15-70-101, 15-70-210
    refunds by, 15-70-226, 15-70-329
    special fuel claims, warrants for, 15-70-365
  inheritance tax
    delinquencies, collection, 72-16-443
    in-kind payment, notification, 72-16-450
    reappraisal by district court, filing with, 72-16-425
    receipt for payment, 72-16-435
    refunds, 72-16-442
    securities, nonresident decedents, 72-16-701
    transmittal of payments to, 72-16-215, 72-16-434, 72-16-439, 72-16-502
  investigation expenses paid to, 15-1-301
  livestock, disposition of revenue, 15-24-925, 81-7-118
  motor vehicle fleet taxes and fees, deposit with, 15-24-102, 15-24-105
  public contractor's license tax on gross receipts, disposition of revenue, 15-50-311
  settlements with county treasurers, 15-1-504 suspense account, deposits to, 15-1-502
  transmittal from counties, 15-1-504
Tax increment financing, reduction in distribution and certification of increased taxable value, 7-15-4292
Taylor Grazing Act money, duties, 17-3-221, 17-3-222
Teacher or specialist fees, 20-4-109, 20-4-111
Teachers' Retirement System money, custodian, 19-20-501
Telecommunications services and equipment, local exchange company charges — transmittal, 53-19-311
Traffic education account, money for, 20-7-505
Traffic fines transmitted to, 20-7-505
Trailer court fees and fines, 50-52-105
Treasurer's checks issued when, 17-8-301
Treasure state endowment fund, 17-5-703
Treasury funds and accounts, 17-2-101 — 17-2-110
Unclaimed property, sale proceeds — deposit, 70-9-309
Unemployment insurance funds, duties, 39-51-105, 39-51-403, 39-51-405, 39-51-406
Urban renewal tax increment financing, reduction in distribution and certification of increased taxable value, 7-15-4292

STATE TREASURER (Continued)

- **Vocational-technical education**, duties, 20-9-212
- **Warrants, state**
  - account of, 17-1-111
  - affidavit required when, 17-8-303
  - authentication, 17-1-111
  - bounty claims, 87-1-206
  - cancellation, 17-8-303, 39-3-213
  - claims
    - approval, 17-8-301
    - assignments, effect, 17-8-212
    - original, storage, 17-1-122
    - transmittal and audit, 17-8-302
  - contingent revolving accounts, applicability, 17-8-301
  - cost accounting for, 17-8-305
  - definitions, 17-8-301
  - drawn, 17-1-111; Const., VIII, 14
  - electronic funds transfers, 2-18-405, 17-8-301
  - fish, wildlife, and parks — department-owned land, payments to counties, 87-1-603
  - general fund, investment procedures, 17-6-212
  - interest on, 17-6-212, 17-8-304
  - issuance, 2-18-411, 17-8-301, 17-8-305, 17-8-306
  - land grant, 17-8-304, 17-8-308
  - lost or destroyed, duplicate — issuance, 2-18-411, 17-8-306
  - payment, 17-1-111, 17-8-304
    - presentation, time for, 17-8-303
    - prevented when, 17-8-307
  - payroll, 2-18-405, 2-18-411, 2-18-412, 17-8-301
  - processing, 17-1-122, 17-8-305
  - register, 17-1-111, 17-8-304, 17-8-308
  - required, Const., VIII, 14
  - rules, 17-1-122
  - seal requirements, 17-1-111
  - stale-dated, procedures for, 17-8-303
  - stop-payment orders, 17-8-306
  - unclaimed property, classification as, 17-8-303, 39-3-213
- **Wastewater treatment works revolving loan program bond trust indenture**, inspection of books and records, 75-5-1121
- **Water treatment plant operator filing and certification fees**, 37-42-309
- **Workers' compensation state fund**, duties, 39-71-2336, 39-71-2355

STATE VIETNAM VETERANS' MEMORIAL, 1-1-512

STATE ZONING ENABLING ACT, Title 76, chapter 2, part 3
- See **ZONING, Municipal**

STATISTICS
- **Abortion**, 50-20-110
- **Abuse, domestic**, 52-6-102
- **Accidents**
  - labor and employment, 50-71-107
  - motor vehicle, 61-7-115
- **Agricultural chemicals**, numerical risk assessment and oncogenic potential, 80-15-102
- **Agriculture**, 80-1-102, 80-1-201 — 80-1-204
- **Battered spouses**, 52-6-102
- **Blind or visually disabled persons**, for services or employment purposes, 20-8-116, 53-7-302
- **Burial site records**, availability, 22-3-807

STATISTICS (Continued)

Census, basis for computation of population increments, 7-4-2503
Chemical dependency, treatment facilities, 53-24-208
Civil rights laws, administration — age, sex, and race information, 49-2-102
Conciliation, 40-3-124
Courts, 3-1-702, 3-1-703, 46-23-106
Criminal justice information, 44-5-103, 44-5-304
Criminal procedure, dispositions of defendants, 46-23-106
Dairies and dairy products, 81-2-102
  milk price control, 81-23-302
Deaf persons, for employment purposes, 20-8-116
Discrimination provisions — age, sex, and race information, 49-2-102
DNA testing, information from, 44-6-101, 44-6-102, 44-6-106
Domestic violence, 52-6-102
Environmental Quality Council, use, 75-1-313
Fires, 50-3-102
Fish and wildlife, 87-1-210
Forests and forestry, 20-25-242
Gambling, information concerning, 23-5-115
Geology, 20-25-212
Health care facilities, 50-5-106, 50-16-202, 50-16-204, 50-20-110
Health care information, disclosure for, 50-16-603
Highways, 60-2-206
Insurance
  casualty, professional liability, 33-23-311
  rates and rating plans, 33-16-202
  rating or advisory organizations, 33-16-102, 33-16-105, 33-16-106
    insurers acting in concert, 33-16-301, 33-16-302
Labor and employment, accidents, 50-71-107
Library registration and book circulation, 22-1-1103
Malpractice
  chiropractic, 27-12-702
  medical, 27-6-703
Meat and meat products, 81-2-102
Medical record information, disclosure for, 50-16-603
Mining, 20-25-212
Motor vehicles
  accidents, 61-7-115
  warranty disputes, arbitration decision compliance and refunds or replacements awarded, 61-4-526
Paternity, evidence, 40-6-113
Procurement, state, 18-4-125
Professional and occupational licensing, 37-1-106
School finance, preliminary budgets, 20-9-123
Taxation
  corporation taxes, 15-31-511
  gasoline license tax, 15-70-205, 15-70-209
  individual income, 5-12-303, 15-30-303
  special fuel license tax, 15-70-344, 15-70-351
Telephone solicitation, automated — unlawful when, 45-8-216
Vital statistics, See **VITAL STATISTICS**
Vocational rehabilitation, persons with employment handicaps, 53-7-102

STATUTES OF FRAUD
Agency, creation, 28-10-203
Assignment for the benefit of creditors, 31-2-210
Auction sales, 30-11-503, 30-11-504

STATUTES OF FRAUD (Continued)

Contracts, 28-2-901, 28-2-903
    installment, 31-1-231
Dealership contracts, 30-11-702
Defense, Title 25, chapter 20, M.R.Civ.P., Rule 8(c)
    insurers, 33-2-1345
Guaranty, 28-11-104, 28-11-105
Installment contracts, 31-1-231
Insurers, defense, 33-2-1345
Interest, variation from legal rate, 31-1-106
Mortgages, 71-1-203
Real property
    lease, 28-2-903
    mortgages, 71-1-203
    sales, 28-2-903, 30-11-111
    transfers, 70-20-102
Retail installment contracts, 31-1-231
Sales, See **SALES**
Securities transactions, 30-1-206, 30-8-319
Trusts, 70-20-102, 72-33-208, 72-33-220
Uniform Commercial Code, 30-1-206
    investment securities, 30-1-206, 30-8-319
    leases, 30-2A-201
    negotiable instruments, 30-3-415
    sales, 30-1-206, 30-2-201, 30-2-209, 30-2-326
    secured transactions, 30-1-206, 30-9-203
Workers' compensation claims, 39-71-601

STATUTES OF LIMITATIONS
    See also **CIVIL PROCEDURE, Time**; **CRIMINAL PROCEDURE, Time**
Absence of party, effect, 27-2-402, 45-1-206, 72-3-122
Accounts, 27-2-202, 27-2-302
"Action" defined, 27-2-101
Agricultural marketing associations — invalidation of sale of assets, merger, or consolidation, 35-17-507
AIDS testing and counseling violations, actions for damages, 50-16-1013
Aliens, during war, 27-2-403
Annulment, 40-1-402
Appeal, reversal on — effect, 27-2-407
Applicability of laws, 27-2-105
Arbitration, effect, 27-2-405
Assault, 27-2-204
Attorneys at law, legal malpractice, 27-2-206
Ballot issues, challenge of statements of purpose or implication or fiscal statements, 13-27-316
Bank deposit and collection actions, 30-4-112
Banks, actions against, 27-2-213
Battery, 27-2-204
Bond issues, action to restrain, 17-5-1001
Building and loan associations, actions against, 27-2-213
Calculation
    civil, 27-2-102, 27-2-301
    criminal, 45-1-201, 45-1-205, 45-1-206
Checks, actions on, 27-2-213
Child support debts
    contempt proceedings, 40-5-601
    uncollectibility, warrants for distraint, and assignment of earnings, 27-2-201, 27-2-211, 40-5-255, See also **Minors**

STATUTES OF LIMITATIONS (Continued)

Cities and towns, actions against, 27-2-209, 27-2-211
Civil actions generally, 25-1-102, 27-2-105, 27-2-231
Claims against governmental entities, 2-9-302
Commencement of action when, 27-2-102, 27-2-301, 27-2-408, 45-1-205
Conflict of laws — limitation periods, 27-2-501 — 27-2-507
Constables, actions against, 27-2-209
Consumer counsel, regulated companies' fees — deficiency assessments, refunds or credits, and collection upon filing fraudulent return, 69-1-230
Contracts, 27-2-202
  improvements to real property, effect, 27-2-208
  limitation, contract void, 28-2-708
  sale, breach, 30-2-725
  state, disputes with, 18-1-402
Cooperative associations — invalidation of sale of assets, merger, or consolidation, 35-15-507
Corporations generally, 27-2-211, 27-2-401
Counterclaim, 27-2-408
Counties, claims against, 27-2-209
County coroner, actions against, 27-2-209
County sheriff, actions against, 27-2-209
Crime victims compensation
  benefit claims, 53-9-125
  damages, action by division of crime control, 53-9-132
Criminal offenses generally, 27-2-211, 45-1-201, 45-1-205, 45-1-206
Dairymen, actions against, 81-22-207
Deafness, occupational — claim for benefits, 39-71-813
Death
  party, effect, 27-2-304, 27-2-401, 27-2-404, 27-2-405, 27-2-407, 72-3-123
  wrongful, 27-2-204
Debt
  effect of acknowledgment or part payment, 27-2-409
  statutory, 27-2-211
Defamation, 27-2-204
Defense
  insurers, 33-2-1345
  pleading as, Title 25, chapter 20, M.R.Civ.P., Rule 8(c)
Demand to perfect right to action, 27-2-301
Elections
  ballot issues, challenge of statements of purpose or implication or fiscal statements, 13-27-316
  campaign violations, 13-37-130
  contests, 13-36-102
  criminal actions, 13-35-101
  voiding elections, 13-35-107
Escape, 27-2-209
Estates and probate
  commencement of action when, 27-2-304, 27-2-401
  creditor's claims against the estate, 72-3-801 — 72-3-804
  decedent's cause of action, See **Death**
  distributees, claims against, 72-3-1013
  elective share of surviving spouse, 72-2-225
  escheated property, claim of, 72-14-302
  formal testacy or appointment proceedings, 72-3-122, 72-3-313
  fraud, 72-1-111
  informal probate or appointment proceedings, 72-3-122
  inheritance tax, effect of deferral of payment, 72-16-465
  medicaid benefits of deceased, recovery, 53-6-167, 53-6-168

STATUTES OF LIMITATIONS (Continued)
Estates and probate (Continued)

  nonprobate transfers, multiple-party accounts — proceedings asserting liability for accounting, 72-6-215
  personal representative, actions against, 72-3-1011
  protected persons or estate of, claims against, 72-5-433
Execution, nonpayment of money collected, 27-2-209
Extension of time period, See **Tolling**
False imprisonment, 27-2-204
Forfeitures, enforcement, 27-2-211
Fraud, 27-2-203, 72-1-111
Fraudulent transfers, actions concerning, 31-2-341
Freight carriers, institution of suits for damage claims, 69-11-425
Gambling, illegal — losses at, recovery, 23-5-131
Geophysical or geothermal exploration, injury during, 27-2-303
Governmental entities, claims against, 2-9-301, 2-9-302
Grazing districts, owners of trespassing livestock — recovery of charge for damages, 76-16-314
Hazardous or deleterious substance, remedial action upon release — actions for recovery of costs, 75-10-722
Health care information actions, 50-16-553
HIV-related testing and counseling violations, actions for damages, 50-16-1013
Housing discrimination enforcement actions, 49-2-510
Incompetence of party, effect, 27-2-401, 45-1-205
Inheritance tax, effect of deferral of payment, 72-16-465
Injunction, effect, 27-2-405, 27-2-406
Instruments, liability on, 27-2-202, 27-2-208
Insurance
  disability
    lapsed or forfeited policies, actions to recover under, 33-22-122
    misstatements to void policy or claim reduction or denial, 33-22-205
    recovery on policies, 33-22-214, 33-22-602
  information and privacy protection violation actions, 33-19-407
  life, lapsed or forfeited policies — actions to recover under, 33-20-142
  premiums paid with intent to defraud creditors, claims, 33-15-511
Insurers
  actions by or against, nonapplicability when, 33-2-1334
  claim settlements, independent cause of action for damages, 33-1-1205, 33-18-242
  defense, 33-2-1345
  domestic stock, inside trading of equity securities — action to recover profit, 33-3-442
  liquidators, actions by, 33-2-1348
Interest, recovery when excessive, 31-1-108
Invalidity, declaration of, 40-1-402
Irrigation districts, actions attacking orders or decrees, 85-7-2201
Judgments, 27-2-201, 27-2-407
Labor and employment
  discrimination for lawful product use during nonworking hours, action, 39-2-314
  unfair practices, 39-31-404
Laches, 1-3-218; Title 25, chapter 20, M.R.Civ.P., Rule 8(c)
Law Library, State — state's claim concerning injury to books or failure to return, 22-1-506
Leases, actions on, 30-2A-506
Legislative bills, Const., V, 11
Libel, 27-2-204
Liens, 71-3-122
  construction, 71-3-553, 71-3-562
  crop dusting, 71-3-907
  farm laborers, 71-3-405
  threshers, 71-3-807
Livestock, killing or injuring, 27-2-207

STATUTES OF LIMITATIONS (Continued)

Lobbying violation actions, 5-7-305
Local governments, 7-7-104, 27-2-209
Malpractice
    chiropractic, 27-2-205, 27-12-702
    legal, 27-2-206
    medical, 27-2-205, 27-6-702
Mausoleum-columbarium authorities, actions against, 35-21-304
Medical record information actions, 50-16-553
Mental illness of party, effect, 27-2-401
Mines, metal mines exploration licenses or operating permits — review of decisions granting or denying, 82-4-349
Mining work or exploration, injury during, 27-2-303
Minors
    child support debts — uncollectibility, warrants for distraint, and assignment of earnings, 27-2-201, 27-2-211, 40-5-255
    malpractice, medical, 27-2-205
    party, effect when, 27-2-401, 45-1-205
    ritual abuse, 27-2-217
Mistake, 27-2-203
Mobs, damage by, 27-2-209
Money
    banks, actions against, 27-2-213
    building and loan associations, actions against, 27-2-213
    demand, when not required, 27-2-301
Motor carriers — action to recover excess rates, fares, or charges paid to, 69-12-511
Motor fuel excise tax, delinquent — action to recover, 7-14-304
Museums, actions for property loaned to, 22-3-521
Negotiable instruments, actions on, 27-2-213, 30-3-122
New action on same cause, 27-2-407
Nonprofit corporation member's termination, expulsion, or suspension — proceedings to challenge, 35-2-520
Nonresidents, actions against, 27-2-104, 45-1-206
Obligations, 27-2-202, 27-2-208
Occupational disease benefits claims, 39-72-403
Oil and gas
    injunction or restraining order, injury claims for acts done under protection of, 82-11-145
    property damage or trespass during work or exploration, 27-2-303
Partnerships
    disassociated partner's interest, buyout price — action to determine, 35-10-619
    remedy, right of action for, 35-10-409
Paternity proceedings, 40-6-108
Pawnbrokers, excess charges — recovery, 31-1-401
Personal injury, 27-2-102, 27-2-204
Petroleum storage tank cleanup fee, deficiency assessment, 75-11-314
Pleading of, 25-4-301
Postconviction hearing, 46-21-102
Premarital agreements, claims for relief, 40-2-610
Promise, 27-2-202
Property, personal
    claim and delivery, 27-2-207
    demand not required when, 27-2-301
    detention of, 27-2-207
    estates, accrual of action before letters of administration, 27-2-304, 27-2-401
    injury to, 27-2-102, 27-2-207
    mob or riot, injury caused by, 27-2-209

STATUTES OF LIMITATIONS (Continued)
Property, personal (Continued)

  recovery, 27-2-207
  tax sales or seizures, actions arising from, 27-2-210
  trespass, 27-2-207
  unclaimed property, effect on, 70-9-307, 70-9-312
Property, real
  adverse possession, 70-19-404, 70-19-405
  demand not required when, 27-2-301
  disabilities which suspend, 70-19-413
  entry, action on, 70-19-403
  estates — disability of heirs, devisees, or creditors, 27-2-401
  improvements, actions arising from, 27-2-208
  injury to, 27-2-102, 27-2-207
  mesne profits, 27-2-214
  mineral work or exploration, injury during, 27-2-303
  mob or riot, injury caused by, 27-2-209
  recovery, 70-19-401, 70-19-404, 70-19-405
  rents and profits, action arising from, 70-19-402
  royalty interest in land acquired by county by tax deed, 15-17-326, 27-2-210, 70-19-421
  state
    actions generally, 70-19-302
    letters patent or grant from, claim under, 70-19-303, 70-19-304
    void conveyance from, claim under, 70-19-304
  title, action arising from, 70-19-402
  tolling of statutes, 70-19-413
  trespass, 27-2-207, 27-2-303
Public assistance fraud, 27-2-211
Public employees, unfair labor practices, 39-31-404
Public officers, actions involving, 27-2-209, 27-2-210, 27-2-212, 45-1-206
Railroads
  excess charges, actions for recovery, 69-14-322
  killing or injury of stock by, 27-2-207
Residence, effect, 27-2-104, 45-1-206
Riot, 27-2-209
Sales contracts, 30-2-725
School districts
  bond issues, action to restrain, 20-9-465
  bonds, action to test validity, 20-9-464
Securities
  administrative or civil actions, 30-10-305
  criminal proceedings, 30-10-306
  dealer registration, revocation or suspension, 30-10-201
  fraud or misrepresentation actions, 30-10-307
  recovery when sold for delinquent assessments, 27-2-210
  registration
    denial, suspension, or revocation, 30-10-207
    liability for violations, enforcement, 30-10-307
Seduction, 27-2-204
Seismic exploration, injury during, 27-2-303
Sexual abuse of children, 27-2-216
Slander, 27-2-204
Special proceedings, applicability, 25-1-102, 27-2-101
State, actions by, 27-2-103
State land patents, cancellation, 77-2-345
Statutory debts, 27-2-211
Statutory liability, 27-2-211

STATUTES OF LIMITATIONS (Continued)

Statutory prohibition, effect, 27-2-406
Stay of proceedings, effect, 27-2-406
Stock, See **Securities**
Subdivisions, out-of-state sales — accrual of cause of action, 76-4-1117
Summons, failure to serve, Title 25, chapter 20, M.R.Civ.P., Rule 41(e)
Suspension, See **Tolling**
Taxation
  assessment, 15-1-211
    revisions, 15-8-601
  cement and gypsum producer's license tax collection, 15-59-114
  cement dealer's license tax collection, 15-59-214
  centrally assessed property tax collection, 15-23-116
  coal severance tax collection, 15-35-114
  compressed natural gas tax, deficiency assessment, 15-70-720
  corporation tax, enforcement, 15-31-509
  electric energy producers' license tax collection, 15-51-114
  erroneous taxation, declaratory judgment actions, 15-1-406
  gasoline license tax
    deficiency assessment, 15-70-212
    refund claims, 15-70-225
  income tax
    collection, 15-30-145, 15-30-146, 15-30-313
    offenses, 15-30-324
  inheritance tax, effect of deferral, 72-16-465
  metal mines license tax collection, 15-37-116
  micaceous mineral mines license tax collection, 15-37-212
  9-1-1 emergency telephone exchange access service fees
    collection, 10-4-207
    refund claims, 10-4-205
  nursing facility utilization fee collection, 15-60-203
  protest payments, recovery, 15-1-402
  public contractors' license tax, collection or refund, 15-50-304
  refunds, 15-1-503
  resource indemnity trust and ground water assessment tax, collection, 15-38-112
  royalty interest in land acquired by county by tax deed, 15-17-326, 27-2-210, 70-19-421
  sales or seizures, 27-2-210
  special fuel license tax, deficiency assessment, 15-70-355
  special fuel use tax, deficiency assessment, 15-70-335
  telephone company license tax collection, 15-53-115
  tramway assessments — deficiency assessments, refunds or credits, and collection upon filing fraudulent statement, 23-2-718
  workers' compensation payroll tax, applicability of provisions, 39-71-2503
Termination of action, effect, 27-2-407, 27-2-408
Theft, tort action, 27-2-207
Tolling
  absence from state, 27-2-402, 45-1-206, 72-3-122
  aliens during times of war, 27-2-403
  arbitration, effect, 27-2-405
  chiropractic malpractice, 27-2-205, 27-12-702
  conflict of laws, limitation periods — computation, rules applicable, 27-2-504
  contracts for sale, breach, 30-2-725
  counterclaim, 27-2-408
  criminal, 45-1-205, 45-1-206
  death of party, 27-2-404, 27-2-405, 72-3-123
  debt, acknowledgment or part payment, 27-2-409

STATUTES OF LIMITATIONS (Continued)
Tolling (Continued)

- disability, persons under, 27-2-401, 70-19-413
- electricians, violations, 37-68-322
- family law mediation, 40-4-302
- freight carriers, institution of suits for damage claims, 69-11-425
- governmental entities, claims against, 2-9-301
- housing discrimination enforcement actions, 49-2-510
- income tax collection, 15-30-146, 15-30-313
- injunction, effect, 27-2-406
- judgment, reversal, 27-2-407
- legal malpractice, 27-2-206
- mausoleum-columbarium authorities, actions against, 35-21-304
- medical malpractice, 27-2-205, 27-6-702
- minors, medical malpractice, 27-2-205
- new action for same cause, 27-2-407
- obscene material, offenses of public display or dissemination to minors, 45-8-207
- premarital agreements, claims for relief, 40-2-610
- public employees, unfair labor practices, 39-31-404
- real property actions, 70-19-413
- statutory prohibition, effect, 27-2-406
- termination of action, 27-2-407, 27-2-408
- unfair labor practices, 39-31-404
- war, effect, 27-2-403
- workers' compensation claims, 39-71-602
- wrongful discharge from employment actions, 39-2-911

Torts generally, 27-2-204
- estates and probate, claims against, 72-3-612, 72-3-803
- governmental entities, against, 2-9-302
- mineral work or exploration, during, 27-2-303
- property, actions involving, 27-2-207

Trade secrets, actions for misappropriation, 30-14-407
Trespass, 27-2-207, 27-2-303
Trusts, breach of — claims against trustee, 72-34-128, 72-34-511
Undertakings in criminal action, 27-2-211
Unemployment insurance, collection of
- benefits, overpayment, 39-51-3206
- taxes, delinquent, 39-51-1303

Usury, 31-1-108
Utilities, rural cooperative — fee to department of revenue, deficiency assessments, refunds or credits, and collection upon filing fraudulent return, 35-18-510
Wages
- public contracts, disputes, 18-2-407, 18-2-421
- recovery, 27-2-212, 39-3-207

War, effect, 27-2-403
Water, injury or waste during mineral work or exploration, 27-2-303
Workers' compensation
- claim for benefits, 39-71-601 — 39-71-603, 39-72-403
- deafness, occupational — claim, 39-71-813
- disputes, appeals to mediation, 39-71-520
- third party actions, 39-71-414

Wrongful death, 27-2-204
Wrongful discharge from employment actions, 39-2-911
Zoning, actions challenging creation
- county districts, 76-2-202
- planning and zoning districts, 76-2-101

STERILIZATION
Insurance, disability — comprehensive health association benefit covered expenses, 33-22-1521
Minors, self-consent — inapplicability, 41-1-405
Refusal to participate
  coercion, interference with refusal by, 50-5-504
  definitions, 50-5-501
  duress, interference with refusal by, 50-5-504
  effect of refusal, 50-5-505
  facility, by, 50-5-502
  hospital, by, 50-5-502
  individual, by, 50-5-503
  injunction upon interference, 50-5-504
  interference with refusal unlawful, 50-5-504
  liability, 50-5-502, 50-5-503, 50-5-505
  staff of facility, by, 50-5-503
  writing required, 50-5-503
Religious beliefs or moral convictions, refusal to participate based on, 50-5-502, 50-5-503

STREAM ACCESS LAW, Title 23, chapter 2, part 3
  See **RIVERS AND STREAMS, Recreational use**

STREET LIGHTING DISTRICTS
Appliances, See **Improvements**
Assessments, 7-12-4301, See also **Tax levy**
  area option, 7-12-4323
  city-county consolidated governments, authority, 7-3-1332
  city court, jurisdiction, 3-11-103
  corner lots, 7-12-4323
  delinquent, tax sales, 7-12-4337, See **TAXATION, PROPERTY, Tax sales**, municipality as purchaser
  district fund, 7-12-4331
  errors and omissions, procedures to correct, 7-12-4337
  exemption, 7-12-4345
  federal lands, exclusion, 7-12-4326
  frontage option, 7-12-4324
  installation costs, resolution for, 7-12-4328
    hearing, 7-12-4330
    modification, 7-12-4330
    notice, 7-12-4329
    preparation, 7-12-4310
  lands outside municipality, 7-12-4327
  lien, as, 7-12-4338
  limitation on amount of taxes levied, nonapplicability, 15-10-412
  maintenance costs, resolution for, 7-12-4332, 7-12-4333
  method of making, 7-12-4322 — 7-12-4324
  modification costs, 7-12-4351
  owners of property, effect of mistakes, 7-12-4336
  rolls, preparation, 7-12-4325
  schedules, preparation, 7-12-4310
  taxable valuation option, 7-12-4323
  water user entities, nonprofit — exemption, 7-12-4345
Bankruptcy provisions, 7-7-131 — 7-7-134
Bonds and warrants, 7-12-4341, 7-12-4342
Boundaries
  change, maintenance district, 7-12-4335
  description, 7-12-4302, 7-12-4303

STREET LIGHTING DISTRICTS (Continued)

City clerk, role, 7-12-4310, See **CITY OR TOWN CLERK**
City council, duties, See **CITY OR TOWN COUNCILS**
City-county consolidated governments, authority, 7-3-1332
City engineer
  compensation, 7-12-4325
  expense records, 7-12-4309
Contracts
  appliances, for procurement and erection, 7-12-4308
  awarding, written objections following, 7-12-4307, 7-12-4353
  maintenance, for, 7-12-4308
    termination of district, effect, 7-12-4311
Corner lots, assessment, 7-12-4323
Cost of installation and maintenance, See **Improvements**, installation and maintenance
Creation
  authorization, 7-3-1332, 7-12-4301
  protests, See **Protests**
  resolution for creation, 7-12-4306
    corner lot provisions, inclusion, 7-12-4323
  resolution of intention, 7-12-4302
    federal land provisions, inclusion, 7-12-4326
    notice, 7-12-4303, 7-12-4307
Damage claims, 7-12-4307, 7-12-4353
Discontinuance, 7-12-4311
District fund, 7-12-4331, 7-12-4341
Engineer, city
  compensation, 7-12-4325
  expense records, 7-12-4309
Errors and omissions, procedures to correct, 7-12-4337
Expenses, incidental, 7-12-4325
Federal lands within, 7-12-4326
Funds
  district, 7-12-4331, 7-12-4341
  maintenance, 7-12-4334
Hearings
  protests, on, 7-12-4303, 7-12-4305, 7-12-4329, 7-12-4330
  resolutions for assessments
    installation costs, 7-12-4329, 7-12-4330
    maintenance costs, 7-12-4333
Improvements
  assessments, See **Assessments**
  financing, 7-12-4341, 7-12-4342
  installation and maintenance, 7-12-4308
    apportionment, 7-12-4321, 7-12-4323
    budget estimates, 7-6-4221
    contract for, See **Contracts**
    cost
      assessment of maintenance costs, See **Assessments**
      estimates, 7-6-4221, 7-12-4302, 7-12-4303
      incidental expenses as, 7-12-4325
      payment, 7-12-4301, 7-12-4323, 7-12-4324, See also **Assessments**
    incidental expenses as cost, 7-12-4325
    maintenance fund, 7-12-4334
    termination of maintenance, 7-12-4311
  modification of existing district, 7-12-4351, 7-12-4353
  objections to manner of making, written, 7-12-4307, 7-12-4353

STREET LIGHTING DISTRICTS (Continued)
Improvements (Continued)

- order for, 7-12-4306, 7-12-4307
- posts, uniformity, 7-12-4308
- protests against making, See **Protests**
- resolution of intention, contents, 7-12-4302, 7-12-4303
- tax increment financing, costs paid by, 7-15-4288

Incidental expenses, 7-12-4325
Installation, See **Improvements**
Intention to create, See **Creation**, resolution of intention
Lands outside municipality, assessment, 7-12-4327
Liens, 7-12-4338
Maintenance, See **Improvements**, installation and maintenance
Maintenance district boundaries, change, 7-12-4335
Maintenance fund, 7-12-4334
Modification of existing district
- authorization, 7-12-4351
- costs, 7-12-4351
- jurisdiction for, 7-12-4352
- minor modifications, 7-12-4354
- objections to manner of making, written, 7-12-4353
- protests, 7-12-4351, 7-12-4352
- resolution for, 7-12-4351

Notices
- assessments, resolutions for
  - installation costs, 7-12-4329
  - maintenance costs, 7-12-4333
- objections, of, 7-12-4307, 7-12-4353
- protests, 7-12-4304
- resolution of intention, 7-12-4303, 7-12-4307, 7-12-4351
- writing required, 7-12-4304, 7-12-4307

Number of district, designation, 7-12-4302
Operation, 7-12-4308
Ordinance for form of bonds or warrants, 7-12-4341
Owners of property
- damage claims, 7-12-4307, 7-12-4353
- mistakes, effect, 7-12-4336
- modification costs, 7-12-4351
- objections, written, 7-12-4307, 7-12-4353
- protests, See **Protests**
- termination of district, petition for, 7-12-4311

Petitions
- modification of existing district, 7-12-4351
- termination of district, 7-12-4311

Posts, uniformity, 7-12-4308, See also **Improvements**
Proceedings
- barred when, 7-12-4305
- errors and omissions, procedures to correct, 7-12-4337
- objections, written, 7-12-4307, 7-12-4353

Protests, 7-12-4304, 7-12-4306, 7-12-4351, 7-12-4352
- hearings, 7-12-4303, 7-12-4305, 7-12-4329, 7-12-4330
- insufficient, 7-12-4306, 7-12-4352
- overruled, 7-12-4306, 7-12-4352
- proceedings or improvements, 7-12-4307
- writing required, 7-12-4304

Resolutions
- assessments for installation or maintenance costs, See **Assessments**

STREET LIGHTING DISTRICTS (Continued)
Resolutions (Continued)

- boundaries of maintenance district, change, 7-12-4335
- creation, for, See **Creation**, resolution for creation
- errors and omissions, procedures to correct, 7-12-4337
- intention, of, See **Creation**, resolution of intention
- modification of existing district, for, 7-12-4351
- tax levy, preparation, 7-12-4310
- termination of district, 7-12-4311

Tax levy, See also **Assessments**
- limitation on amount of taxes levied, nonapplicability, 15-10-412
- owners of property, effect of mistakes, 7-12-4336
- resolution for, preparation, 7-12-4310
- schedules, preparation, 7-12-4310

Tax sales, 7-12-4337, See **TAXATION, PROPERTY**, **Tax sales**, municipality as purchaser
Termination, 7-12-4311
Warrants and bonds, 7-12-4341, 7-12-4342
Water user entities, nonprofit — exemption from assessments, 7-12-4345

STREET MAINTENANCE DISTRICTS
Alteration, 7-12-4403
Assessments
- budgets, exclusion, 7-6-4222
- city-county consolidated governments, authority, 7-3-1332
- cost of improvements and maintenance, for, 7-12-4428
- delinquent, tax sales, See **TAXATION, PROPERTY**, **Tax sales**, municipality as purchaser
- limitation on amount of taxes levied, nonapplicability, 15-10-412
- methods of making, 7-12-4421, 7-12-4422
- options, 7-12-4422
- resolution for, 7-12-4425
  - hearing, 7-12-4426, 7-12-4427
  - modification, 7-12-4427
  - notice, 7-12-4426
  - protests, 7-12-4426, 7-12-4427
- water user entities, nonprofit — exemption, 7-12-4436

Bankruptcy provisions, 7-7-131 — 7-7-134
Boundaries, 7-12-4402
City clerk, duties, See **CITY OR TOWN CLERK**
City council, duties, See **CITY OR TOWN COUNCILS**
City-county consolidated governments, authority, 7-3-1332
Contract for maintenance services, 7-12-4404
Creation, 7-3-1332, 7-12-4402
Definition, 7-12-4422
Federal financial assistance, 7-12-4429
Hearings, 7-12-4427
Improvements
- cost, assessment for, 7-12-4428, See also **Assessments**
- federal assistance, 7-12-4429
- maintenance, 7-12-4405
  - costs, assessment for, 7-12-4428
- ordinance for, 7-12-4405
  - notice, 7-12-4406
  - protests, 7-12-4407
- tax increment financing, costs paid by, 7-15-4288

Maintenance
- authorization, 7-12-4401
- costs and expenses, assessment for, See **Assessments**

STREET MAINTENANCE DISTRICTS (Continued)
Maintenance (Continued)

  defined, 7-12-4401
  ordinance for, 7-12-4401
  services, manner of providing, 7-12-4404
Notices
  ordinance for improvements, 7-12-4406
  resolution for assessments, 7-12-4426
Number of district, designation, 7-12-4402
Ordinances
  improvements, for, 7-12-4405
  maintenance, for, 7-12-4401
Protests
  ordinance for improvements, 7-12-4407
  resolution for assessments, 7-12-4426, 7-12-4427
  writing required, 7-12-4407
Resolutions
  alteration, for, 7-12-4403
  assessments, for, 7-12-4425 — 7-12-4427
  creation, for, 7-12-4402
Services, manner of providing, 7-12-4404
Tax sales, delinquent assessments, See **TAXATION, PROPERTY, Tax sales**, municipality as purchaser
United States, financial assistance by, 7-12-4429
Water user entities, nonprofit — exemption from assessments, 7-12-4436

STREETS AND ALLEYS
  See also **COUNTY ROADS AND BRIDGES; HIGHWAYS**
Abandoned vehicles upon, removal, Title 61, chapter 12, part 4
Abandonment or vacation
  abandoned townsites, plats in, 7-5-2501
  city commission, by, 7-3-4447, 7-3-4448
  city or town council, authority, 7-5-2503, 7-14-4101, 7-14-4114
  costs, 7-14-104
  county commissioners, board of — by, 7-5-2503, 7-14-2616
  exclusion of land, by, 7-2-4707, 7-2-4801, 7-2-4804, 7-2-4808
  housing authorities, powers, 7-15-4416, 7-15-4454
  ordinance for, 7-3-4448
  petition and notice, 7-14-2616, 7-14-4114
  resolution of intention, 7-3-4448
  subdivision plats, 76-3-305
  unincorporated places, 7-5-2504, 7-14-2616, 7-14-2617
  urban renewal provisions, 7-15-4233, 7-15-4267, 7-15-4281
  utility easements, effect on, 7-14-2617, 7-14-4115, 76-3-305
  village or townsite, portions of, 7-5-2502
Acceptance, 7-3-4446, 7-3-4448
Accidents upon, Title 61, chapter 7, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Accidents and accident reports**
Acquisition, 7-7-4101
Actions, 7-12-4152, 7-14-4122, 7-14-4204
Additions to cities and towns, 7-2-4201, 7-2-4203
Advertising, 7-14-4102; Title 75, chapter 15, part 1
Airports and air facilities, furnished to, 67-11-106
Alley approaches, 7-14-4109 — 7-14-4111
Alteration, 7-3-4447, 7-5-4106, 7-14-4101
Animals
  dead, dumping or leaving upon, 75-10-212, 75-10-213, 75-10-233
  driving upon streets or sidewalks, regulation and prevention, 7-14-4102, 7-14-4123

STREETS AND ALLEYS (Continued)
Animals (Continued)

    hitching, 7-14-4102
Annexation of areas by cities and towns
    contiguous government land, 7-2-4401
    contiguous land, 7-2-4301, 7-2-4311, 7-2-4504, 7-2-4704
    wholly surrounded land, 7-2-4504
    with provision of services, 7-2-4704, 7-2-4717, 7-2-4731, 7-2-4732, 7-2-4735
Appeals, 7-14-4204, 7-14-4205
Arterial street, 61-1-204, 61-8-310, See also **HIGHWAYS**
Bicycles and bicycle trails, See **BICYCLES**
Birds, protection, 7-16-4222
Blind persons
    canes — color, use of, and penalty for violations, 49-4-213, 49-4-216, 49-4-217
    dogs, guide — provisions regarding, 49-4-214, 49-4-216, 49-4-217
    drivers' duty and liability to, 49-4-216, 49-4-217
    parking permits for, 49-4-301 — 49-4-307
    rights and privileges and penalty for denial or interference with, 49-4-211, 49-4-213, 49-4-215 — 49-4-217
Boundaries, as, 7-2-4735, 70-16-202
Business improvement districts, within, 7-12-1131
Bus stops, establishment, 61-8-354
Capitol complex, citations for parking violations contiguous to, 2-17-113
Capping, 7-12-4102, 7-12-4241
Cemetery association property, 35-20-212, 35-20-217
City commission, supervision by, 7-3-4447
City-county consolidated government, authority of director of public works, 7-3-1331
Cleaning, See also **STREET MAINTENANCE DISTRICTS**
    city or town council, power, 7-14-4105
    public service, director of — authority, 7-3-4441
    public works, director of — authority, 7-3-1331
Closing, See **Abandonment or vacation**, generally
Coasting on, 7-14-4102
Commissioners, 7-3-4254, 7-4-4101, 7-4-4103, 7-4-4110
    street lighting district appliances, procurement and erection, 7-12-4307, 7-12-4308
Construction
    alley approaches, 7-14-4109 — 7-14-4111
    annexed areas, expenditures and plans, 7-2-4717, 7-2-4732
    contracts, 7-14-4108, 7-14-4122, 60-2-111, 60-2-201
    costs, payment, 7-14-4110, 60-2-210
    county road equipment, use, 7-14-103
    county water and/or sewer districts, across, 7-13-2219
    curbs and gutters, See **Curbs and gutters**
    federal funds, 7-14-4108
    irrigation works, across, 85-1-208, 85-7-1909
    public service, director of — authority, 7-3-4441
    public works, director of — authority, 7-3-1331
    railroads, across or along, 69-14-532
    sand, stone, and gravel — permits for, 77-3-208
    sidewalks, 7-14-4109, 7-14-4110, 7-14-4122, 7-15-4288, 60-2-210
    urban renewal provisions, 7-15-4206, 7-15-4255, 7-15-4288
Contractors, 7-12-4151, 7-12-4152
Controlled-access highways or facilities, 60-5-102, 61-1-211
    designation, 60-2-209, 60-5-103
    grade crossings, elimination, 60-5-106
    intersections, limitations, 60-5-106
    property, acquisition for, 7-14-101

STREETS AND ALLEYS (Continued)
Controlled-access highways or facilities (Continued)

  right-of-way for, 60-4-111, 60-5-104
  service roads and streets, 7-14-101, 60-5-107
County road equipment, use on, 7-14-103
County water and/or sewer district projects, construction across, 7-13-2219
Crossings, 7-14-4102
Crosswalks, See **PEDESTRIANS**
Curbs and gutters
  city or town council, power regarding, 7-13-4105, 7-14-4102, 7-14-4122
  construction, See also **SPECIAL IMPROVEMENT DISTRICTS**
    city or town council, authority, 7-14-4109, 7-14-4122
    costs, 7-14-4110, 7-15-4288, 60-2-210
  pedestrian malls, 7-14-4704
  repair, 7-14-4122
  tax levy, 61-10-215
  urban renewal provisions, 7-15-4288
Custodian, 60-1-102
Deaf persons
  dogs, hearing — provisions regarding, 49-4-214
  rights and privileges and penalty for denial or interference with, 49-4-211, 49-4-215
Dedication, 7-3-4446
Definitions, 7-12-2101, 7-12-4101, 7-14-4103, 60-1-103, 61-1-203, 61-1-204, 76-1-103
Department of street and public improvements, 7-3-4253
Destructive device, possession — offense of, 45-8-334, 45-8-337
Disabled persons
  parking permits and spaces, 49-4-301 — 49-4-307, 49-4-310
  wheelchairs, motorized — use and regulation, 49-4-311, 49-4-312
Discontinuance, See **Abandonment or vacation**
Districts
  lighting, See **STREET LIGHTING DISTRICTS**
  maintenance, See **STREET MAINTENANCE DISTRICTS**
  service, See **INTERLOCAL COOPERATION, Multijurisdictional service districts**
Diversion, 7-3-4447
Easements
  state lands, for right-of-way on, See **STATE LANDS, Easements**
  utilities, vacated streets and alleys, 7-14-2617, 76-3-305
Eminent domain, See also **EMINENT DOMAIN**
  city or town council, power, 7-5-4106
  controlled-access facilities, acquisition, 7-14-101
  mining purposes, 82-2-222
  public uses, 70-30-102, 70-30-108
Establishment, 7-5-4106, 7-14-4101, 76-5-1102
Exclusion of land
  abandonment or vacation by, 7-2-4808
  cities and towns, by, 7-2-4801, 7-2-4804, 7-2-4807, 7-2-4808
Extending, 7-12-4103, 7-14-4101
Ferries and wharves, 7-14-2804
Financing, See **Revenues for**; See also **CITY FINANCE, Bond issues; City road fund; Indebtedness; RURAL SPECIAL IMPROVEMENT DISTRICTS**, generally; **SPECIAL IMPROVEMENT DISTRICTS**, generally
Fire hoses, vehicles crossing, 61-8-364
Flag persons or vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Flood control projects affecting, Title 76, chapter 5, part 11, See **FLOODS, Control projects**
Footpaths and bicycle trails, Title 60, chapter 3, part 3
Funeral processions, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Gas mains, 7-13-4101

STREETS AND ALLEYS (Continued)

Gasoline and vehicle fuels tax revenues for, 15-70-101; Const., VIII, 6
Grade
  change, 7-14-4201, 7-14-4202, 7-15-4416
  city or town council, authority, 7-12-4102, 7-12-4241, 7-14-4101, 7-14-4201
  damages caused by change, 7-14-4201 — 7-14-4205
  establishment, 7-12-4131, 7-14-4201, 7-15-4416
  owners of abutting property, grading done by, 7-12-4167
  street railroads, conformity, 7-14-4303
  urban renewal provisions, 7-15-4267
Graveling, 7-12-4102, 7-12-4113, 7-12-4241, See also **STREET MAINTENANCE DISTRICTS**
Gravel, sand, and stone, 7-14-2124, 77-3-208
Gutters, See **Curbs and gutters**
Handbills, posting, 7-14-4102
Highways, classification as, 60-1-201
Horses, driving or racing, 7-14-4102
Housing authorities, powers, 7-15-4416, 7-15-4454
Improvements
  city commission, authority, 7-3-4447
  city or town council, authority, 7-14-4101, 7-14-4109
  city court, jurisdiction, 3-11-103
  costs, assessments, 7-14-4110
  flood control projects, 76-5-1102
  pedestrian malls, regarding, 7-14-4704
  public service, director of — authority, 7-3-4441
  public works, director of — authority, 7-3-1331
  special improvement districts for, 7-12-4102, 7-14-4109, See **SPECIAL IMPROVEMENT DISTRICTS**
Integrated system, 60-1-102
Intersections, 7-12-2101, 7-12-4101, 61-1-212, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
  controlled-access highways or facilities, limitations, 60-5-106
Irrigation district right-of-way, 85-7-1909
Irrigation works, construction across, 85-1-208, 85-7-1909
Itinerant vendors, See **ITINERANT VENDORS**
Legislative findings, policy, and intent, 60-1-101, 60-1-102
Liens, 7-14-4122
Lighting, See also **STREET LIGHTING DISTRICTS**
  city or town council, power, 7-14-4105
  pedestrian malls, 7-14-4704
  public service, director of — authority, 7-3-4441
  public works, director of — authority, 7-3-1331
  railroads, requirements, 7-14-4302
  rural special improvement districts, costs, 7-12-2202
  utility lines and facilities, construction, See **UTILITIES, Lines and facilities**, standards for lines and facilities
Littering, See **Waste removal**
Local authorities, regulation, 61-12-101
Long-term care facilities, parking permits, 49-4-310
Lumber or firewood on, 7-14-4104
Macadamizing, 7-12-4102, 7-12-4241
Maintenance, 7-12-4401, See also **STREET MAINTENANCE DISTRICTS**
  annexed areas, provision for, 7-2-4732
  city or town councils, powers, 7-14-4107
  city road fund, See **CITY FINANCE**
  contracts for, 60-2-201

STREETS AND ALLEYS (Continued)
Maintenance (Continued)

costs, payment, 60-2-210
county road equipment, use, 7-14-103
metropolitan sanitary and/or storm sewer districts, within, 7-13-112
public service, director of — authority, 7-3-4441
public works, director of — authority, 7-3-1331
stone, sand, and gravel — permits for, 77-3-208
Mausoleum-columbarium property, prohibited through when, 35-21-409
Metropolitan sanitary and/or storm sewer districts, maintenance within, 7-13-112
Military uses, 10-1-602, 10-3-107
Minors, curfew, 7-32-2302
Motor fuel excise tax revenue, 7-14-302
Motor vehicle regulations, 7-14-4103, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, generally
Municipal commission government
department of street and public improvements, 7-3-4253
ordinances, 7-3-4222, 7-3-4223
right to use or occupy, granting, 7-3-4201, 7-3-4223
street commissioners, election, 7-3-4254, See also **Commissioners**
Municipal commission-manager government
acceptance of streets and alleys, 7-3-4446
ordinances, 7-3-4326
plats, 7-3-4444, 7-3-4446
powers, 7-3-4313, 7-3-4441, 7-3-4447
public service, director of — authority, 7-3-4441, 7-3-4444
right to use or occupy, grant for, 7-3-4326, 7-3-4449
utilities, 7-3-4443, 7-3-4452
vacating or changing name, 7-3-4448
Name, change, 7-3-4448, 7-14-4112
Narrowing, 7-3-4447
Nonresident motorists, use conditional, 25-3-601
Obstructions
impoundment, 7-1-4124
public nuisance, 27-30-101
regulation and prevention, 7-14-4102, 7-14-4104, 7-14-4105
vehicles — stopping, standing, or parking prohibited when, 61-8-354
Offstreet parking, See **PARKING; PARKING COMMISSIONS**
Oiling, 7-12-4102, 7-12-4113, 7-12-4241, See also **STREET MAINTENANCE DISTRICTS**
Opening
city commission, authority, 7-3-4447
city or town council, authority, 7-5-4106, 7-7-4101, 7-12-4102, 7-12-4103, 7-12-4241, 7-14-4101
city court, jurisdiction, 3-11-103
housing authorities, powers, 7-15-4416, 7-15-4454
Open-space lands, 76-6-109
Owners of abutting property, See also **Property**
alley approaches, construction, 7-14-4109
curbs and gutters, construction or repair, 7-14-4109, 7-14-4122
discontinuance of street, written petition, 7-14-4114
grade change, damages caused by, See **Grade**
grading done by, 7-12-4167
notices to, in writing, 7-14-4109
sidewalks, 7-14-4105, 7-14-4109, 7-14-4122
vacation of street, written petition, 7-14-4114
work done by, 7-12-4168
Parades, 7-21-4201
Park Commissioners, Board of — powers and duties, 7-16-4221, 7-16-4222

STREETS AND ALLEYS (Continued)

Parking, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS; PARKING; PARKING COMMISSIONS**
Patrol service, 37-60-101, See also **PRIVATE INVESTIGATORS AND SECURITY PATROL OFFICERS**
Pavement, 7-7-4101
Paving or repaving, 7-12-4102, 7-12-4241, 7-14-4101
  housing authorities, powers, 7-15-4416
  objections to, overruled when, 7-12-4113
  pedestrian malls, regarding, 7-14-4704
  streetcar tracks, street where located, 7-12-4134
  urban renewal provisions, 7-15-4267
Pedestrian malls, 7-14-4704, See also **PARKING**
Pedestrians, 61-1-208, 61-8-506, 61-8-509, See also **PEDESTRIANS**
Piling, 7-12-4102, 7-12-4241
Pipeline construction allowed when, 69-13-103
Planking or replanking, 7-12-4102
Planning
  annexed areas, extension of services, 7-2-4732
  housing authorities, powers, 7-15-4454
  planning boards, master plans, 76-1-601
  urban renewal provisions, 7-15-4233, 7-15-4267, 7-15-4281
Plants and trees along, 7-12-4102, 7-16-4221, 7-16-4222
Poles, 7-14-4102
Port authorities, 7-14-1105
Property, See also **Owners of abutting property**
  controlled-access facilities, acquisition for, 7-14-101
  partition, land set apart for, 70-29-205, 70-29-206
  private, 7-5-4106, 7-12-4103, 7-12-4131
  urban renewal areas, 7-15-4262
Public service, director of — authority, 7-3-4441, 7-3-4444
Public works, director of — authority, 7-3-1331
Railroads
  construction, 69-14-532
  crossings, 7-14-4301, 7-14-4302, See **RAILROADS, Highway crossings; Signaling devices**
  street railroads, See **RAILROADS**
Repairs
  city commission, authority, 7-3-4447
  contracts for, 60-2-201
  county road equipment, use, 7-14-103
  public service, director of — authority, 7-3-4441
  public works, director of — authority, 7-3-1331
Revenues for
  city road fund, See **CITY FINANCE**
  gasoline and vehicle fuels taxes, 15-70-101; Const., VIII, 6
  motor fuel excise taxes, 7-14-302
Right-of-way
  acquisition, 7-7-4203, 7-14-4108, See also **CITY FINANCE, General obligation bonds**
  boundaries of municipality, street as, 7-2-4735
  controlled-access highways or facilities, for, 60-4-111, 60-5-104
  irrigation district, 85-7-1909
  irrigation works, 85-1-208
  military duties, for, 10-1-602, 10-3-107
  property, private — acquisition for, 7-12-4131
  railroads, 7-14-4301
  special improvement district projects, acquisition for, 7-12-4131

STREETS AND ALLEYS (Continued)
Right-of-way (Continued)

state land easements for, See **STATE LANDS, Easements**
vacating street, effect on property owner, 7-3-4448
Rural special improvement districts, See **RURAL SPECIAL IMPROVEMENT DISTRICTS**
Sales on, 7-14-4102, See also **ITINERANT VENDORS**
Sand, stone, and gravel — permits for use, 77-3-208
School buses, meeting or passing, 61-8-351
School purposes, discontinuance of street for, 7-14-2616
School safety patrols, 61-8-502
Service districts, Title 7, chapter 11, part 11
Sidewalks, 61-1-208
  bicycles, 61-8-354, 61-8-608
  blind persons
    canes — color, use of, and penalty for violations, 49-4-213, 49-4-216, 49-4-217
    dogs, guide — provisions regarding, 49-4-214, 49-4-216, 49-4-217
    pedestrians' duty and liability to, 49-4-216, 49-4-217
    rights and privileges and penalty for denial or interference with, 49-4-211, 49-4-213, 49-4-215 — 49-4-217
  buildings, entrances from, 7-15-4124
  city commission, supervision, 7-3-4447
  city court, jurisdiction, 3-11-103
  city or town councils, authority, 7-14-4101, 7-14-4102, 7-14-4104, 7-14-4122, 7-14-4123
  construction, 7-14-4109, 7-14-4110, 7-14-4122, 7-15-4288, 60-2-210
  crosswalks, See **PEDESTRIANS**
  damage to, 7-14-4123, 7-15-4125
  deaf persons
    dogs, hearing — provisions regarding, 49-4-214
    rights and privileges and penalty for denial or interference with, 49-4-211, 49-4-215
  housing authorities, powers, 7-15-4416
  maintenance costs, payment, 60-2-210
  obstructions, 7-14-4104, 7-14-4105
  pedestrian malls, 7-14-4704
  public service, director of — authority, 7-3-4441
  public works, director of — authority, 7-3-1331
  repair, 7-14-4122, 7-15-4125
  snow and ice removal, 7-3-4453, 7-14-4105
  urban renewal provisions, 7-15-4233, 7-15-4267, 7-15-4281, 7-15-4288
  use, regulation, 7-14-4105, 7-14-4123
  vehicles — stopping, standing, or parking prohibited when, 61-8-354
Signs, 7-14-4102; Title 75, chapter 15, part 1, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Traffic-control devices**
Skating or sliding on, 7-14-4102
Snowmobiles, operation on, See **SNOWMOBILES, Roads and streets, operation on**
Snow removal, 7-14-4105, See **STREET MAINTENANCE DISTRICTS**
Special improvement districts, creation for, See **SPECIAL IMPROVEMENT DISTRICTS**; **STREET LIGHTING DISTRICTS**
Speed limits, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Sprinkling
  districts, See **STREET MAINTENANCE DISTRICTS**
  public service, director of — authority, 7-3-4441
  public works, director of — authority, 7-3-1331
State lands, right-of-way easement for, See **STATE LANDS, Easements**
Stone, gravel, and sand — permits for use, 77-3-208
Straightening, 7-3-4447
Streetcars, 7-12-4134, 61-1-401
Street railroads, See **Railroads**, generally

STREETS AND ALLEYS (Continued)

Subdivisions, 76-3-102, 76-3-504
    in-state sales of out-of-state subdivisions, 76-4-1228, 76-4-1233
    out-of-state sales of in-state subdivisions, 76-4-1104
    plats
        acceptance of streets or alleys, 7-3-4446
        approval, 7-3-4444, 7-3-4446, 7-14-4112
        correction of recorded plat, 76-3-614
        defined, 76-3-103
        name change of streets, 7-14-4112
        regulations, conformity, 7-3-4444
        state lands, 77-2-310
        vacation, 76-3-305
Supervision, 7-3-4447
Surfacing, 7-12-4102, 7-12-4241, See also **STREET MAINTENANCE DISTRICTS**
Tax levies
    city court, jurisdiction, 3-11-103
    waste removal, for, 7-14-4106
Tobogganing on, 7-14-4102
Traffic regulations and control, 7-14-4102, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Trees and plants, 7-12-4102, 7-16-4221, 7-16-4222
University system, motor vehicle regulations, 20-25-311, 20-25-322
Urban renewal
    "blighted area" defined, 7-15-4206
    closing, vacating, or planning, 7-15-4233, 7-15-4267, 7-15-4281
    construction or reconstruction, 7-15-4206, 7-15-4255, 7-15-4288
    grading, 7-15-4267
    paving, 7-15-4267
    property for, 7-15-4262
Use
    regulation and control, 7-3-4313, 7-3-4447, 7-3-4452, 7-14-4102
    right to, grant for, 7-3-4201, 7-3-4223, 7-3-4449
Utilities, See **UTILITIES**
Vacation, See **Abandonment or vacation**
Vehicle parking strips, 7-7-4101
Vehicles, 7-14-4102 — 7-14-4104, 7-14-4123, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Walls to protect, 7-12-4102
Waste removal
    costs, payment, 7-14-4106
    garbage, dumping or leaving, 75-10-212, 75-10-213, 75-10-233
    regulation, 7-14-4105
Water
    mains, 7-13-4101
    irrigation works, 85-1-208
Water supply and sewer districts, maintenance, 7-13-3012
Weed management, 7-22-4101
Wheelchairs, motorized — use and regulation, 49-4-311, 49-4-312
Widening, 7-3-4447, 7-5-4106, 7-7-4101, 7-12-4103, 7-12-4241, 7-14-4101, 76-5-1102
Wires, 7-14-4102
Zoning regulations, 76-2-203, 76-2-304, 76-2-305

STREET SPRINKLING DISTRICTS, Title 7, chapter 12, part 44
    See **STREET MAINTENANCE DISTRICTS**

STRIKES
    See **COLLECTIVE BARGAINING**

STRIP AND UNDERGROUND MINE RECLAMATION ACT, Title 82, chapter 4, part 2
    See **MINES AND MINING, Strip and underground mine reclamation**

STRIP AND UNDERGROUND MINE SITING ACT, Title 82, chapter 4, part 1
    See **MINES AND MINING, Strip and underground mine siting**

SUBDIVISIONS
Access, provisions concerning, 76-3-501, 76-3-603, 76-3-608
    out-of-state subdivisions, in-state sales, 76-4-1104, 76-4-1228
Acre limitation, 76-3-103, 76-3-104, 76-4-102, 76-4-103
Actions
    out-of-state, in-state sales
        actions involving, 76-4-1204, 76-4-1205
        violations, to enjoin, 76-4-1244
    out-of-state sales violations, accrual of cause, 76-4-1117
    sales or transfers when, 76-3-301
    sanitation violations, 76-4-108 — 76-4-110
Agricultural activities, protection, 76-2-901 — 76-2-903
Agricultural classification for tax purposes prohibited when, 15-7-202
Airport influence areas, effect of, 67-4-303
Annexation with provision of services, Title 7, chapter 2, part 47, See **CITIES AND TOWNS, Annexation with provision of services**
Appeals, 76-3-625, 76-3-609, 76-3-620, 76-4-1208, 76-4-1209
Boundary lines, relocation — exemption provision, 76-3-207
Cemetery lots, creation — exemption provisions, 76-3-201, 76-4-1224
Centennial acre, exemption from provisions, 2-89-205, 2-89-209
Certificates of survey, See **Survey**
Cities, applicability of provisions, 7-3-4444 — 7-3-4446
Community impact report, 76-3-603, See also **Environmental assessments**
Comprehensive plan, 76-1-103, 76-1-106, 76-1-601 — 76-1-606
Condominiums, exemption provisions, 76-3-203, 76-4-111, 76-4-124
Conservation easements, Title 76, chapter 6, part 2, See **LAND USE PLANNING**
Conservator's power, 72-5-427
Contract for deed, 76-3-303
Contracts and escrow agreements, 76-3-303, See also **Conveyances**; **Out-of-state sales**
Conveyances
    exemption provision, 76-3-206, 76-3-207
    improvements, exemption provisions, 76-3-202, 76-3-204
    instruments of, See **Instruments of transfer**
    plat, reference to — conveyance by, 76-3-304
    reconveyance, 76-4-1247
Corners, See **Survey**
Court ordered, exemption provisions, 76-3-201, 76-4-1224
Covenants
    agricultural purposes, division of land used for — exemption provision when, 76-3-207
    run with land, to, 76-3-306
Dedication of land, 76-3-103
    administration of requirements, 76-3-504
    county lands — sale, lease, or exchange, 7-16-2324
    minor subdivisions, exception, 76-3-505, 76-3-609
    parks, requirement, 76-3-621
Deeds, See **Conveyances**

SUBDIVISIONS (Continued)

Definitions, 76-3-103, 76-4-102, 76-4-103, 76-4-1101, 76-4-1202
Developers, See also **Subdividers**
  application form, 76-4-129
  hearing, right to, 76-4-126
  preliminary plans, presentation, 76-4-125
  school districts, rural residential impact payments by, 20-9-615
Division of land, 76-3-103
  exemption from provisions when, 76-3-201, 76-3-207
  other than subdivisions, survey requirements for, 76-3-401
  property taxes, payment required prior to, 76-3-207
Donations or grants to public, 76-3-307
Easements
  conservation, Title 76, chapter 6, part 2, See **LAND USE PLANNING**
  out-of-state subdivisions, in-state sales, 76-4-1228, 76-4-1233
  utilities, for, 7-14-4115, 76-3-305, 76-3-501
Engineers and land surveyors, 76-3-103
  conflict of interest, 76-3-611
  errors and omissions, examination of plats and certificates of survey, 76-3-611
  oaths administered by land surveyors, when, 76-3-405
  plans, specifications, and reports — preparation and filing, 76-3-402
  resurveys, 76-3-614
  sanitation systems, certification, 76-4-107
  supervision of surveys, 76-3-401, 76-3-402
  surveys, See **Survey**
Environmental assessments
  contents, criteria, 76-3-603
  exemption from, when, 76-3-210
  submission, 76-3-504
Environmental impact statements, 76-4-125
Environmental standards, federal regulations or guidelines — comparable stringency requirement, 76-4-135
Escrow agreements, 76-3-303, See also **Conveyances**; **Out-of-state sales**
Exclusions, 76-4-111
Exemptions
  agricultural purposes, exclusive use of land for, 76-3-207
  centennial acre, 2-89-205, 2-89-209
  condominiums, 76-3-203, 76-4-111, 76-4-124
  conveyances, 76-3-204, 76-3-206
  court ordered division of land, 76-3-201, 76-4-1224
  division of land, when, 76-3-201
  environmental assessment, from, 76-3-210
  highways, from survey and plat requirements, 76-3-209
  improvements, 76-3-202, 76-3-204
  out-of-state subdivisions, in-state sales — when, 76-4-1221 — 76-4-1224
  review, from, 76-3-207, 76-3-608
  security for, 76-3-201, 76-4-1222
  state-owned lands, when, 76-3-205, 77-2-318, 77-2-319
  survey and filing requirements, from, 76-3-208
Family sales or gifts, exemption provision, 76-3-207
Final plats, 76-3-103, See also **Plats**
  documents accompanying, form and content, 76-3-504
  filing requirements, 76-3-301, 76-3-303
  review, 76-3-611
  sanitation facilities, notice of certification — inclusion, 76-4-127
  title abstract certification requirements, 76-3-612

SUBDIVISIONS (Continued)

Fines for violations, 76-3-105, 76-4-109, 76-4-1245
Five or fewer lots, See **Minor subdivisions**
Foreign Land Sales Practices Act, Title 76, chapter 4, part 12, See **Out-of-state subdivisions, in-state sales**
Gifts to family, exemption provision, 76-3-207
Governing bodies, 76-3-103
  actions against, 76-3-625
  annexation and review, coordination of requirements, 76-3-601, 76-3-605
  division in lots resulting in increase, 76-3-207, 76-3-301
  environmental assessments
    content requirements, 76-3-603
    exemption granted by, when, 76-3-210
    submission requirement, 76-3-504
  final plat, review and approval, 76-3-611
  hearings held when, 76-3-503, 76-3-605
  improvements, bonding requirements, 76-3-507
  lakeshore protection, Title 75, chapter 7, part 2, See **LAKES, Shore protection**
  lease or rental, subdivisions created by, 76-3-208
  lot fees, distribution, 76-4-105, 76-4-128
  minor subdivisions, review procedures, 76-3-609, 76-4-128
  monuments, replacement, 76-3-403
  plats, fees for review, 76-3-602, 76-4-105
  preliminary plat
    hearings on, 76-3-601, 76-3-605
    review and approval, 76-3-501, 76-3-601, 76-3-604
      effect, 76-3-610
  regulations, 76-3-501, 76-3-503
  resurveys requested when, 76-3-614
  review
    minor subdivisions, 76-3-609, 76-4-128
    plats, fees, 76-3-602, 76-4-105
  sanitation
    municipal facilities for, certification, 76-4-121, 76-4-122, 76-4-127
    review delegated to, when, 76-4-128
  subdivider exemptions granted by, when, 76-3-210
  subdivision approval or rejection, criteria for, 76-3-608
  title abstract or certificate of title, review when, 76-3-612
  variances, authorization for granting, 76-3-506
Governmental agencies, 76-4-106, 76-3-504
Grants or donations to public, 76-3-307
Health, local boards and departments
  approval of division of land, statement and notification, 76-4-104
  certification for, review, 76-4-104
  lot fees, submission, 76-4-105
  reviewing authority, as, 76-4-102, See **Reviewing authority**
Highways, state — land acquired for
  exemption provision, 76-3-209
  plat filed when, 60-4-105
Improvements
  bonding requirement to ensure construction, 76-3-507
  conveyance of one or more parts, exemption provision, 76-3-204
  on complying subdivided lands, exemption provision, 76-3-202
  public offering statement, information in, 76-4-1233
  registration application, inclusion of statement regarding, 76-4-1228
Instruments of transfer
  covenants, 76-3-306

SUBDIVISIONS (Continued)
Instruments of transfer (Continued)

- plats or copies thereof, incorporation, 76-3-304
- reconveyance, 76-4-1247
- recording, restrictions when, 76-3-302
- registration application, inclusion, 76-4-1228
- state highways, land acquired for, 76-3-209

Investigation when, 76-4-1109, 76-4-1206, 76-4-1207
Irrigation districts, surveys affecting, 76-3-401, 76-3-402, 76-3-406
Lakeshore protection, Title 75, chapter 7, part 2, See **LAKES, Shore protection**
Landscape architects, Title 37, chapter 66
Land surveyors, See **Engineers and land surveyors**
Lease or rental, See also **Conveyances**

- buildings, one or more parts — exemption, 76-4-103
- condominiums, exemption provision, 76-4-111
- creation by exemption provision, 76-3-201, 76-3-208
- improvements, exemption provision, 76-3-202, 76-3-204, 76-4-103
- out-of-state, See **Out-of-state sales**
- out-of-state subdivisions, See **Out-of-state subdivisions, in-state sales**
- state-owned lands, 76-3-205
- "subdivision" defined, 76-3-103, 76-4-102, 76-4-1101
- survey and filing requirements, exemption from — when, 76-3-208
- violations generally, 76-3-105

Local regulations

- administration and enforcement, 76-3-501
- capital facilities, extension — payment, 76-3-510
- environmental standards, comparable stringency requirement, 76-3-511
- improvements, construction — bonding requirements, 76-3-507
- minimum requirements, 76-3-504
- proposed, hearings, 76-3-503
- summary review of subdivisions, 76-3-505
- variances, authorization and criteria for, 76-3-506

Local review

- abstract of title, requirements, 76-3-612
- criteria for, 76-3-501, 76-3-608
- environmental assessments, contents, 76-3-603
- fees for reviewing plats, 76-3-602
- final plat, 76-3-611
- hearings, 76-3-601, 76-3-605
- minor subdivisions, procedure, 76-3-505, 76-3-608, 76-3-609
- preliminary plat, 76-3-501, 76-3-601, 76-3-604, 76-3-610
- rules applicable, 76-3-501

Maps, See **Plats**
Master plan for, Title 76, chapter 1, See **PLANNING BOARDS**
Minor subdivisions

- exemption provision, 76-3-207
- local review, criteria, 76-3-608
- review procedures, 76-3-505, 76-3-609, 76-4-104, 76-4-128
- sanitation provisions, review, 76-4-128
- solid waste disposal, applicability of provisions, 75-10-214

Monuments, See **Survey**
Mortgages, liens, or trust indentures — created as security for, exemption provision, 76-3-201, 76-4-1222
Municipal commission-manager government, applicability of provisions, 7-3-4444 — 7-3-4446
Noxious weed management, Title 80, chapter 7, part 7, See **WEEDS AND WEED CONTROL**
Oil, gas, minerals, or water — creating interest in, exemption provision, 76-3-201, 76-4-1222
Out-of-state sales, 76-4-1101

- advertising, 76-4-1104, 76-4-1114

SUBDIVISIONS (Continued)
Out-of-state sales (Continued)

- contracts, requirements, 76-4-1112
- enforcement, 76-4-1102, 76-4-1116
- fees, 76-4-1105, 76-4-1107
  - disposition, 76-4-1108
- hearings, 76-4-1116
- investigation of subdivisions, 76-4-1109
- multiple sales or leases, 76-4-1111
- notice of intention, 76-4-1103 — 76-4-1105
- purchasers or lessees, protection, 76-4-1111, 76-4-1113
- questionnaires regarding, 76-4-1106
  - filing fee, 76-4-1107
- records, inspection, 76-4-1110
- unlawful practices, enumeration, 76-4-1115, 76-4-1117

Out-of-state subdivisions, in-state sales, 76-4-1202
- actions involving, 76-4-1204
- administration and rules, 76-4-1203
- advertising
  - false, 76-4-1236, 76-4-1241, 76-4-1243
  - regulation of, 76-4-1234
  - standards, 76-4-1203, 76-4-1205
- appeals, 76-4-1208, 76-4-1209
- application for registration
  - consolidation when, 76-4-1231
  - contents, 76-4-1228 — 76-4-1230
  - examination, 76-4-1236
  - false statements, 76-4-1245, 76-4-1247
    - liability, 76-4-1248
  - fee, 76-4-1211, 76-4-1212
  - filing, 76-4-1227
  - material changes affecting, report, 76-4-1232
  - notice of filing, 76-4-1237
  - processing, 76-4-1238
  - rules concerning, 76-4-1203
- bond requirements, 76-4-1239
- cease and desist orders, 76-4-1241 — 76-4-1243
- citation of foreign land sales practices act, 76-4-1201
- disposition, 76-4-1202
  - exemptions, 76-4-1221 — 76-4-1225
  - jurisdiction, 76-4-1250
  - material facts, untruths or omissions, 76-4-1247
  - restrictions, 76-4-1226
- enforcement, 76-4-1206, 76-4-1244
- escrow or trust agreements, 76-4-1203
- exemptions to provisions
  - certain subdivisions, 76-4-1221
  - certain transactions, 76-4-1223
  - granting, 76-4-1225
  - miscellaneous, 76-4-1224
  - securities and notes, 76-4-1222
- extradition proceedings, 76-4-1246
- financial administration, 76-4-1213
- foreign land sales practices act, citation, 76-4-1201
- hearings, 76-4-1208, 76-4-1234, 76-4-1238, 76-4-1242
- injunction, 76-4-1244
- investigations, 76-4-1206, 76-4-1207

SUBDIVISIONS (Continued)
Out-of-state subdivisions, in-state sales (Continued)

- jurisdiction, 76-4-1250
- public offering statement, 76-4-1233
    - amendments, 76-4-1235
    - application for registration, inclusion, 76-4-1230
    - cooperation with other states, 76-4-1205
    - form, designation, 76-4-1238
    - liability, 76-4-1248
    - purchaser, delivery to, 76-4-1226
    - untruths or omissions, 76-4-1247
    - use of, 76-4-1234
- registration of lands, 76-4-1238
    - application, 76-4-1227
    - required prior to disposition, 76-4-1226
    - revocation, 76-4-1243
- reports, annual, 76-4-1240
- rules, 76-4-1203, 76-4-1205
- service of process, 76-4-1230, 76-4-1251
- suits involving, 76-4-1204
- violations
    - cease and desist orders, 76-4-1241 — 76-4-1243
    - civil remedies, 76-4-1247
    - extradition, 76-4-1246
    - injunctive relief, 76-4-1244
    - investigation, 76-4-1206
    - penalties, 76-4-1245
- waiver of rights, 76-4-1249

Parks and playgrounds, See **Dedication of land**
Partition within, 70-29-206
Personal representative's authority, 72-3-613
Planned unit development, 76-3-103
Planning boards, advisory capacity, Title 76, chapter 1, See **PLANNING BOARDS**
Plats, 76-3-103, See also **Final plats**; **Preliminary plats**

- amended, filing, 76-3-207
- correction of recorded plats, 76-3-614
- covenants, 76-3-306
- dedication of land, See **Dedication of land**
- donations or grants marked on, 76-3-307
- evidence, as — when, 76-3-304
- filing, 76-3-402
    - amended, 76-3-207
    - fees, 7-4-2631
    - instruments of transfer, prior to recording, 76-3-302
    - not allowed, when, 76-4-121 — 76-4-123
    - transportation, department of — by, when, 60-4-105
- grants or donations marked on, 76-3-307
- health officers, approval required when, 76-4-122
- highways, exemption provision, 76-3-209
- index, 76-3-613
- lot fees, deposit, 76-4-132
- preparation, 76-3-402
- recording
    - correction, 76-3-614
    - effect, 76-3-304
    - index, 7-4-2619

SUBDIVISIONS (Continued)
Plats (Continued)

- review, 76-3-504
  - fees, 76-3-602, 76-4-105
- rules, 76-4-104
- submission, 76-3-504
- vacation, 7-5-2501, 7-5-2502, 7-14-4114, 72-34-320, 76-3-305

Power of attorney, statutory — authority, 72-31-224
Preliminary plats, 76-3-103, See also **Plats**

- annexation and review, coordination of requirements, 76-3-601, 76-3-605
- approval
  - conditional, 76-3-604
  - effect, 76-3-610
  - final plat, time limitation on filing — when, 76-3-303
  - governing bodies, by, 76-3-501, 76-3-601, 76-3-604
- city regulation, 7-3-4444 — 7-3-4446
- environmental assessment, 76-3-210, 76-3-603
- form and contents, 76-3-504
- hearings on, 76-3-601, 76-3-605
- rejection, 76-3-604
- review, 76-3-504, 76-3-601, 76-3-604
- sanitation facilities, notice of certification — inclusion, 76-4-127
- streets and alleys, 7-3-4444, 7-3-4446

Prohibited areas for development, 76-3-504
Property taxes, payment required prior to division of land, 76-3-207
Purchasers of lots, contracts and escrow agreements, 76-3-303, See also **Out-of-state sales**; **Out-of-state subdivisions, in-state sales**
Purpose of provisions, 76-3-102
Regulations

- local, See **Local regulations**
- state, See **Out-of-state sales**; **Out-of-state subdivisions, in-state sales**; **Sanitation**

Relocation of boundary lines, exemption provision, 76-3-207
Rental, See **Lease or rental**
Reservation of life estate, creation — exemption provision, 76-3-201
Revegetation of rights-of-way and disturbed areas, 7-14-2131, 7-22-2152, See also **WEEDS AND WEED CONTROL**
Review

- authority for, See **Reviewing authority**
- division of land subject to, 76-3-208
- exclusions, 76-4-125
- exemptions from, 76-3-207
- final plats, See **Final plats**
- funding, 76-4-105, 76-4-132
- local, See **Local review**
- local boards and departments of health, by, See **Health, local boards and departments**; **Reviewing authority**
- lot fees, 76-4-105, 76-3-132
- minor subdivisions, 76-3-505, 76-3-609, 76-4-104, 76-4-128
- preliminary plats, 76-3-504, 76-3-601, 76-3-604
- rules, 76-4-104
- sanitation provisions, regarding, See **Sanitation**
- summary, minor subdivisions, 76-3-505
- written statement required, 76-3-620

Reviewing authority, 76-4-102

- contracts for services, 76-4-106
- enforcement by, 76-4-108
- governmental cooperation, 76-4-106

SUBDIVISIONS (Continued)
Reviewing authority (Continued)

- hearings and notice, 76-4-108, 76-4-126
- inspections and monitoring, authority, 76-4-107
- lot fees, deposit, 76-4-105
- master planning areas and first- or second-class municipalities
  - exclusion from review when, 76-4-111
  - review and approval, 76-4-123 — 77-4-124
- municipal facilities, notice of certification of provisions, 76-4-127
- plans and specifications, 76-4-125, 76-4-126, 76-4-130
- plats or maps, approval filed with, 76-4-122
- restrictions on subdivision activity, 76-4-108, 76-4-121

Rural special improvement districts, sanitation, Title 7, chapter 12, part 21, See **RURAL SPECIAL IMPROVEMENT DISTRICTS, Improvements**

Sales, See also **Conveyances**
- family, to — exemption provision, 76-3-207
- out-of-state, Title 76, chapter 4, part 11, See **Out-of-state sales**
- out-of-state subdivisions, Title 76, chapter 4, part 12, See **Out-of-state subdivisions, in-state sales**
- violations, 76-3-105

Sanitarians, duties, 37-40-101, See also **SANITARIANS**

Sanitation, Title 76, chapter 4, part 1
- administration and enforcement, 76-4-104, 76-4-108
- annexation with provision of services, Title 7, chapter 2, part 47, See **CITIES AND TOWNS, Annexation with provision of services**
- application forms, 76-4-129
- centennial acre, applicability of provisions, 2-89-209
- certification and inspections, 76-4-107
- condominiums, exemption provision, 76-4-111, 76-4-124
- definitions, 76-4-102
- governmental cooperation, 76-4-106
- hearings, 76-4-126
- lot fees, 76-4-105, 76-4-128
- master planning areas and first- or second-class municipalities, 76-4-111, 76-4-122 — 76-4-124
- minor subdivisions, review and recommendations, 76-4-128
- municipal facilities, provision, 76-4-121, 76-4-122, 76-4-127
- plans and specifications, See **Reviewing authority**
- plumbing installations, exemption from licensing provision when, 37-69-102
- policy regarding, 76-4-101
- public water supply laws, applicability, 76-4-131
- records concerning, 76-4-107
- registration application, inclusion of statement regarding, 76-4-1228
- restrictions on subdivision activities, 76-4-108, 76-4-121 — 76-4-123
- review
  - concurrent, 76-4-129
  - governing body, delegated to — when, 76-4-128
  - master planning areas and first- or second-class municipalities, 76-4-111, 76-4-122 — 76-4-124
  - rules applicable to, 76-4-104
  - state lands, leased — sales, applicability, 77-2-318
  - subdivisions excluded from subdivision and platting act, 76-4-125, 76-4-126
- rural special improvement districts, Title 7, chapter 12, part 21, See **RURAL SPECIAL IMPROVEMENT DISTRICTS, Improvements**
- solid waste disposal, applicability of provisions, 75-10-214
- special improvement districts, Title 7, chapter 12, parts 41 and 42, See **SPECIAL IMPROVEMENT DISTRICTS**
- standards, 76-3-504, 76-4-104
- state lands, leased — sales, applicability, 77-2-318
- subdivisions excluded from subdivision and platting act, review, 76-4-125, 76-4-126

SUBDIVISIONS (Continued)
Sanitation (Continued)

- violations, 76-4-108 — 76-4-110

Services, provisions concerning, 76-3-501, 76-3-603, 76-3-608, See also **Sanitation**
- out-of-state subdivisions, in-state sales, 76-4-1104, 76-4-1228

Sewage disposal, See **Sanitation**
Soil survey and mapping program, 76-11-201, 76-11-202
Special improvement districts, Title 7, chapter 12, parts 41 and 42, See **SPECIAL IMPROVEMENT DISTRICTS**
State lands
- federal land grant selections, 77-1-304
- municipalities, lands in or near, 77-2-312

State-owned lands, 76-3-205, 77-2-318, 77-2-319
Structures, See **Improvements**
Subdividers, 76-3-103, 76-4-1202, See also **Developers**
- contracts and escrow agreements, 76-3-303
- environmental assessment, 76-3-210, 76-3-504
- fees for plat review, 76-3-602
- preliminary plat, 76-3-601, 76-3-604, 76-3-605, 76-3-610
- sales, Title 76, chapter 4, parts 11 and 12, See **Out-of-state sales**; **Out-of-state subdivisions, in-state sales**
- title abstracter, submission of certification by, 76-3-612

Subdivision and Platting Act
- citation, 76-3-101
- purpose, 76-3-102

Survey
- certificates of, 76-3-103
  - errors and omissions, 76-3-611
  - fee for filing, 7-4-2631
  - filing requirements, 76-3-302
  - requirements, 76-3-404, 76-3-405
- corners, 76-3-402, 76-3-405
- division of land subject only to, 76-3-207
- exemption from, 76-3-208, 76-3-209
- highways, exemption from, 76-3-209
- irrigation districts, 76-3-401, 76-3-402, 76-3-406
- lands other than subdivisions, 76-3-401
- monuments, 76-3-403, 76-3-405
- records, form and content, 76-3-403
- requirements, 76-3-401, 76-3-402, 76-3-406
- resurveys, 76-3-614
- subdivided lands, 76-3-402

Title
- abstract, requirements, 76-3-612
- opinion required when, 76-4-1228
- transfers, 76-3-301, 76-3-303

Trustee's power, 72-34-320
Utilities
- easements, 7-14-4115, 76-3-305, 76-3-501
- out-of-state sales, contents of notice of intention, 76-4-1104
- standards, 76-3-504
- underground lines, See **UTILITIES, Lines and facilities; Underground conversion**

Vacation of plats, See **Plats**
Variances, authorization for, 76-3-506
Violations
- local regulations, 76-3-105
- out-of-state, in-state sales, 76-4-1245

SUBDIVISIONS (Continued)
Violations (Continued)
    out-of-state sales, 76-4-1114, 76-4-1115
    sale, lease, or transfer provisions, 76-3-105
Water supply systems, See **Sanitation**
Weed management, Title 80, chapter 7, part 7, See **WEEDS AND WEED CONTROL**
What constitutes, 76-3-103, 76-3-104, 76-4-102, 76-4-103
Zoning, Title 76, chapter 2, See **ZONING**

SUBMISSION OF CONTROVERSY WITHOUT ACTION
    See also **CIVIL PROCEDURE, Agreed statement of facts; SPECIAL PROCEEDINGS**, generally
Affidavit, 27-7-101
Appeal, 27-7-104
Costs, 27-7-103
Judgment, 27-7-103, 27-7-104
Permitted when, 27-7-101
Power of attorney, statutory — authority, 72-31-232
Statute of limitation, effect, 27-2-405
Trial, 27-7-102

SUBPOENAS
Accountants, public — exception to privileged communications, 37-50-402
Agricultural commodity warehouse operators and dealers, disclosure of records required by, 80-4-409
Arrest of witness
    affidavit to claim exoneration and liability of arresting officer, 26-2-404
    discharge, 26-2-404, 26-2-405
    exemption from, 26-2-402, 46-15-112, 46-15-120
    void when, 26-2-403
    warrant for, 5-5-104, 26-2-106, 26-2-107, 31-1-211
Chiropractic Legal Panel proceedings, records not subject to, 27-12-702
City courts, specific provisions, Title 25, chapter 24, M.U.R.J.C.C., Rules 8, 9, 10
Criminal proceedings, specific provisions, 46-15-101
    defendant unable to pay, request by, 46-15-115
    evidence, for production of, 46-15-101, 46-15-106
    exemption from arrest and service of process, 46-15-112, 46-15-120
    fees, costs, and expenses of witnesses, 46-15-116
    grand jury witnesses, 46-11-313, 46-15-112, 46-15-113, 46-15-116
    investigative subpoenas, 46-4-306, See **Investigative subpoenas**
    mental disease or defect, fitness to proceed — hearings, 46-14-221
    out-of-state testimony by in-state witnesses, 46-15-112, 46-15-116
    out-of-state witnesses, 46-15-113, 46-15-116, 46-15-120
    prisoners as witnesses, to secure testimony, 46-15-105
    service, 46-15-107
Defined, 26-2-101
Depositions, for taking, 46-15-201; Title 25, chapter 20, M.R.Civ.P., Rule 45(d), See **CIVIL PROCEDURE; CRIMINAL PROCEDURE**
Disobedience, 26-2-104
    administrative proceedings, 2-4-104
    aeronautics investigations, 67-2-502
    arrest for, See **Arrest of witness**
    capital company examinations, 90-8-313
    commerce, department of — authority, 32-1-211
    consumer loan business investigations, 32-5-404
    contempt, as, 3-1-501; Title 25, chapter 20, M.R.Civ.P., Rule 45(f), See **CONTEMPT, Acts or omissions which constitute**, witnesses
    county commissioners, board of — authority, 7-5-2127
    county coroner inquiries or inquests, 46-4-112
    damages, 26-2-105

SUBPOENAS (Continued)
Disobedience (Continued)

- environmental quality council hearings, 75-1-312
- hazardous substance release investigations, 75-10-707
- hearing aid dispensers, effect, 37-16-411
- hazardous waste violation hearings or investigations, 75-10-413
- human rights, commission for — investigations, 49-2-509, 49-3-312
- institutions, ancillary charges — failure to produce evidence to determine ability to pay, 53-1-406
- insurance examinations, investigations, or hearings, 33-1-315, 33-1-408
- investigative subpoenas, 46-4-302
- legislative council proceedings, 5-11-107
- legislative proceedings, 5-5-103, 5-5-104
- masters, failure to appear before, Title 25, chapter 20, M.R.Civ.P., Rule 53(d)
- medical examiners, board of — hearings, 37-3-328
- occupational safety proceedings, 50-71-303
- oil and gas conservation, board of — hearings, 82-11-142
- out-of-state witnesses, 46-15-113
- parole hearings, 46-23-206, 46-23-207
- personnel appeals, board of — investigations or hearings, 39-31-106
- police commission, authority, 7-32-4159
- railroad examinations or investigations, 69-14-113
- retail installment sales investigations, 31-1-211
- securities investigations, 30-10-304
- small business investment capital company examinations, 90-8-313
- state or county, witnesses on behalf of, 26-2-508
- subdivision investigations or proceedings, 76-4-1207
- unfair trade practices investigations, 30-14-134, 30-14-221
- utilities, examinations by public service commission, 69-3-106
- utility hearings, 69-3-327
- workers' compensation proceedings, 39-71-304

Effective, time during which subpoena is, 26-2-111, 46-15-101
Electronic fund transfer transactions, for release of information, 32-6-105
Evidence, for production of — specific provisions, 26-2-101, 26-2-301
- civil proceedings, Title 25, chapter 20, M.R.Civ.P., Rules 45(a), 45(b), 45(d)
- criminal proceedings, 46-15-101, 46-15-106, 46-15-201

Form, 46-15-101; Title 25, chapter 20, M.R.Civ.P., Rule 45(a)
Hearing or trial, for, Title 25, chapter 20, M.R.Civ.P., Rule 45(e)
Inquests, for, 46-4-112, 46-4-203
Insurance
- examinations, investigations, or hearings — for, 33-1-315, 33-1-704, 33-2-1345, 33-11-121
  - information not subject to subpoena when, 33-2-1116
- life insurance, standard valuation of reserve liabilities — materials in support of actuary's opinions, 33-2-521
- personal or privileged information, disclosure, 33-19-306

Insurance, commissioner of — restrictions
- domestic stock and mutual insurers, reports of material transactions, 33-3-702
- risk-based capital documents, 33-2-1909

Investigative subpoenas
- applicability of other laws and costs, 46-4-306
- conduct of inquiry, 46-4-304
- discovery, 46-15-322
- failure to appear or obey, 46-4-302
- health care information, for, 50-16-535
- improper, relief from, 46-4-303
- issuance, 46-4-301
- self-incrimination and immunity, 46-4-305

SUBPOENAS (Continued)

Issuance, 26-2-102; Title 25, chapter 20, M.R.Civ.P., Rules 45(a), 45(d), 45(e)
  arbitrators, 27-5-215
  criminal proceedings, 46-15-101, 46-15-115
  investigative subpoenas, 46-4-301
  probation officers, requests for, 41-5-301
Issuance, power of
  administrative proceedings
    agencies conducting, 2-4-104
    hearing examiners, 2-4-611
  arbitrators, 27-5-215, 39-34-103
  athletics, board of, 23-3-602
  attorney general, 26-2-508, 82-15-204
  banking board, state, 32-1-205
  banks and trust companies, 32-1-204
  child support hearing officers, 40-5-273
  chiropractic legal panel, 27-12-205
  city commission, 7-3-4365
  city-county commission, manager, or committee, 7-3-1252
  civil service board, 7-3-4414
  clerk of the district court, 31-1-211, 37-3-327, 46-15-101, 69-3-327; Title 25, chapter 20, M.R.Civ.P., Rules 45(a), 45(d)
  commerce, department of, 20-30-201, 30-14-114, 30-14-221, 31-1-211, 32-1-211, 32-3-203, 32-5-404, 32-7-123, 61-4-511, 61-4-518, 90-8-313
  coroner, 46-4-110, 46-4-112, 46-4-203
  corrections, department of, 53-1-406
  county attorney, 13-37-125, 26-2-508, 39-5-401, 46-11-313
  county commissioners, board of, 7-2-2242, 7-5-2127
  courts generally, 3-1-111
  crime control, division of, 53-9-104, 53-9-122
  dentistry, board of, 37-4-201, 37-4-325
  district court, 31-1-211, 46-4-301, 46-11-313
  district court of first judicial district, 15-31-505
  environmental quality council, 75-1-312
  environmental quality, department of, 75-10-413, 75-10-707, 82-4-232, 82-4-422
  environmental review, board of, 75-10-413
  governor, 90-4-305
  grand jury foreman, 46-11-313
  hail insurance, board of, 80-2-243
  hearing aid dispensers, board of, 37-16-411
  housing authorities, municipal, 7-15-4458
  human rights, commission for, 49-2-203
  inheritance tax appraiser, 72-16-412
  instruments, officers taking proof of execution, 1-5-304
  insurance, commissioner of or examiners, 33-1-315, 33-1-408, 33-1-409, 33-1-704, 33-2-1345, 33-11-121
  investments, board of, 17-5-1611
  judges and justices, 3-1-402, 26-2-102
  judicial standards commission, Const., VII, 11
  justice, department of, 44-1-802, 61-4-206, 61-5-206
  labor and industry, commissioner of, 18-2-424, 39-1-103, 39-3-210
  labor and industry, department of, 39-51-301, 39-51-1301, 39-51-3101, 39-71-304, 41-2-116, 50-71-106, 50-71-303
  labor appeals, board of, 39-51-301, 39-51-3101
  legislative council, 5-11-107
  legislature, officers or committee chairmen, 5-5-101

SUBPOENAS (Continued)
Issuance, power of (Continued)

- livestock, department of, 81-2-506, 81-9-305, 81-23-103
- lobbying violations, attorneys having authority to prosecute, 5-7-212
- masters, Title 25, chapter 20, M.R.Civ.P., Rule 53(d)
- medical examiners, board of, 37-3-327, 37-13-201
- medical legal panel, 27-6-205
- natural resources and conservation, department of, 76-16-105, 85-2-513
- oil and gas conservation, board of, 82-11-142
- pardons and parole, board of, 46-23-205
- passenger tramway safety, board of, 23-2-721
- personnel appeals, board of, 39-31-106, 39-31-309, 39-32-114
- physical therapy examiners, board of, 37-11-201
- police commission, 7-32-4159
- political practices, commissioner of, 5-7-212, 13-37-111
- professional and occupational boards, authority, 37-1-307
- public health and human services, department of, 40-5-202, 40-5-233, 50-6-314
- public service commission, 69-3-106, 69-14-113
- realty regulation, board of, 76-4-1207
- revenue, department of, 15-8-304, 15-9-101, 15-23-104, 16-11-103, 72-16-204
- securities commissioner, 30-10-304
- small claims court, district court, 25-34-303
- small claims court, justice's court, 25-35-702
- supreme court justice, 46-4-301
- teachers' retirement board, 19-20-901
- transportation, department of, 67-2-502
- youth aftercare agreement violation hearings, referee, 52-5-129
- youth court dispositional hearing — youth, parents, guardian, or counsel, 41-5-522

Justice, Department of — employees, compensation when answering, 2-18-626
Justices' courts, specific provisions, 3-10-401, 25-35-702; Title 25, chapter 24, M.U.R.J.C.C., Rules 8, 9, 10
Legislature, witnesses before, 5-5-101 — 5-5-104
Media, privileged information, 26-1-902, 26-1-903
Medical Legal Panel proceedings, records not subject to, 27-6-703
Modification, 46-15-101, 46-15-106; Title 25, chapter 20, M.R.Civ.P., Rule 45(b)
Motion to quash, modify, or condition denial, Title 25, chapter 20, M.R.Civ.P., Rule 45(b)
Motor vehicles

- accidents, for release of information concerning, 61-11-105
- theft or insurance fraud actions, 61-3-106

Nonresidents, 25-3-402, 46-15-113, 46-15-116; Title 25, chapter 20, M.R.Civ.P., Rule 45(d)
Objection to, written, Title 25, chapter 20, M.R.Civ.P., Rule 45(d)
Parties may request, Title 25, chapter 20, M.R.Civ.P., Rules 45(a), 45(e)
Pesticide formulas, for information concerning, 80-8-202
Presence in court effective as, 26-2-303
Public records, for, 2-6-211
Quashing, 46-15-101, 46-15-106; Title 25, chapter 20, M.R.Civ.P., Rule 45(b)
Service, Title 25, chapter 20, M.R.Civ.P., Rules 4D, 45(c); Title 25, chapter 24, M.U.R.J.C.C., Rules 8, 9, 10

- administrative proceedings, 2-4-104
- arbitration proceedings, 27-5-215
- city commission investigations, 7-3-4365
- city-county department or office investigations, 7-3-1252
- commerce, department of — authority, 32-1-211
- concealed witness, on, 1-5-302, 26-2-103
- criminal proceedings, 46-15-107
- fee, 7-4-2525, 7-5-2128, 7-32-2141, 7-32-2143, 72-16-205
- fish and game wardens, 87-1-506
- insurance examinations, investigations, or hearings, 33-1-315

SUBPOENAS (Continued)
Service (Continued)

labor and industry, commissioner of — authority, 39-1-103
legislative proceedings, 5-5-102
medical examiners, board of — hearings before, 37-3-327
mileage allowance, 7-32-2143
nonresidents, 25-3-402; Title 25, chapter 20, M.R.Civ.P., Rule 45(d)
parole hearings, 46-23-205
personnel appeals, board of — authority, 39-31-107
proof, 26-2-106
unfair trade practices investigations, 30-14-115
youth court costs, 41-5-207
State employees, compensation for time spent answering, 26-2-515
Trial or hearing, for, Title 25, chapter 20, M.R.Civ.P., Rule 45(e)
University system, for release of student records, 20-25-515
Youth court, 41-5-207, 41-5-301, 41-5-522

SUBROGATION
Agricultural marketing association marketing agreements, assignees, 35-17-408
Banks and banking
liquidation, federal deposit insurance corporation members — subrogation of corporation, 32-1-604
payor bank, right on improper payment, 30-4-407
Child support debts, department of public health and human services, 40-5-202, 40-5-221, 53-4-248
Collateral source
crime victims compensation, division of crime control, 53-9-132
reductions, effect, 27-1-308
Crime victims
crime control, division of, 53-9-132
crime victims' compensation and assistance account, 46-18-248
insurers or sureties, 46-18-243
Funds transfers, 30-4A-402, 30-4A-406
Health service corporations, 33-30-1101, 33-30-1102
Highway patrol officer's salary and medical treatment, state's right to recover for injury to officer, 44-1-517
Insurance, disability, 33-22-1601, 33-22-1602
public employees' group benefits, 2-18-901, 2-18-902
Insurers guaranty associations
casualty and property, covered claims — nonapplicability, 33-10-102
life and health, impaired insurer's assets — priority of rights, 33-10-223
Insurers, liquidation — claims of sureties, 33-2-1369
Liens, rights of inferior lienor, 71-3-118
Police officer's salary and medical treatment, city's right to recover for injury to officer, 7-32-4138
Public assistance
aid to families with dependent children, 53-4-248
support payments, 53-4-248
Real estate recovery account, rights of board of realty regulation, 37-51-511
Secured party's transfer of collateral after default, persons liable to, 30-9-504
Workers' compensation
insurers, 39-71-414
state fund, deposits of recoveries, 39-71-2321

SUBSIDIARY TRUST COMPANY ACT OF 1975, THE, Title 32, chapter 1, part 8
See **BANKS AND TRUST COMPANIES, Subsidiary trust companies**

SUBSIDIZED ADOPTION ACT OF 1977, Title 52, chapter 2, part 5
See **ADOPTION OF CHILDREN, Hard-to-place children**

SUICIDE
Aiding or soliciting unlawful, 45-5-105
Do not resuscitate protocol, death resulting from not to be, 50-10-104
Estate to descend or vest as in natural death, Const., II, 30
Insurance, life — provisions concerning, 33-20-121
Life-sustaining treatment, declaration to withhold or withdraw — death resulting from not to be, 50-9-205
Notes found with or upon decedent, disposition, 7-4-2917

SUMMONS
  See **CIVIL PROCEDURE**; **CRIMINAL PROCEDURE**

SUPERINTENDENT OF PUBLIC INSTRUCTION, 2-15-701, 2-16-111; Const., VI, 1
  See also generally **EXECUTIVE BRANCH**; **PUBLIC OFFICERS OR EMPLOYEES**; **SCHOOLS**
Absence, 20-3-103
Administrative policies of the executive branch, conflicts, 2-15-103
Administrative powers and duties, 20-3-105
Adult basic education programs, distribution of funds, 20-7-712
Adult education programs, duties, 20-3-106, 20-7-705, 20-15-305
Advisory councils, creation, 2-15-122
Affidavit required by, when, 20-3-107
Age, 20-3-101; Const., VI, 3
Agents, acting as — prohibited, 20-1-201
Appeals, See **Controversy appeals**
Appointment by governor, Const., VI, 6
Audiovisual and media library account, 20-7-201
Audit reports issued to, 20-9-203
Candidacy for other office, Const., VI, 5
Canvassers, state — member of board, 13-15-502
Capitol Restoration Commission, member of and appointments to, 5-17-202
Children's services, multiagency, 52-2-201 — 52-2-203
Citizenship, Const., VI, 3
Community college districts, approval of adult education program for, 20-15-305
Community service corps program, duties, 90-14-103, 90-14-105
Controversy appeals
  county superintendent of schools, decisions by, 20-3-107, 20-3-210, 20-4-208, 20-6-325
  county transportation committee decisions, 20-3-107, 20-10-132
  evidence, hearings, 20-3-107
  high school districts, 20-6-320, 20-6-325
  joint boards of trustees, proration of expenses, 20-3-362
  out-of-district attendance agreements, 20-5-322
  school trustees, by, 20-3-210, 20-3-362, 20-4-204, 20-4-208
  teachers, by, 20-3-210, 20-4-204, 20-4-206, 20-4-208
Cooperatives, full service education, 20-7-454, 20-7-457
County superintendent of schools
  contract for performance of duties, form for and training, 20-3-201
  counsel, advice, and meetings, 20-3-105
  reports from, 20-3-106, 20-3-205, 20-3-209, 20-9-211
  textbook dealers, notification of complaints against, 20-3-205
Credit unions, direction of instruction pertaining to, 32-3-106
Data processing equipment and facilities, exemption from provisions when, 2-17-501
Day-care facilities, assistance in developing standards, 52-2-731
Deaf and Blind, Montana School for the — liaison, 20-8-113
Death, Const., VI, 6
Defined, 20-1-101
Department head, powers as, 2-15-105

SUPERINTENDENT OF PUBLIC INSTRUCTION (Continued)

Deputy, 20-3-103
Developmental Disabilities Planning and Advisory Council, member, 2-15-2204
Developmental disabilities, persons with — cooperation in providing programs for, 53-20-213
Disability, Const., VI, 6, See also **PUBLIC OFFICERS OR EMPLOYEES, Vacancy in office**
Division of Resources and Assessment, 20-3-108
Educational media
  division of resources and assessment, 20-3-108
  library, 20-2-121, 20-3-106, 20-7-201
  supervisor, 20-3-104
Education, State Board of — duties, 20-2-101
Election of, 2-16-201, 13-12-207, 13-16-504, 20-3-101; Const., IV, 8; VI, 1; VI, 2; VI, 3; VI, 6
Emotionally disturbed children, advisory council membership, 53-21-202
Executive branch officer, Const., VI, 1
Federal money, acceptance and expenditure, 20-3-106, 20-9-507, 20-9-603, 20-9-703, 20-9-704, 20-10-201
Fine for violations, 20-1-201
Fiscal notes, preparation when, 20-2-115
Food and Nutrition, State Advisory Council on — representation on, 2-15-2210
Gifted and talented children programs, duties, 20-7-903, 20-7-904
Gifts, acceptance, 20-10-201
Governor's permission or approval required when, 2-15-105
Health programs, 50-1-202
High School Boundary Commission orders, approval or disapproval, 20-3-106, 20-6-311
Highway traffic safety program, responsibility, 61-2-103
Immunity from suit when, 20-4-110
Impeachment, subject to, Const., V, 13; Title 5, chapter 5, part 4
Inability to perform duties, Const., VI, 6, See **PUBLIC OFFICERS OR EMPLOYEES**, **Vacancy in office**
Indian studies, development of in-service training for, 20-4-211
Industrial arts programs, funding, 20-7-305, 20-7-306
Interlocal cooperative agreements, authorization, 20-3-106, 20-9-703, 20-9-704
Interstate Agreement on Qualification of Educational Personnel, designated official for and duties, 20-4-122, 20-4-123
Interstate school agreements, joint, 20-3-106, 20-9-705
Kindergartens, variance for hours of instruction, 20-1-302
Land Commissioners, Board of — member or presiding officer, 77-1-201; Const., X, 4
Library of visual, aural, and other educational media — establishment and maintenance, 20-2-121, 20-3-106, 20-7-201
Missing children, list of — provided to and distribution, 44-2-503, 44-2-506
Motorcycle safety training, duties, 20-7-501, 20-7-502, 20-7-510 — 20-7-513
Oath of office, 2-16-211, 20-1-202, 20-3-102; Const., III, 3
Powers and duties, 2-15-112, 20-3-105, 20-3-106; Const., VI, 1; VI, 4
Prohibited practices, 20-1-201
Proprietary Postsecondary Educational Advisory Council, member, 2-15-1804
Public Education, Board of — member of and duties, 2-15-1507, 20-2-111, 20-2-115, 20-9-346, 20-10-201; Const., X, 9
Public office, may not hold other public office, Const., VI, 5
Qualifications, 20-3-101; Const., VI, 3
Records, 20-7-431, 20-9-346, 20-9-369
  official, 20-3-105, See also **PUBLIC RECORDS, Executive branch officers**
Regents of Higher Education, Board of — member of and duties, 2-15-1505
Report forms supplied by, 20-3-106
Reports, 20-3-105
  budget and program planning, office of — to, 20-9-346
  county treasurer and county superintendent of schools, to, 20-9-347
  guaranteed tax base aid, 20-9-369

SUPERINTENDENT OF PUBLIC INSTRUCTION (Continued)
Reports (Continued)

  public education, board of — to, 20-9-346, 20-10-201
  required by, 20-3-324
Residence, 2-16-111, 20-3-101; Const., VI, 1; VI, 3
Resignation, Const., VI, 6, See also **PUBLIC OFFICERS OR EMPLOYEES**, **Vacancy in office**
Retirement, Title 19, chapter 20
Safety patrols, methods prescribed for, 20-1-408, 20-3-106
Salary, 2-16-405; Const., VI, 5, See also **WAGES AND SALARIES**
School districts and trustees
  audits and financial review, 2-7-503, 2-7-513 — 2-7-515, 20-9-203
  boundaries, copies of review, 20-6-215
  budget amendment provisions, 20-3-106
  earthquake emergency plans and procedures, 20-7-1101
  elementary, transfer of territory, 20-6-213
  financial reports by trustees, 20-9-213
  high school, 20-3-106, 20-6-311, 20-6-320, 20-6-325
  joint boards of trustees, proration of costs, 20-3-106, 20-3-362
  joint districts, 7-2-2727, 20-3-106, 20-9-151
  K-12
    attachment of elementary to high school district, copy of order for, 20-6-701
    dissolution, copy of order for and rules for budget limitation, 20-6-704
  out-of-district attendance agreements, 20-5-320, 20-5-322 — 20-5-324
  policies, enforcement by trustees, 20-3-323, 20-3-324
  reciprocal attendance agreements, 20-5-314
  report forms furnished to, 20-3-106, 20-9-213
  reports by trustees, 20-3-324
  single-member trustee districts, plan for, 20-3-337
  supervision, 20-3-106
School elections, duties, 20-20-102, 20-20-104, 20-20-108
School finance
  abandonment of counties, fund transfers, 7-2-2727
  administration, supervision, 20-3-106, 20-9-201
  annual reports, 20-9-211
  apportionment of money, 20-3-106, 20-9-212, 20-9-335, 20-9-346, 20-9-347
  appropriations, supplemental, 17-7-301
  average number belonging, 20-3-106, 20-6-502, 20-9-311, 20-9-313, 20-9-314
  BASE aid, 20-3-106, 20-5-324, 20-9-344, 20-9-346, 20-9-347, 20-9-351
  bonds, state loans to secure — requirements, 20-9-466
  budgets, 20-3-106, 20-9-102, 20-9-103
    budget amendments, 20-3-106, 20-9-162, 20-9-163, 20-9-165, 20-9-166
    final, filed with, 20-9-134, 20-9-344
    joint districts, 20-3-106, 20-9-151
    technology acquisition fund budget, 20-9-533
  clearing accounts, rules for use, 20-9-220
  county equalization aid, 20-1-301, 20-9-331, 20-9-333, 20-9-346, 20-9-361
  county money, reports, 20-9-212
  extracurricular fund, accounting system for, 20-9-504
  federal money, acceptance and expenditure, 20-3-106, 20-9-507, 20-9-603, 20-9-703, 20-9-704, 20-10-201
  funds, 7-2-2727, 20-9-201, 20-9-213
  guaranteed tax base aid, 17-7-301, 20-3-106, 20-9-351, 20-9-369
  isolated schools, applications, 20-3-106, 20-9-302
  joint districts, administration responsibilities, 20-9-202
  nonoperating budget form, promulgation and distribution, 20-9-506
  school facilities, state advances for — duties, 20-9-371, 20-9-422
  state equalization aid, 20-1-301, 20-9-343, 20-9-346, 20-9-361, 20-9-804, 20-9-805

SUPERINTENDENT OF PUBLIC INSTRUCTION (Continued)
School finance (Continued)

- state loans to secure bonds, requirements, 20-9-466
- statement on fund cash balances and bond information, format, 20-9-121

Schools generally
- accreditation standards, recommendations and evaluations, 20-3-106, 20-7-101, 20-7-102
- building plans and specifications, review, 20-3-106, 20-6-622
- curriculum, 20-3-106, 20-7-113, 20-7-114
- food services, duties, 20-3-106, 20-10-201 — 20-10-204, 20-10-206
- instructional assistance, 20-3-106, 20-7-114
- laws, publication and supplements, 20-3-105
- library information reports requested by, 20-7-205
- opening or reopening, 20-3-106, 20-6-502 — 20-6-505, 20-6-507
- pupil instruction days, duties, 20-1-301 — 20-1-303, 20-3-106
- pupil-instruction-related days, instruction on, 20-1-304, 20-3-106
- safety patrols, methods prescribed for, 20-1-408, 20-3-106
- supervision, 20-3-106
- technology purchases, grants for — allocation, 20-9-534
- tuition, 20-3-106, 20-5-314, 20-5-323

School transportation
- appropriations, supplemental, 17-7-301
- bus drivers, 20-10-103
- buses, policies regarding, 20-10-111
- contracts, copies to and forms for, 20-10-124, 20-10-143
- controversies, 20-10-112, 20-10-132
- direction for, 20-10-121
- mileage distances, controversy, 20-10-106
- passenger count, 20-10-128
- reimbursements, 20-10-112, 20-10-142, 20-10-145
- residence of transportee, controversy, 20-10-105
- rules prescribed by, 20-3-106, 20-10-104, 20-10-112
- supervision of program, 20-3-104
- transfers of district territory, approval, 20-10-126

Seal, 20-3-105
Secondary education, equivalency of completion — issuance of documentation for, 20-7-131
Solicitors, acting as — prohibited, 20-1-201
Special education
- allowable cost payments, 20-7-457, 20-9-321, 20-9-347
- allowable costs, 20-7-422, 20-7-431
- approval of classes or programs, 20-7-414
- attendance
  - in-state residential facilities or children's psychiatric hospitals, 20-7-403, 20-7-420, 20-7-435
  - out-of-state, 20-7-403, 20-7-420, 20-7-422
- block grants, 20-9-321
- child study teams, 20-7-402, 52-2-101
- cooperatives, 20-7-457
- determination of children in need, 20-7-414
- expenditures, forms and rules for accounting, 20-7-431
- individual programs, 20-7-412
- policy recommendations and rules, 20-7-402, 20-7-403
- requirements, 20-7-401, 20-7-403
- rules, 20-7-419, 20-9-321
- state agencies, cooperation, 20-7-404
- supervision, 20-3-106, 20-7-403
- surrogate parent, 20-7-403, 20-7-463
- transportation, 20-7-420, 20-7-424, 20-7-441 — 20-7-443
- tuition, 20-5-323, 20-7-420

SUPERINTENDENT OF PUBLIC INSTRUCTION (Continued)

Staff, 19-20-302, 20-3-103, 20-3-104
State Library Commission, member, 22-1-101
State special revenue fund, 20-3-108, 20-7-201
Student assessment, responsibilities, 20-3-106
Succession in office, Const., VI, 6
Successor, materials delivered to, 20-3-105
Supervisors employed by, 20-3-103, 20-3-104
Teachers or specialists
  certificates, 20-4-103, 20-4-106, 20-4-109, 20-4-110
  certification, 20-3-106, 20-4-102
  emergency authorization, 20-4-111
  employment relationship, termination or nonrenewal — report and investigation, 20-4-110, 20-4-112, 20-4-113
  pupil information report forms, 20-4-301, 20-4-402
  register, forms for, 20-4-301
  reports, semester — forms for, 20-4-301
  tenured, appeals from decisions, 20-4-204, 20-4-208
Teachers' Retirement Board, member, 2-15-1010, 20-3-106
Telecommunications network (METNET), 20-9-343, 20-32-101 — 20-32-104
Term of office, 20-3-102; Const., IV, 8; VI, 1; VI, 6
Textbook dealers, duties, 20-3-106, 20-3-205, 20-7-604, 20-7-605, 49-3-204
Traffic education, duties, 20-3-106, 20-7-501, 20-7-502, 20-7-506, 61-2-103
Treasure state living cultural treasures program, participation, 2-15-238
Vacancy in office, 20-3-102; Const., VI, 6, See also **PUBLIC OFFICERS OR EMPLOYEES**
Violations, 20-1-201
Vocational education, K-12, 20-1-101, 20-3-106, 20-7-301
  courses and programs, approval, 20-7-303
  money, disbursement, 20-7-305, 20-7-306
  policies, 20-3-106, 20-7-301, 20-7-302.1
  reports, 20-7-302.1
  secondary, funding, 20-7-305, 20-7-306
  staff, 20-3-103, 20-3-104, 20-7-302.1
  state director, appointment, 20-7-302.1
Voting program for youth, 13-22-103, 13-22-104, 13-22-106

SUPERVISORY CONTROL, WRIT OF, Title 25, chapter 21, M.R.App.P., Rule 17
  See also **SUPREME COURT, Original proceedings in**; **Writs**; **WRITS**, generally

SUPREME COURT
  See also generally **COURTS GENERALLY**
Abortion, parental notification — judicial waiver, 50-20-212
Adjournment, 3-2-402
  number of justices required, 3-2-302
Admission to bar, See **Attorneys at law**
Appeals to, See **Appellate jurisdiction**; See also **APPELLATE PROCEDURE**
Appearance of defendant not required, 46-16-121
Appellant defender system, 2-15-1020, 3-5-901, 46-8-210 — 46-8-213
Appellate jurisdiction, 3-2-201, 3-2-203; Const., VII, 2; Title 25, chapter 20, M.R.Civ.P., Rule 72, See also **APPELLATE PROCEDURE**
  administrative proceedings, decision from review of contested cases, 2-4-711
  adoption proceedings, 40-8-124, 40-8-127
  air quality orders, decisions regarding, 75-2-411
  alcoholic beverage license decisions, 16-4-412
  arbitration orders or judgment, 27-5-324
  ballot issues, challenge of statement of purpose or implication or fiscal statement, 13-27-316
  birth date, judicial determination, 27-32-303

SUPREME COURT (Continued)
Appellate jurisdiction (Continued)

  child abuse, neglect, and dependency orders or decrees, 41-3-409
  cities and towns, annexation, 7-2-4744 — 7-2-4746
  concealed weapons, permits to carry — from denial or revocation, 45-8-324
  contempt judgments, appeal prohibited, 3-1-523
  contract disputes with state, 18-1-411
  day-care facilities, noncompliance actions, 52-2-741
  developmental disabilities, persons with — commitment to residential facility, orders, 53-20-119
  drainage districts
    alterations or additions to district, order, 85-8-404
    assessments, order confirming, 85-8-623
    drained lands outside district, inclusion in district — order, 85-8-422
    exclusion of lands, order, 85-8-411
    preliminary report on proposed work, findings and order, 85-8-327
    report on proposed work, confirmation, 85-8-347 electric suppliers, from orders concerning, 69-5-111
  eminent domain, 70-30-312
    assessment, from, 70-30-304, 70-30-311
    compensation interest, basis on, 70-30-302
    logging roads, damages to occupant, 70-30-109
  escheated estate, claim for, 72-14-301
  estates and probate, See **ESTATES AND PROBATE, Appeals**
  forcible entry and detainer and unlawful detainer, 70-27-211, 70-27-212
  gasoline and vehicle fuels taxes decisions, 15-70-111
  hospital districts, from review of orders for withdrawal of land, 7-34-2158
  income tax decisions, 15-30-148
  insurance, commissioner of
    judgments concerning actions by, 33-1-711
    unfair practices, intervenors in actions, 33-18-1003, 33-18-1004
  insurers — prohibited practices, intervenors in actions, 33-18-1003, 33-18-1004
  irrigation districts
    addition of lands, order for, 85-7-1810
    bond issues, court confirmation, 85-7-2018
    consolidation, 85-7-2202
    correction of errors and omissions in orders and decrees, order for, 85-7-1811
    creation of district, 85-7-108
    exclusion of lands, orders for, 85-7-1807, 85-7-1825
    irrigable area, commissioners' determination, 85-7-2112, 85-7-2115
    taxable acreage, landowner's request for determination and adjudication — judgment from, 85-7-1845
    taxes and assessments
      bonded indebtedness, to pay — amount of tax, 85-7-2115
      refunds or cancellation, determination, 85-7-2112
    united states, indebtedness of district to — order for exclusion of lands, 85-7-1825
  labor and industry, department of — safety orders, rules, and decisions, 50-71-334
  meat establishments — renewal, suspension, or revocation of inspection service or establishment number, 81-9-235
  mentally ill persons, commitment, 53-21-114, 53-21-131
  milk price control violations, 81-23-406
  mining rights-of-way, assessment of damages, 82-2-212
  motor vehicle financial responsibility decisions or orders, 61-6-106
  occupational disease benefits, 39-72-613
  oil and gas judgments or decrees, 82-11-146
  parent-child legal relationship termination orders or decrees, 41-3-612
  paternity action orders, 40-6-129
  postconviction hearing, 46-21-203

SUPREME COURT (Continued)
Appellate jurisdiction (Continued)

- powers and duties of court on appeals, 3-2-204
- public employees' collective bargaining, unfair labor practices, 39-31-409
- public service commission
    - actions, court decrees enforcing, 69-14-134, 69-14-135
    - orders, decisions pertaining to challenges, 69-3-405
- quo warranto proceedings, 27-28-206
- railroads
    - grain elevators or warehouses along, land determination decisions, 69-14-905
    - rate, charge, and classification decisions, 69-14-134, 69-14-135, 69-14-402
- receiver to preserve property during, 27-20-102
- special improvement districts, validity of proceeding decisions, 7-12-4256, 7-12-4257
- submission of controversy without action, decision subject to, 27-7-104
- taxation
    - estate tax, 72-16-907
    - state tax appeal board, interlocutory adjudication, 15-2-305
    - tax deed quiet title actions, 15-18-412
- tramways, appeal from order for corrective action, 23-2-725
- trusts
    - orders, 72-35-312
    - removal of trustee, petition for, 72-33-618
- unemployment insurance benefits, 39-51-2410
- water use
    - abandoned appropriation right, determination, 85-2-405
    - adjudication of rights
        - compact declared void, determination, 85-2-233
        - final decree, 85-2-235
        - final decree, clerical correction orders, 85-2-234
        - final decree, modification orders, 85-2-237
        - preliminary decree, modification orders, 85-2-237
    - distribution controversy settlement orders, 85-2-406
- workers' compensation, 39-71-2904, 39-71-2910, 39-72-613
- writs, power to issue, 3-2-202; Const., VII, 2
- youth court judgments, 41-5-532

Appointments by
- attendants, reporters, and clerks, 3-2-501
- court administrator, 3-1-701
- judicial nomination commission, members, 3-1-1001
- judicial standards commission
    - masters for hearings, 3-1-1106
    - members, 3-1-1101, 3-1-1102
- marshal of the supreme court, 3-2-501
- reapportionment commission members when, 5-1-102; Const., V, 14
- rules of civil procedure, advisory committee for, 3-2-702

Associate justices, See **Justices**

Attendants, reporters, and clerks, 3-2-304, 3-2-501

Attorneys at law
- admission to bar, 37-61-206
    - examinations, 37-61-204
    - fees, 37-61-205
    - rules for, 37-61-101; Const., VII, 2
- disbarment or suspension
    - conviction of felony or misdemeanor, copy of record, 37-61-302
    - jurisdiction, 37-61-301
    - procedural rules, 37-61-307
    - referees, compensation, 37-61-307

SUPREME COURT (Continued)
Attorneys at law (Continued)

- foreign or alien attorneys, 37-61-208
- nonresidents, examination, 37-61-208
- removal from office, 37-61-409, 37-61-415
- roll, 3-2-402

Attorneys' Examining Board
- appointment, 37-61-102
- compensation and expenses fixed by, 37-61-103

Calendar precedence
- child abuse, neglect, and dependency orders or decrees, 41-3-409
- chronological, Title 25, chapter 21, M.R.App.P., Rule 39
- death penalty, review, 46-18-308
- electric suppliers, appeals, 69-5-111
- injunction
  - appeal from order regarding, Title 25, chapter 21, M.R.App.P., Rule 39
  - granting, 27-19-318
- mental illness, commitment appeal, 53-21-125
- motor vehicle financial responsibility decisions or orders, appeals from, 61-6-106
- parent-child legal relationship termination orders or decrees, appeals from, 41-3-612
- public service commission actions, appeal from court decree regarding, 69-14-134, 69-14-135
- quo warranto proceedings, 27-28-106
- railroad proceedings, 69-14-131, 69-14-132, 69-14-134, 69-14-135
- youth court judgments, appeals from, 41-5-532

Certification of questions of law, Title 25, chapter 21, M.R.App.P., Rule 44

Certiorari, writ of, See **Original proceedings in**; **Writs**; **CERTIORARI, WRIT OF**

Chambers, former — preservation, 2-17-109

Chief justice, See also generally **Justices**; **JUDGES AND JUSTICES**; **PUBLIC OFFICERS OR EMPLOYEES**
- absence, 3-2-301; Title 25, chapter 21, M.R.App.P., Rule 19
- appellant defender system, responsibilities, 2-15-1020, 46-8-212
- appointment of judge or justice by, Const., VII, 8
- attorneys' admission to bar, order for examination when, 37-61-204
- budget provisions, "approving authority" defined, 17-7-102
- chiropractic legal panel, approval of
  - director and salary, 27-12-201
  - employees, 27-12-202
- district judge
  - assignment outside judicial district, 3-5-112; Const., VII, 6
  - substitute chief justice, as, Const., VII, 3
- impeachment, presiding officer of court when, 5-5-404
- judicial nomination commission
  - list of nominees, 3-1-1010 — 3-1-1012
  - secretary, duties, 3-1-1006
- judicial standards commission, supreme court appointees, 3-1-1101, 3-1-1102
- law library, state — member of board of trustees, 22-1-502
- medical legal panel, approval of
  - director, 27-6-201
  - employees, 27-6-202
- minutes of court, approval, Title 25, chapter 21, M.R.App.P., Rule 19
- oath, Const., III, 3
- presiding justice, who may be, 3-2-301
- resignations of judges or justices, verification, 3-1-1010
- retired judges or justices subject to call for duty by, 19-5-103
- salary, 2-16-403, See also **WAGES AND SALARIES**
- sentencing, commission on — district court judges selected for membership, 46-18-130
- session laws, copies to, 5-11-203

SUPREME COURT (Continued)
Chief justice (Continued)

- special term, authority to call, 3-2-303
- water judge, chief
  - appointment, 3-7-221
  - nominees, list of — to be supplied to chief justice, 3-1-1001
  - office, designation, 3-7-222
- water judges, request to sit in more than one division, 3-7-201

Child support, uniform guidelines — notice to, 40-5-209
Chiropractic Legal Panel
- administration, 27-12-104
- audit reports furnished to, 27-12-207
- director and salary, approval, 27-12-201
- employees and salaries, approval, 27-12-202
- panel members' salaries, guidelines, 27-12-203
- rules, procedural — approval, 27-12-204

City court judges
- election results, certification, 13-15-405
- qualifications, rules for, 7-3-1342, 7-3-4462
- training, 3-11-204

Civil procedure, See **Rules of Civil Procedure, adoption**
Clerk of the supreme court, See also **PUBLIC OFFICERS OR EMPLOYEES**, generally
- appeals
  - briefs filed with, Title 25, chapter 21, M.R.App.P., Rule 26
  - costs, notation by, Title 25, chapter 21, M.R.App.P., Rule 33
  - dismissal, voluntary — duties, Title 25, chapter 21, M.R.App.P., Rule 36
  - exhibits, disposition, Title 25, chapter 21, M.R.App.P., Rule 29
  - filings with, Title 25, chapter 21, M.R.App.P., Rules 11, 20
  - notice of appeal
    - copy to, Title 25, chapter 21, M.R.App.P., Rule 4
    - mistakenly filed with, Title 25, chapter 21, M.R.App.P., Rule 5
  - oral argument, notice of time and place, Title 25, chapter 21, M.R.App.P., Rule 29
  - order, entry and notice, Title 25, chapter 21, M.R.App.P., Rule 30
  - record on appeal, duties, Title 25, chapter 21, M.R.App.P., Rules 10, 11
  - rehearing, petition filed with, Title 25, chapter 21, M.R.App.P., Rule 34
  - remittitur, certification, Title 25, chapter 21, M.R.App.P., Rule 16
  - return of documents to trial court, 46-20-706
  - substitution of parties, motion filed with, Title 25, chapter 21, M.R.App.P., Rule 37
- arrest, privilege from, 46-6-102
- attorneys at law
  - application and examination fees, payment and disposition, 37-61-205
  - certificate of admission, issuance, 37-61-206
  - license tax, duties, 37-61-211 — 37-61-213
  - oath, duplicate certificate of — filing, 37-61-207
  - roll, 3-2-402, 37-61-209
- certification of questions of law, decisions to certifying court and parties, Title 25, chapter 21, M.R.App.P., Rule 44
- constitutional questions in proceedings, certification, Title 25, chapter 21, M.R.App.P., Rule 38
- deputy clerk, 3-2-406
- dismissals, voluntary — duties, Title 25, chapter 21, M.R.App.P., Rule 36
- duties generally, 3-2-402
- election, 3-2-401, 13-12-207, 13-16-504
- facilities for the court, to provide when, 3-2-304
- fees
  - collection and disposition, 3-2-403, 3-2-404, 19-5-404, 37-61-205, 37-61-211 — 37-61-213
  - settlement with state auditor, 3-2-405
- judicial nomination commission, rules filed with, 3-1-1007

SUPREME COURT (Continued)
Clerk of the supreme court (Continued)

  jury selection, 27-26-303, 27-28-207
  law, practice unlawful when, 3-1-601
  mandamus proceedings, jury selection, 27-26-303
  minutes of the court, attestation, Title 25, chapter 21, M.R.App.P., Rule 19
  oaths
    clerk's, recording, Title 25, chapter 21, M.R.App.P., Rule 19
    power to administer, 1-6-101
  office, location, 2-16-111
  original proceedings, duties, Title 25, chapter 21, M.R.App.P., Rules 17, 33
  postconviction hearing, petition filed with, 46-21-103
  quo warranto proceedings
    authority and jury selection, 27-28-207
    summons, publication, 27-28-203
    undertaking, filing with, 27-28-301
  records
    duties, 3-2-402
    removal from office, Title 25, chapter 21, M.R.App.P., Rule 39
    sentencing data from district courts, 46-18-604
  rehearing, petitions filed with, Title 25, chapter 21, M.R.App.P., Rule 34
  review division, appointments — recording and notice to clerks of district courts, 46-18-901
  salary, 2-16-405, See also **WAGES AND SALARIES**
    disallowance or nonpayment when, 3-2-405
  seal of the court, duties, 3-1-202, 3-2-402
  sentencing data from district courts, duties, 46-18-604
  term of office, 3-2-401
  united states supreme court, duties upon mandate from, 3-2-402; Title 25, chapter 21, M.R.App.P., Rule 35
  vacancy in office, See **PUBLIC OFFICERS OR EMPLOYEES**
Clerks, 3-2-304, 3-2-501
Commission on Courts of Limited Jurisdiction, training and certification of certain judges, Title 3, chapter 1, part 15
Communication systems, rulemaking, 2-17-302
Complaints against attorneys, See **Attorneys at law**
Composition of the court, Const., VII, 3
Contempt, See also **CONTEMPT**, generally
  district court judge, noncompliance with apportionment of judicial business, 3-5-403
  rules of court, judge's noncompliance, 3-1-112
Court administrator, See also **PUBLIC OFFICERS OR EMPLOYEES**, generally
  appointment and term, 3-1-701
  child custody proceedings, responsibilities, 40-7-107, 40-7-108
  court officers, cooperation, 3-1-703
  district courts
    criminal reimbursement program, duties, 3-1-702, 3-5-901 — 3-5-903
    grants to counties, 3-5-901, 7-6-2352
    reporter's salary and expenses, payment, 3-5-602
    transcripts of proceedings and reporter's certificate, payment, 3-5-604
    witness and juror fees, reimbursement procedures, 3-5-903, 46-15-116
  duties, 3-1-702
  estates, notice to district judge when no closure within 2 years, 72-3-1015
  law, practice prohibited, 3-1-601
Court calendar, See **Calendar precedence**
Court documents, electronic filing and storage — rules for, 3-1-115
Court of justice, enumeration as, 3-1-101
Court of record, enumeration as, 3-1-102
Crier of the court, 3-2-502

SUPREME COURT (Continued)

Criminal history record information accuracy, consent to rules for, 44-5-213
Criminal proceedings, See generally **APPELLATE PROCEDURE; CRIMINAL PROCEDURE**
Data and information technology resources, security responsibilities, 3-2-605
Death penalty, review, 46-18-307 — 46-18-310
Decisions
  appellate, special requirements for, 3-2-204
  certification of questions of law, Title 25, chapter 21, M.R.App.P., Rule 44
  concurrence of justices
    majority required for pronouncement, 3-2-211, 3-2-302; Const., VII, 3
    signature to indicate, 3-2-601
  death penalty, review, 46-18-310
  district court judge, by, Const., VII, 3
  report of
    distribution, 3-2-604
    presumption of correctness, 26-1-602
    reporters' duties, 3-2-603
    required of justices, 3-2-602
  retired judges or justices, by, 19-5-103
  writing, to be in, 3-2-601; Const., VII, 3
Disbarment of attorneys, See **Attorneys at law**
Energy conservation measure grants, 90-4-102, 90-4-109
Facilities for court, 3-2-304
Federal litigation, certification of questions of law, Title 25, chapter 21, M.R.App.P., Rule 44
Fees, 3-2-403 — 3-2-405
Habeas corpus, writ of, See **Original proceedings in; Writs; HABEAS CORPUS, WRIT OF**
Handicapped persons' employment preference, Title 39, chapter 30, See **LABOR AND EMPLOYMENT, Preference to handicapped persons**
Injunctions, See **Original proceedings in; Writs; INJUNCTION, WRIT OF**
Insurance policy coverage declared unlawful by, risk retention groups not to offer, 33-11-104
Judicial Nomination Commission
  judicial officer, nomination or appointment by chief justice, Const., VII, 8
  members, appointment 3-1-1001
Judicial power vested in, Const., VII, 1
Judicial Standards Commission, Const., VII, 11, See also **JUDGES AND JUSTICES**
  action of court on proceedings, 3-1-1107; Const., VII, 11
  corrective action, notice to court that corrective action would satisfy complaint, 3-1-1106
  masters, appointment, 3-1-1106
  members, appointment, 3-1-1101, 3-1-1102
  nonparticipation of interested judicial officer, 3-1-1108
  recommendation for proceedings, 3-1-1106, 3-1-1109
  suspension or removal of judicial officer, 3-1-1110
Jurisdiction, Const., VII, 2
  appellate, See **Appellate jurisdiction**; See also **APPELLATE PROCEDURE**
  attorneys at law, disbarment or suspension, 37-61-301
  ballot issues, challenges — grounds and limitations, 3-2-202
  certiorari, writs of, 3-2-202, 3-2-212, 27-25-102; Const., VII, 2; Title 25, chapter 21, M.R.App.P., Rule 17
  death penalty, review, 46-18-307
  district court
    challenge of judge for cause, assignment of judge for hearing, 3-1-805
    information against judge, 46-11-201
    multijudge districts, apportionment of judicial business, 3-5-403
  election recounts, substitute judge, 13-16-304
  extradition, extension of time of commitment or bail, 46-30-304

SUPREME COURT (Continued)
Jurisdiction (Continued)

- habeas corpus, writ of, 3-2-202, 3-2-212, 46-22-202; Const., VII, 2; Title 25, chapter 21, M.R.App.P., Rule 17
- injunctions, 3-2-202, 3-2-205; Const., VII, 2; Title 25, chapter 20, M.R.Civ.P., Rule 62(g); Title 25, chapter 21, M.R.App.P., Rule 17
- liens, foreclosure, 71-3-124
- malpractice review panel, See **Medical Legal Panel**
- mandamus, writ of, 3-2-202, 27-26-102; Const., VII, 2; Title 25, chapter 21, M.R.App.P., Rule 17
- medical legal panel, See **Medical Legal Panel**
- mining industry wages, review of order for bond guaranteeing, 39-3-516
- new trials, Title 25, chapter 20, M.R.Civ.P., Rules 50(c), 50(d)
- oil industry wages, review of order for bond guaranteeing, 39-3-516
- original, 3-2-201, 3-2-202; Const., VII, 2; Title 25, chapter 21, M.R.App.P., Rule 17
- postattack recovery and rehabilitation proclamation of governor, 10-3-506
- postconviction hearing, 46-21-101, 46-21-203
- prohibition, writ of, 3-2-202, 27-27-102; Const., VII, 2
- quo warranto, writ of, 27-28-105, 27-28-206; Title 25, chapter 21, M.R.App.P., Rule 17
- supervisory control, writ of, Title 25, chapter 21, M.R.App.P., Rule 17
- water rights adjudication, order to file claims, 85-2-211, 85-2-212, 85-2-214
  - notice of order, 85-2-213
- writs, 3-2-202, 3-2-205, 3-2-212; Const., VII, 2; Title 25, chapter 21, M.R.App.P., Rule 17

Justices, 1-1-202, See also generally **JUDGES AND JUSTICES**; **PUBLIC OFFICERS OR EMPLOYEES**
- absence, 3-2-402
- acknowledgments, power to take and certify, 3-1-404
- adjournment, number required, 3-2-302
- affidavits, power to take and certify, 3-1-404
- appellant defender, responsibilities, 46-8-212
- attorneys at law, admission to bar — examination, 37-61-204
- chief justice, See **Chief justice**
- clerk of the supreme court's records, order for removal from offices, Title 25, chapter 21, M.R.App.P., Rule 39
- decisions, See also **Decisions**
  - concurrence or dissent, 3-2-601
  - report of
    - published copy to each justice, 3-2-604
    - rules for, 3-2-603
- depositions, power to take and certify, 3-1-404
- disqualification, 3-1-803
- district judge as substitute justice, Const., VII, 3
- election, 3-2-101, 13-12-207, 13-14-211 — 13-14-213; Const., VII, 8
- forfeiture of office, 3-1-607, 3-1-608
- investigative subpoenas, 46-4-301
- law library, state — members of board of trustees, 22-1-502
- law practice prohibited when, Const., VII, 9
- majority concurrence required when, 3-2-211, 3-2-302; Const., VII, 3
- minutes of court, approval, Title 25, chapter 21, M.R.App.P., Rule 19
- nonjudicial office, candidacy for — resignation required, 3-1-607, 3-1-608; Const., VII, 10
- number, 3-2-101; Const., VII, 3
- oaths, Const., III, 3; Title 25, chapter 21, M.R.App.P., Rule 19
- offices, location, 2-16-111
- presiding justice, who may be, 3-2-301
- qualifications and residence requirements, 3-2-102; Const., VII, 9
- resignations, 3-1-607, 3-1-1010
- retired justices
  - call for duty, subject to, 19-5-103

SUPREME COURT (Continued)
Justices (Continued)
  retired justices (Continued)
    criminal cases, special master — as, 3-5-122
    judge pro tempore, as, 3-5-114
  retirement system, See **JUDGES' RETIREMENT SYSTEM**
  salaries and expenses, 2-16-403, 3-2-104; Const., VII, 9, See also **WAGES AND SALARIES**
  session laws, copies to, 5-11-203
  special term, authority to call, 3-2-303
  term of office, 3-2-101; Const., VII, 7
    computation, 3-2-103
  vacancy in office, Const., VII, 8
    forced, 3-1-607, 3-1-608
  writs, individual powers, 3-2-212, See also **Writs**
Justices of the peace
  election results, certification, 13-15-405
  training, 3-10-203, 3-10-231
Law Library, State — use of, 22-1-505
Local Citizen Review Board
  administration and oversight, 41-3-1004
  solicitation for interest, 41-3-1002
Malpractice review panel, See **Medical Legal Panel**
Mandamus, writ of, See **Original proceedings in**; **Writs**; **MANDAMUS, WRIT OF**
Marshal of the supreme court
  accounts, filing and certification, 3-2-503
  appointment, 3-2-501
  duties generally, 3-2-502
Medical Legal Panel
  administration by, 27-6-104
  audit reports furnished to, 27-6-207
  director and salary, approval, 27-6-201, 27-6-203
  employees and salaries, approval, 27-6-202, 27-6-203
  rules, procedural — approval, 27-6-204
Minutes of court, Title 25, chapter 21, M.R.App.P., Rule 19
Municipal courts
  appeals to district court, rules for, 3-6-104, 3-6-110
  judges
    election results, certification, 13-15-405
    training and certification, 3-6-202
New trial, rulings on, Title 25, chapter 20, M.R.Civ.P., Rules 50(c), 50(d)
Opinions, See **Decisions**
Original proceedings in, Title 25, chapter 21, M.R.App.P., Rule 17
  costs, Title 25, chapter 21, M.R.App.P., Rule 33
  dismissal, voluntary, Title 25, chapter 21, M.R.App.P., Rule 36
  oral argument, Title 25, chapter 21, M.R.App.P., Rules 17, 29
  parties
    designation, Title 25, chapter 21, M.R.App.P., Rule 1
    public officers, substitution, Title 25, chapter 21, M.R.App.P., Rule 37
  petitions, filing, Title 25, chapter 21, M.R.App.P., Rule 20
  rules of appellate procedure, scope and applicability, Title 25, chapter 20, M.R.Civ.P., Rule 72; Title 25, chapter 21, M.R.App.P., Rules 1, 53
Postattack recovery and rehabilitation proclamation, inquiry, 10-3-506
Presiding justice, who may be, 3-2-301
Process of the court
  service, 3-2-502
  territorial extent, Const., VII, 2
Prohibition, writ of, See **Original proceedings in**; **Writs**; **PROHIBITION, WRIT OF**
Quorum, 3-2-302

SUPREME COURT (Continued)

Quo warranto, See **Original proceedings in**; **Writs**; **QUO WARRANTO, WRIT OF**
Records, 3-2-402; Title 25, chapter 21, M.R.App.P., Rules 19, 39
Records preservation, rulemaking authority, 44-5-401
Reporters, 3-2-304, 3-2-501
Reports to state bar, 37-61-205
Retired judges or justices, call for duty by — subject to, 19-5-103
Review Division, 46-18-901
  application for review, 46-18-903
  conflict of interest of judge, 46-18-902
  decision, finality and report, 46-18-905
  procedure, 46-18-904
Rules of Appellate Procedure, Title 25, chapter 20, M.R.Civ.P., Rule 72, See **APPELLATE PROCEDURE**
Rules of Civil Procedure, adoption, See also **CIVIL PROCEDURE**
  advisory committee, appointment and function, 3-2-702; Title 25, chapter 20, M.R.Civ.P., Rule 86(a)
  commissions or boards, rulemaking powers unaffected, 3-2-705
  distribution of proposed rule, 3-2-703; Title 25, chapter 20, M.R.Civ.P., Rule 86(a)
  effective date, 3-2-707
  existing laws and rules, effect on, 3-2-706
  legislative power not abridged, 3-2-708
  local rules, 3-2-704
  power of court respecting, 3-2-701; Const., VII, 2; Title 25, chapter 20, M.R.Civ.P., Rule 86(a)
  publication, Title 25, chapter 20, M.R.Civ.P., Rule 86(a)
  suggestions from bench and bar, 3-2-703; Title 25, chapter 20, M.R.Civ.P., Rule 86(a)
Rules of court
  authority to adopt and promulgate when, 3-1-112; Const., VII, 2
  death penalty, review, 46-18-308
  district courts — consistency, copies to supreme court, Title 25, chapter 20, M.R.Civ.P., Rule 83
  injunctions, actions and proceedings for, 3-2-205
  municipal court rules for appeal, supervision, 3-6-104
  review division, 46-18-901
  water courts, promulgation, 3-7-103, 3-7-404
Seal, 3-1-201, 3-1-202; Title 25, chapter 21, M.R.App.P., Rules 35, 44
  clerk of the court, duties, 3-1-202, 3-2-402
Sentence Review Division, See **Review Division**
Sentencing data from district courts, 46-18-604
Sessions generally, Title 3, chapter 2, part 3
Special terms of court, 3-2-303
Supervision of other courts, Const., VII, 2
Supervisory control, writ of, Title 25, chapter 21, M.R.App.P., Rule 17, See also **Original proceedings in**; **Writs**
Suspension of attorneys, See **Attorneys at law**, disbarment or suspension
Terms of court, 3-2-303
United States courts, certification of questions of law, Title 25, chapter 21, M.R.App.P., Rule 44
Water adjudication advisory committee, recommendations and reports, 3-7-103
Water commissioners and water mediators, development of educational program for, 85-5-111
Water courts
  chief water judge
    appointment, 3-7-221
    nominees, list of — to be supplied to chief justice, 3-1-1001
    office, designation, 3-7-222
  disqualification of water judges or water masters, procedure exclusive, 3-7-404
  judges, request to sit in more than one water division, 3-7-201
  rules of practice and procedure, promulgation, 3-7-103, 3-7-404
  supervision, 3-7-204, 85-2-112

SUPREME COURT (Continued)

Writs, See also **Original proceedings in**; **WRITS**, generally
  costs, award, Title 25, chapter 21, M.R.App.P., Rule 33
  individual power of justices, 3-2-212
  issuance, 3-2-402
  jurisdiction, 3-2-202, 3-2-212, 27-25-102, 27-26-102, 27-27-102, 27-28-105, 27-28-106; Const., VII, 2
  majority concurrence required when, 3-2-211

SURETY BONDS
Actions on
  city officers, against, 7-6-4234
  county officers, generally — against, 7-4-2207, 7-6-2323
  county sheriff, against, 2-9-711, 27-16-210, 27-16-602
  jurisdiction in justice's court, 3-10-301
  official bonds, 2-9-527
    additional bond, action on, 2-9-514, 2-9-515
    defective, action for recovery, 2-9-512
    forfeiture, action against obligors, 2-9-511
    insufficiency of sureties, action to vacate office, 2-9-513
    judgments, separate — effect, 2-9-516
    performance, specific — action to compel, 2-9-528
  process servers, against, 25-1-1112
  security in, See **CIVIL PROCEDURE**, **Security**
Agricultural associations, 35-16-202
Agricultural commodity licensees, Title 80, chapter 4, parts 5 and 6, See **AGRICULTURAL COMMODITIES**, **Bonds**
Alcoholic beverages, illegally handled — occupants of premises to furnish, 16-6-313
Appeal, See **APPELLATE PROCEDURE**, **Supersedeas bond**; **Sureties**
Arrest bond certificates, guaranteed, 46-9-412, 46-9-414
Arrest, prejudgment, See **ARREST**, **Prejudgment arrest**
Assignment for benefit of creditors, assignee, 31-2-219, 31-2-220, 31-2-225
Attorney at law as surety, 37-61-419, 46-9-402
Auctioneers, 30-11-508, 30-11-510
  ex officio, 30-11-511
Bail, as, 46-9-401, 46-9-403, 46-9-502, 46-9-511; Const., II, 21, See **BAIL**
Banks and trust companies
  foreign trust company, 32-1-1005
  liquidation
    federal deposit insurance corporation agent, bond not required, 32-1-603
    trustees, bond of, 32-1-538
  officers and employees, bonding of, 32-1-461
    closure of bank, liability, 32-1-502
Boxing matches or exhibitions, licensees, 23-3-502
Building and loan associations
  capital stock association chairman, 32-2-232
  mutual association chairman, 32-2-232
  officers and employees, 32-2-408
Cemetery associations
  permanent care and improvement fund trustee, 35-20-304
  treasurer, 35-20-208
Cemetery district permanent care and improvement fund trustees, 7-35-2139 — 7-35-2141
Child support payments, delinquent, 40-4-209
Cigarette licensees, 16-11-117
City-county consolidated government
  depository banks, deposit security, 7-3-1317, 7-3-1318

SURETY BONDS (Continued)
City-county consolidated government (Continued)

- officers and employees, 7-3-1249, 7-3-1258, 7-3-1306, 7-3-1314, 7-3-1320, 7-3-1341, See also **Official bonds**

City officers and employees, See also **Official bonds**
- actions against, 7-6-4234, See also **Actions on**
- amount, 2-9-802, 7-3-1258, 7-3-4217
- application of provisions, 2-9-801
- approval, 2-9-803, 7-3-4217
- breach, jurisdiction in city court, 3-11-103
- city-county consolidated government officers and employees, 7-3-1249, 7-3-1258, 7-3-1306, 7-3-1314, 7-3-1320, 7-3-1341
- clerk, 7-6-4234
- councilmen, 7-3-4217, 7-6-4234
- department directors, 7-3-4433
- filing, 7-3-1258, 7-3-4217, 7-4-4109
  - failure to file on time, 7-4-4111
- form and coverage, 2-9-803
- law, department of — director, 7-3-1341
- liability on, 7-3-1249, 7-3-1314, 7-3-1320, 7-3-4433, 7-6-4234
- mayors, 7-3-4217
- premiums, 2-9-805, 7-3-1258
- purchase, 2-9-802, 2-9-804
- requirement, 2-9-802, 7-3-1258, 7-3-1306, 7-3-1341, 7-4-4109
- surety on bond, as — prohibited, 7-3-1258
- treasurer, 7-3-1306, 7-3-1320

Civil actions, See **CIVIL PROCEDURE**, **Security**
Condominiums, construction, 70-23-205
Conservation districts
- depository requirements, 76-15-508
- officers and employees, 76-15-315, 76-15-520

Conservators, 72-5-411 — 72-5-413
Construction liens, substitution of bond, 71-3-551 — 71-3-553
Contractors, wage protection, Title 39, chapter 3, part 7, See **WAGES AND SALARIES**, **Contractors**
Corporate dissolution, receivers or custodians, 35-1-941
Cost of procurement, 33-26-106
County claims, disallowed — appellants, 7-6-2424
County officers and employees, See also **Official bonds**
- actions against, 2-9-711, See also **Actions on**
- amount, 2-9-702
- consolidation of offices, effect, 7-4-2312
- constables, 3-10-704, 3-10-706, 30-11-511
- county commissioners, board of
  - constables, deputy — liability for, 3-10-704
  - liability on, 3-10-704, 7-4-2113
  - surety on bond, as — prohibited, 2-9-507
- department officials, 7-6-2323
- fixed how, 7-4-2212
- form and conditions, 2-9-701, 81-4-505
- horse roundup foreman, requirements, 81-4-505
- inspection, 7-4-2213
- liability on, 3-10-704, 3-10-706, 7-4-2113, 7-4-2212, 7-4-2213, 7-4-2515, 7-6-2323, 7-35-2141, 15-16-119, 20-9-604, 30-11-511, 35-20-304, 72-14-202, 72-14-401, 72-15-205, 76-15-520, 76-15-524
- name change of county, effect, 7-2-2509
- new counties, requirements, 7-2-2223, 7-2-2227
- penalties, regulation, 7-1-2111

SURETY BONDS (Continued)
County officers and employees (Continued)

- premiums, 2-9-704
- purchase, 2-9-703
- renewal, 7-4-2110
- requirement, 2-9-701
- sheriff, 2-9-711, 27-16-210, 27-16-602, 30-11-511
  - levy for failure to collect delinquent taxes, 15-16-119
- superintendent of schools, 20-3-201, 20-3-202
- surety on bond, as — prohibited, 2-9-507
- treasurer, 7-35-2141, 15-16-119, 20-9-604, 25-8-104, 35-20-304, 72-14-202, 72-14-401, 72-15-205, 76-15-520, 76-15-524
- written notification, insufficiency of sureties, 7-4-2213

County roads and bridges
- contractors, 7-14-2405, 7-14-2406
- road superintendent, 7-14-2301

County warrants, bonds, or coupons — for issuance of duplicate, 7-7-2104, 7-7-2106
County water and/or sewer district administrative personnel, 7-13-2279
Court officers, for, See **Official bonds**
Credit unions, 32-3-201, 32-3-412
Depository for money or assets, 7-3-1317, 7-3-1318, 33-26-107
Detention centers, private parties operating, 7-32-2232
Drainage district commissioners, 85-8-121, 85-8-308, 85-8-314, 85-8-347
Elections
- contest, for costs, 13-36-204
- recount, with request for, 13-16-211

Eminent domain proceedings, 70-30-307, 70-30-311
Employment agencies, 39-5-206
Estate and probate matters, See **ESTATES AND PROBATE, Bonds; Sureties**
Execution, for sheriff's costs, 25-13-403
Facility siting, orders stayed or suspended — requirement, 75-20-411
Fees
- for taking, 7-4-2525, 7-32-2141
- recording, 2-6-103

Ferry owners or keepers, 7-14-2827
Fire department relief association treasurer, requirements, 19-18-202
Fire hazard reduction, 76-13-401, 76-13-408, 76-13-409
Fish and game license agents, 87-2-902
Fish pond licensees, private, 87-4-603
Foreign-money claims, united states dollar value of — determining, 25-9-712
Fraternal benefit societies, 33-7-208
Gasoline license tax, distributors, 15-70-202
Grazing districts, owners of trespassing livestock, 76-16-311
Guardians, for, See **Official bonds**, generally; **GUARDIANS AND GUARDIANSHIP, Bond of guardian**
Hail insurance, disputed appraisals, 80-2-243
Hazardous substance releases, remedial action sites — liable person's financial assurance, 75-10-719, 75-10-721
Health maintenance organizations, officers and employees, 33-31-223
Individuals to sign bond, 33-26-104
Insurance producers, surplus lines, 33-2-305
Insurers
- domestic mutual
  - officers, 33-3-307
  - requirements, 33-3-205
- farm mutual, officers — requirements, 33-4-311
- liens dissolved by, 33-2-1353, 33-2-1354
- reciprocal, attorneys, 33-5-303

SURETY BONDS (Continued)
Insurers (Continued)

- rehabilitators or liquidators, 33-2-1393
- sole surety, as, 33-26-104
- unauthorized, 33-1-615

Irrigation districts, See **IRRIGATION DISTRICTS, Bonds and undertakings**
Itinerant vendors, 7-21-2306 — 7-21-2308
Livestock
- horse roundup foreman, 81-4-505
- markets, Title 81, chapter 8, part 2, See **LIVESTOCK, Markets and marketing**
- owners
  - security for damages, 81-4-307
  - trespassing stock, actions regarding, 76-16-311, 81-4-217
- special deputy, 81-6-105

Lottery, state
- contract requirements, 23-7-211
- ticket or chance sales agents, 23-7-301

Megalandfill siting
- financial assurance, 75-10-951, 75-10-952
- order, stay or suspension — upon, 75-10-945

Mines and mining
- metal mines, See **MINES AND MINING**
- opencut mining, See **MINES AND MINING**
- strip and underground mines
  - mining permit, amount and requirements, 82-4-223
  - prospecting permit, 82-4-226
  - siting, 82-4-123, 82-4-128, 82-4-129
- wages, to guarantee, Title 39, chapter 3, part 5, See **WAGES AND SALARIES, Mineral and oil industries**

Minors, transfers to — custodian, 72-26-704, 72-26-801
Motor carriers, 69-12-402
Motor club service companies, 61-12-304
Motor vehicles
- auto auction license requirements, 61-4-120
- certificate of title, required when, 61-3-208
- dealers and wholesalers, required when, 61-4-101
- financial responsibility
  - liability insurance, in lieu of, 61-6-301
  - proof of, as, 61-6-137

Nonprofit corporations, dissolution — receiver or custodian, 35-2-730
Notaries public, 1-5-405, 1-5-406
Nuclear facilities, owners, 75-20-1203
Nuisances, public — compliance with abatement orders, 45-8-112
Official bonds, See also **City officers and employees; County officers and employees; State officers and employees**
- actions against, See **Actions on**
- additional bond, 2-9-513, 2-9-514, 2-9-524
- affidavits, when, 2-9-507, 2-9-513, 2-9-528
- application of provisions, 2-9-501
- appointees, for, 2-9-503
- approval and filing, 2-9-506, 2-9-512, 2-9-514, 2-9-521, 2-9-524
- assignees, for, 2-9-505
- conditions, form, signatures, 2-9-504, 2-9-512, 2-9-514, 2-9-521, 2-9-524
- deputies, for, 2-9-502
- exceptions, 2-9-501
- fee for receiving and recording, 2-6-103
- fire department relief association treasurer, 19-18-202

SURETY BONDS (Continued)
Official bonds (Continued)

- index, 7-4-2619
- irrigation districts, 85-7-1504, 85-7-1506, See also **IRRIGATION DISTRICTS, Bonds and undertakings**
- judgments generally, 2-9-527
  - liability of surety, 2-9-511
  - liens on real estate, 2-9-528
  - separate, effect, 2-9-515, 2-9-516
- liability on, 1-5-406, 2-9-511, 2-9-514, 2-9-515, 2-9-521, 2-9-524 — 2-9-526
- new bond
  - amount and failure to file, 2-9-524
  - discharge of surety, upon, 2-9-521
  - liability of sureties, 2-9-521, 2-9-525, 2-9-526
- notaries public, 1-5-405, 1-5-406
- public administrator, 72-15-103, 72-15-213
- public office, usurpation or abuse — prevailing party in action for, 27-28-306
- receivers, for, 2-9-505, 27-20-301
- recording, 2-6-103, 2-9-506, 7-4-2613
- sole surety, insurer as, 33-26-104
- suit on, 2-9-527, See also **Actions on**
- sureties
  - contributions between, 2-9-517
  - discharge, 2-9-521, 2-9-526
  - insufficiency, effect, 2-9-513
  - liability, extent, 2-9-504, 2-9-511, 2-9-514, 2-9-515, 2-9-521, 2-9-523 — 2-9-526
    - defects, effect, 2-9-512
    - release from, 2-9-522 — 2-9-524, 2-9-526
  - qualifications, 2-9-507
  - real estate, lien upon, 2-9-528
  - release, 2-9-522 — 2-9-524, 2-9-526
  - signature and execution of bonds, 2-9-504
  - surety insurers as sole surety, 33-26-104
- trustees, for, 2-9-505

Oil and gas
- injunction, surety for, 82-11-145
- wages, to guarantee, Title 39, chapter 3, part 5, See **WAGES AND SALARIES, Mineral and oil industries**
- wells, plugging, 82-11-123, 82-11-125

Personal representatives, for, See **ESTATES AND PROBATE, Personal representative**
Postsecondary educational institutions, permit or license requirements, 20-30-301, 20-30-302, 20-30-305
Power of attorney, statutory — authority, 72-31-232
Process servers, 25-1-1111, 25-1-1112
Procurement contracts, state, 18-4-312
Public administrator, 72-15-103, 72-15-213
Public contractors, Title 18, chapter 2, part 2
Public contracts, 18-1-202 — 18-1-204, 18-2-302, 18-4-312, 23-7-211
Railroads
- eminent domain, for fences and cattleguards, 70-30-307
- grain elevators or warehouses along, land determination decisions — appeal proceedings, 69-14-905

Schools
- enrollment provisions, persons convicted of noncompliance, 20-5-106
- textbook dealers, 20-7-604

Securities salespersons, 30-10-201
Seismic operations, 82-1-104, 82-1-105, 82-1-107
Sole surety, insurer as, 33-26-104

SURETY BONDS (Continued)

Special fuel
    license for distributors, 15-70-341
    users, 15-70-301, 15-70-304, 15-70-308
State land leases, requirements
    coal, 77-3-313
    geothermal resources, 77-4-106, 77-4-107
    mining, 77-3-119, 77-3-120
    nonmetallic minerals, 77-3-204
State lottery
    contract requirements, 23-7-211
    ticket or chance sales agents, 23-7-301
State officers and employees, 2-9-601, See also **Official bonds**
    agriculture, department of — employees, 80-11-209
    appropriations, mishandling — liability, 17-8-104
    commerce — department, employees, and agents, 32-1-502, 90-8-321
    coverage, form, amount, 2-9-602
    insurance, commissioner and deputies, 33-2-1311
    liability on, 17-6-204, 17-8-104
    premiums, proration, 2-9-604
    purchase, 2-9-603
    requirement, 2-9-602
    treasurer, 17-6-204
Subdividers, 76-4-1239
Subdivision improvements, to ensure construction, 76-3-507
Surplus lines insurance producers, 33-2-305
Taxes, for, 15-70-202, 15-70-301, 15-70-304, 15-70-308, 15-70-341, 15-70-701, 15-70-704
Textbook dealers, 20-7-604
Timber sale agreements, 77-5-202
Transient retail merchants, 7-21-2407 — 7-21-2409
Trustees, for, 2-9-505, 72-33-603, 72-33-617, 72-35-403, 72-35-504, 72-35-506, See also **Official bonds**
Wage brokers, 31-1-301
Water commissioners, 85-5-103
Water conservancy district directors, 85-9-401
Water quality disposal site reclamation requirements, 75-5-401, 75-5-402, 75-5-405
Water well contractors and monitoring well constructors, 37-43-306
Workers' compensation, security for employer, 39-71-2106, 39-71-2206
Wrestling matches or exhibitions, licensees, 23-3-502

SURETYSHIP AND SURETIES
Applicability of laws
    contract law, 28-11-403
    guaranty law, 28-11-412, 28-11-414
    indemnity, 28-11-312
Arrest, prejudgment, Title 27, chapter 16
Attachment, upon, Title 27, chapter 18
Bail, sureties on, Const., II, 21; Title 46, chapter 9
Bonds, See **SURETY BONDS**
Civil actions, See **CIVIL PROCEDURE, Security**
Companies, See **Surety insurance**
Construction, 28-11-403
Contribution, right to, 2-9-517, 25-13-104, 28-11-417
Corporations as sureties, 33-26-101
Counties, effect of name change, 7-2-2509
Creditor, 28-11-412, 28-11-416, 28-11-419
Defined, 28-11-401

SURETYSHIP AND SURETIES (Continued)

Eminent domain, condemnation commissioners — surety-party relationship grounds for exclusion, 70-30-207
Estates and probate, for, See **ESTATES AND PROBATE, Bonds; Sureties**
Execution, 25-13-104, 25-13-105, 25-13-302
Exoneration, 28-11-412, 28-11-413, 28-11-416, 28-11-419
Extent, 28-11-411
Freeholders, surety to be, 33-26-102
Housing authority deposits secured by undertakings, sureties on, 7-15-4512
Insurance, See **Surety insurance**
Insurers, reinsurance, 33-2-1201
Interpretation, 28-11-403
Judgment against surety, effect, 28-11-404
Judicial record, principal bound when surety bound, 26-3-104
Jurors, relationship grounds for challenge, 25-7-223
Liability of surety, 26-3-104, 28-11-411
Limited liability partnerships, liability of partners, 35-10-307
Limited partnerships, limited partner — liability when acting as surety, 35-12-703
Negotiable instruments, 30-1-201, 30-3-415, 30-3-607
Offer of performance, 28-11-413
Performance, 28-11-413, 28-11-415
Principal, 26-3-104, 28-11-402, 28-11-415 — 28-11-417
Quo warranto proceedings, 27-28-301
Receivership, in, 27-20-203, 27-20-301
Reimbursement, right to, 25-13-104, 25-13-105, 28-11-417
Residence of surety, 33-26-102, 33-26-104
Rights of surety, 28-11-414
Security, 28-11-401, 28-11-418 — 28-11-420
State land mining leases, consent for assignment, 77-3-105
Subrogation, 28-11-417
Surety insurance, 33-1-211
    bonds and undertakings, 33-26-101 — 33-26-107, See also **SURETY BONDS**
    discrimination prohibited, 33-18-207, 33-18-210, See **DISCRIMINATION, Insurance; Insurers**
    individuals to sign bond, 33-26-104
    insurance producers, See **INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS, AND ADMINISTRATORS**
    legislative auditor, reports of official or employee violations, 5-13-304
    preferred rates prohibited when, 33-18-207
    public fund deposits, guarantees as security, 17-6-103
    rebates prohibited, 33-18-210
    sole surety, insurer as, 33-26-104
    surplus lines, See **INSURANCE, SURPLUS LINES**
Worth of surety, 33-26-102

SURPLUS LINES INSURANCE LAW, Title 33, chapter 2, part 3
    See **INSURANCE, SURPLUS LINES**

SURPLUS PROPERTY, Title 18, chapter 5, part 2
    See **PUBLIC CONTRACTS**

SURVEYORS AND SURVEYING
    See **COUNTY SURVEYOR; ENGINEERS AND LAND SURVEYORS; PROPERTY, REAL, Surveying**

SUSTAINABLE AGRICULTURE RESEARCH AND EDUCATION ACT, 20-25-233 — 20-25-236

SWIMMING POOLS AND SWIMMING AREAS
Administrative enforcement, 50-53-212, 50-53-213

SWIMMING POOLS AND SWIMMING AREAS (Continued)

Appeals, 50-53-207
Boats, operation near swimming areas, 23-2-525
Buildings, 50-53-103
Buoys, marking of areas, 23-2-525
Cities and towns, See **Municipal**
Civil penalty, 50-53-216, 50-53-217
Construction, 7-16-4103, 18-2-122, 50-53-103, 50-53-108
Cooperative agreements, 50-53-103, 50-53-209
Corrective action, 50-53-211 — 50-53-213
Criminal charges, 50-53-109
Critical point inspections, 50-53-209
Definitions, 50-53-102
Discriminatory practices, See **DISCRIMINATION, Public accommodations**
Enforcement of provisions, 50-53-103, 50-53-104, 50-53-203, 50-53-209, 50-53-212, 50-53-213, 50-53-216
  actions, 50-53-217, 50-53-218
  funding, 50-53-218
Fees, 50-53-202, 50-53-203
Fines, 50-53-109
Floodways, within, Title 76, chapter 5, See **FLOODPLAINS AND FLOODWAYS, Uses within**
Full facility inspections, 50-53-209
Health, local boards or officers
  appeals to board, 50-53-207
  cooperative agreements, 50-53-103, 50-53-209
  definitions, 50-53-102
  enforcement
    actions and funding, 50-53-218
    authority, 50-53-104
  hearings, 50-53-207
  inspections, 50-53-209
    payments for, 50-53-218
  licenses, validation, 50-2-118, 50-53-202, 50-53-206
    refusal, 50-53-206, 50-53-207
  performance standards, 50-53-103, 50-53-218
Health, purpose to protect, 50-53-101, 50-53-103, 50-53-107, 50-53-201
Hearings, 50-53-207, 50-53-212
Hot springs, 50-53-102, 50-53-115
Injunctions, 50-53-104, 50-53-216
Inspections, 50-53-103, 50-53-104, 50-53-209, 50-53-218
  publication of report, 50-53-105
Investigations, 50-53-104, 50-53-217
Land or facilities for, 7-16-2321
Landowner's liability, 70-16-301, 70-16-302
Licenses
  alteration, 50-53-214
  appeals, 50-53-207
  application, 50-53-202, 50-53-203
  cancellation, 50-53-204, 50-53-211 — 50-53-214
  denial, 50-53-211 — 50-53-213
  destruction, 50-53-214
  exemption, 50-53-201
  expiration, 50-53-203, 50-53-204
  failure to renew, 50-53-203
  fee, 50-53-202, 50-53-203
  issuance, 50-53-201, 50-53-202
  late fee, 50-53-203

SWIMMING POOLS AND SWIMMING AREAS (Continued)
Licenses (Continued)

  multiple pool facilities, 50-53-211
  nontransferability, 50-53-204
  renewal, 50-53-202, 50-53-203
  required, 50-53-201
  return, 50-53-214
  right to, 50-53-202
  signing required, 50-53-201, 50-53-206, 50-53-207
  suspension, 50-53-204, 50-53-211 — 50-53-213
  validation, 50-2-118, 50-53-202, 50-53-206, 50-53-207
    refusal, 50-53-206, 50-53-207
  valid when, 50-53-201, 50-53-206
  violation of conditions, 50-53-216
Lifeguards, 50-53-107
Marking of areas, 23-2-525
Municipal
  establishment, authority, 7-16-4103
  financing, 7-16-4104, 7-16-4105, See also **SPECIAL IMPROVEMENT DISTRICTS**, generally
  revenues from, 7-6-4133
  tax levy for, 7-16-4105
Nuisance, when, 50-53-104, 50-53-108
Operation, 50-53-103
Operators
  enforcement actions, costs — assessment, 50-53-217
  licensing, 50-53-103, See **Licenses**
  requirements, 50-53-106, 50-53-107, 50-53-203
Park Commissioners, County Board of — powers, 7-16-2321, 7-16-2327
Penalties, 50-53-104, 50-53-109, 50-53-216
Plans and specifications, 18-2-122
Prohibited practices, See **Violations**
Public accommodations, operation in conjunction with, 50-53-203
Purpose of provisions, 50-53-101
Records, 50-53-106
Recreation, swimming defined as, 23-2-301, 70-16-301, See also **RIVERS AND STREAMS, Recreational use**
Repair, 50-53-103
Reports of inspections, 50-53-104, 50-53-105
Rules, 50-53-103, 50-53-104, 50-53-109, 50-53-115, 50-53-201, 50-53-202, 50-53-207, 50-53-209, 50-53-211, 50-53-212, 50-53-216 — 50-53-218
Safety
  purpose to protect, 50-53-101, 50-53-103
  regulation, 50-53-103, 50-53-106, 50-53-107, 50-53-201
Sanitarians, Title 37, chapter 40
  duties generally, 37-40-101
  performance standards, 50-53-103, 50-53-218
Sanitation, 50-53-103, 50-53-106, 50-53-107, 50-53-115
Seasonal, 50-53-209
Show cause order, 50-53-212
Special improvement districts, creation for, 7-12-4102, See **SPECIAL IMPROVEMENT DISTRICTS**, generally
Stream access law, Title 23, chapter 2, part 3, See **RIVERS AND STREAMS, Recreational use**
Tax levy for, 7-16-4105
Tourist-oriented directional signs, business eligibility, 60-5-522
University system, 20-25-302
Use charges, 7-16-4103

SWIMMING POOLS AND SWIMMING AREAS (Continued)

Violations, 50-53-109, 50-53-216
  civil penalty, 50-53-216, 50-53-217
  corrective actions, 50-53-211 — 50-53-213
  criminal charges, 50-53-109
  fines, 50-53-109
  injunction, 50-53-104
  license denial, suspension, or cancellation for, 50-53-211
  notice of, 50-53-212, 50-53-213
  nuisance, as, 50-53-104, 50-53-108
  penalties, 50-53-104, 50-53-109, 50-53-216, 50-53-217
  remedies, 50-53-104, 50-53-211
Water purity, 50-53-107
Western Montana College of the University of Montana, addition to physical education facility, 17-5-423, 17-5-425

T

TACTICAL INCIDENT ASSISTANCE ACT, 10-3-701 — 10-3-705
  See **LAW ENFORCEMENT**

TAX APPEAL BOARDS, Const., VIII, 7
County
  appeal of decision by, 15-1-303, 15-2-201, 15-2-301, 15-15-103, 15-15-104
  attendance at hearing, requirements, 15-2-301, 15-15-103, 15-15-104
  compensation and expenses, 15-2-201, 15-15-101
  costs, 15-8-115
  evidence, hearings, 15-2-301, 15-15-103
  jurisdiction
    appraisal, 15-7-102
    assessment, 15-1-303, 15-8-113, 15-8-306, 15-8-601, 15-15-101
    classification, 15-7-102
    protest payments, 15-1-402
  meetings, 15-2-201, 15-15-101
  members, 15-2-201, 15-15-101
  minutes, transmittal, 15-2-301, 15-15-103
  offices, 15-15-101
  party defendant, department of revenue, 15-8-115
  powers and duties, 15-15-101; Const., VIII, 7
  reduction of assessment, application for, 15-15-102, 15-15-103
  rulemaking authority, 15-2-201
Homeowner's tax payment claimants, ineligibility when, 15-1-1007
Levies, effect of decisions by boards, 15-10-206
Service of process, 15-8-115
State
  adjournment, 15-2-103
  allocation, 15-2-102
  authentication by, 15-2-106
  coal severance tax and new coal production information, public availability, 15-35-205
  composition, 15-2-101
  county tax appeal board
    appeals from, 15-2-201, 15-2-301, 15-15-103, 15-15-104
    expenses, payment, 15-15-101
    meetings, scheduling, 15-2-201, 15-15-101
  creation, 2-15-1015, 15-2-101

TAX APPEAL BOARDS, Const. (Continued)
State (Continued)

- definition, 15-1-101
- employees, 15-2-102, 15-2-104
- evidence
  - appeal of decision, additional evidence, 15-2-303
  - interlocutory adjudication of decisions, petition raising admissibility, 15-2-304, 15-2-305
  - rules of evidence inapplicable, 15-2-301
  - seal, judicial notice, 15-2-106
- expenses, 15-2-102, 15-2-104, 15-2-201, 15-2-301, 15-15-101
- false testimony to, 15-1-302
- interlocutory adjudication, 15-2-304, 15-2-305
- judicial review of decisions, 15-1-301 — 15-1-303, 15-2-303, 15-7-102, 15-8-112, 15-8-113
- jurisdiction
  - air and water pollution control equipment — certification, classification, and valuation, 15-6-135
  - appraisal, 15-7-102
  - assessment, 15-1-211, 15-1-303, 15-2-201, 15-2-302, 15-23-102
    - percentage assignment, 15-8-112, 15-8-113
  - cigarette tax, 16-11-149, 16-11-150
  - classification, 15-2-302, 15-7-102
  - county tax appeal board decisions, 15-2-201, 15-2-301, 15-15-103, 15-15-104
  - gasoline and vehicle fuels taxes decisions, 15-70-111
  - income tax, application for revision, 15-30-147, 15-30-148
  - 9-1-1 emergency telephone system fee, 10-4-212
  - protest payments, 15-1-402, 15-2-306
  - refunds, denial, 15-1-211
  - revenue, department of — decisions of, 15-1-211, 15-2-201, 15-2-302, 70-9-311
  - unclaimed property, appeal of claims, 70-9-311, 70-9-312
- location, 15-2-103, 15-2-105
- meetings, 15-2-103, 15-2-104
- members, 15-2-101, 15-2-102, 15-2-201
- oaths, 15-2-104, 15-2-201
- offices, 15-2-105
- powers and duties, 15-2-201
- presiding officer, 15-2-102, 15-2-103
- property valuation and assessment system fee, exemption, 2-6-110
- quorum, 15-2-103
- refunds, order for, 15-2-306, 15-16-603
- revenue, department of
  - appeals from, jurisdiction, 15-1-211, 15-2-201, 15-2-302, 70-9-311
  - judicial review, notice, 15-2-303
  - party defendant, 15-8-115
  - rules of, effect, 15-2-301
- rulemaking authority, 15-2-104, 15-2-201
- seal, 15-2-106
- secretary, 15-2-104
- state debt collection, review of tax offset liability decision — appeal from, 17-4-105
- witnesses, 15-2-201

Taxpayer assistance, office of — duties, 15-1-223
Taxpayer rights, 15-1-211, 15-1-222

TAXATION, CORPORATIONS
See also **CORPORATIONS, License fees; TAXATION, GENERAL PROVISIONS**
Actions

- closing agreements, under, 15-31-521
- collection, for, 15-31-522, 15-31-526, 15-31-543, 15-31-544
- confidentiality of records when, 15-31-511

TAXATION, CORPORATIONS (Continued)
Actions (Continued)

- forfeiture of corporate rights, 15-31-543
- recovery of taxes, penalties, and interest, 15-31-526
- reviver, without prejudice to, 15-31-524

Allocation and apportionment of income, 15-31-301
- business income, 15-31-301, 15-31-302, 15-31-305
  - payroll factor, 15-31-308, 15-31-309, 15-31-323
  - property factor, 15-31-306, 15-31-307, 15-31-323
  - sales factor, 15-31-310, 15-31-311
- capital gains or losses, 15-31-304
- definitions, 15-31-302, 15-31-306, 15-31-308, 15-31-310, 15-31-312, 15-31-321
- formula for apportionment, 15-31-312
- interest and dividends, 15-31-304
- nonbusiness income, 15-31-302, 15-31-304
- rents and royalties, 15-31-304
- rules, 15-31-313
- sales, 15-31-302
- taxable in another state, 15-31-303
- unitary business, 15-31-301, 15-31-312, 15-31-322
- water's-edge election, 15-31-322
  - apportionment factors, 15-31-323
  - definitions, 15-31-321
  - dividends, treatment, 15-31-325
  - domestic disclosure spreadsheet, 15-31-326
  - license tax, rate of tax, 15-31-121
  - period of and consent, 15-31-324

Assessment, 15-1-211, 15-31-502, 15-31-503, 15-31-509, 15-31-521, 15-31-522, 15-31-544
Assignments, 15-31-111, 15-31-505
Banks and building and loan associations, special provisions
- cessation of business by bank, effect, 32-1-509
- license tax, 15-31-101, See also **License tax**
  - allocation and distribution of revenue, 15-31-702
  - consolidated returns prohibited, 15-31-141
  - moneyed capital of banks exempt, 15-31-703
  - transmittal of revenue, 15-31-701

Closing agreements, 15-31-521
Collection, 15-31-521, 15-31-522, 15-31-526, 15-31-543, 15-31-544
Confidentiality of information, 15-31-511
Cost of doing business, taxes as, 30-14-202
Credits, 15-31-509, 15-31-521, 15-31-531
- capital companies, for investment in, 90-8-102, 90-8-202
- economic development loan, business created from — infrastructure fees, 17-6-316
- income tax, 15-31-103
- license tax, See **License tax**
- reclaimable material, for investment in property to collect or process or to manufacture product from, 15-32-601 — 15-32-604, 15-32-611

Deductions
- income tax, 15-31-103, 15-31-117
- license tax, 15-31-103, 15-31-114, 15-31-117, 15-31-119, 15-32-103, 15-32-104, 15-32-106, 15-32-301 — 15-32-303, 15-32-601, 15-32-609 — 15-32-611

Deficiencies, 15-31-503, 15-31-509, 15-31-522
Definitions, 15-31-510
- allocation and apportionment of income, 15-31-302, 15-31-306, 15-31-308, 15-31-310, 15-31-312, 15-31-321
- energy-related incentives, 15-32-102, 15-32-302
- income tax, 15-31-103, 15-31-403, 15-31-406

TAXATION, CORPORATIONS (Continued)
Definitions (Continued)

- license tax, 15-31-101 — 15-31-103, 15-31-113, 15-31-119, 15-31-123, 15-31-124, 15-31-131, 15-31-141, 15-31-702, 15-31-703
- recycling of material, 15-32-601
- small business corporations, 15-31-123, 15-31-201
- small business investment company, 15-33-103

Delinquencies, 15-31-510, 15-31-523, 15-31-524, 15-31-541, 15-31-543, 15-31-701
Dissolution of corporation, 15-31-143, 15-31-523, 35-1-944
Energy-related incentives

- alternative energy systems
  - credit for installation, 15-32-201 — 15-32-203
  - definitions, 15-32-102
  - purpose of provisions, 15-32-101
- energy conservation investments
  - classification of property, extension, 15-32-108
  - credit for, 15-32-104, 15-32-106, 15-32-109
  - deduction for, 15-32-103, 15-32-104, 15-32-106
  - definitions, 15-32-102
  - loans by utilities or financial institutions, 15-32-107
  - new construction, applicability, 15-32-105
  - purpose of provisions, 15-32-101
- rules, 15-32-105, 15-32-107, 15-32-203, 15-32-407
- wind-generated electricity, commercial investment
  - credit for, 15-32-402 — 15-32-407
  - purpose and policy, 15-32-401

Estimated payments, 15-31-502, 15-31-510
Estimates by Department of Revenue, 15-31-504
Evidence

- deficiency, 15-31-503
- delinquency, 15-31-541
- payment, 35-1-944, 35-1-1037
- records
  - examination, 15-31-504, 15-31-505
  - privileged, 15-31-511
- returns
  - confidentiality, 15-31-511
  - failure to file, 15-31-541
- reviver, 15-31-524
- suspension, forfeiture, or dissolution for delinquency, 15-31-523

Exemptions, 15-6-201, 15-31-102

- banks, moneyed capital, 15-31-703
- cemetery company, 15-31-102
- domestic international sales corporations (DISC), income from, 15-31-102
- farmers' market associations, 15-31-102
- fraternal benefit societies, 15-31-102, 33-7-410
- income tax, from, 15-31-103, 15-31-401
- insurance companies, 15-31-102
- labor, agricultural, or horticultural organizations, 15-31-102
- license tax, from, 15-1-205, 15-31-102, 15-31-103, 15-31-113, 15-31-401, 15-31-703
- lodges of fraternal organizations, 15-31-102
- religious, charitable, scientific, or educational corporations, 15-31-102
- research and development firms, 15-31-103, 15-31-401, 15-31-403
- small business investment companies, capital gains or dividend income from, 15-33-102, 15-33-106
- sports or athletic events, training facilities, 15-6-201
- utilities, 15-31-102, 35-18-503
- wool and sheep pools, 15-31-102

TAXATION, CORPORATIONS (Continued)

Federal territory, within, 2-1-202, 2-1-205, 2-1-209
Foreign trade zones, operation in, 30-15-104, See **TRADE REGULATION AND COMPETITION**
Forfeiture of corporate powers upon delinquency, 15-31-523, 15-31-524, 15-31-543
Income tax, special provisions, See also **TAXATION, INDIVIDUAL INCOME**
  administration, 15-31-402, 15-31-407
  allocation of revenue, 15-1-501, 15-31-408, 17-5-408
  alternative tax on gross sales, 15-31-403
  applicability of laws, 15-31-401, 15-31-406
  citation of corporation license tax, 15-31-402
  credits, 15-31-103
  deductions, 15-31-103, 15-31-117
  definitions, 15-31-103, 15-31-403, 15-31-406
  exemptions, 15-31-103, 15-31-401
  income from sources within this state, 15-31-403
  information return on change from license tax, 15-31-405
  interest, 15-31-404
  license tax
    applicability of laws, 15-31-406
    change from, 15-31-405
    offset for, 15-31-404
  net operating loss, 15-31-103
  penalties, 15-31-404
  public contractor's license tax, credit, 15-50-207
  rate of tax, 15-31-403
  rules, 15-31-407
  small business independent liability funds, 15-31-117, 15-31-118
Interest, 15-1-501, 15-31-503, 15-31-510, 15-31-524, 15-31-526, 15-31-531
  income tax, 15-31-404
  license tax, 15-31-111, 15-31-119, 15-31-522, 15-31-701, 15-31-702
Investigations, 15-31-505, 15-31-511, 15-31-701
License tax, special provisions, 15-31-101
  allocation of revenue, 15-1-501, 15-31-702, 17-5-408
  alternative tax on gross sales, 15-31-122
  applicability of laws, 15-31-401, 15-31-406, 15-31-408
  bond income inclusion in net income, 15-31-115
  credits
    alternative fuel motor vehicle conversion, 15-31-137
    dependent care assistance, 15-31-131
    energy conservation loans, interest differential, 15-32-107
    investment credit, 15-31-123
    new or expanding industry, 15-31-124 — 15-31-127
    report to governor and legislature, 15-1-205
    research and development firms, 15-31-103
    small businesses, disability insurance premiums paid for employees, 15-31-132
    university system and private college endowment fund contributions, 15-31-135, 15-31-136
    wind-generated electricity, commercial investment, 15-32-402 — 15-32-407
  deductions, 15-31-103, 15-31-114, 15-31-117, 15-31-119, 15-32-103, 15-32-104, 15-32-106, 15-32-301 — 15-32-303, 15-32-601, 15-32-609 — 15-32-611
  definitions, 15-31-101 — 15-31-103, 15-31-113, 15-31-119, 15-31-123, 15-31-124, 15-31-131, 15-31-141, 15-31-702, 15-31-703
  delinquency, 15-31-523, 15-31-701
  dissolution of corporation, 15-31-143, 15-31-523
  exemptions, 15-1-205, 15-31-102, 15-31-103, 15-31-113, 15-31-401, 15-31-703
  gross income, 15-31-113 — 15-31-115

TAXATION, CORPORATIONS (Continued)
License tax, special provisions (Continued)

- income tax
    - applicability of laws, 15-31-406
    - change to, 15-31-405
    - collection considered license tax, 15-31-404
- insurance producers, nonresident — subject to, 33-17-407
- interest, 15-31-119, 15-31-522, 15-31-701, 15-31-702
- investment companies or investment company funds, 15-31-114, 15-31-119
- jeopardy assessment, 15-31-522
- merger or consolidation of corporations, 15-31-119, 15-31-142
- minimum tax, 15-31-121
- net income, 15-31-113 — 15-31-115, 15-31-119, 15-31-121, 15-31-142
- net operating loss, 15-31-103, 15-31-114, 15-31-119
- payment, 15-31-701
- penalties, 15-31-522, 15-31-543, 15-31-701, 15-31-702
- public contractor's license tax, credit, 15-50-207
- rate of tax, 15-31-121, 15-31-122
- refunds, 15-31-119, 15-31-132
- return, 15-31-111, 15-31-141, 15-31-143, 15-31-201, 15-31-551
- rules, 15-31-127, 15-31-702, 15-32-609
- small business independent liability funds, 15-31-117, 15-31-118
- taxable period, 15-31-112
- unrelated business income, 15-31-102
- water's-edge election, 15-31-121

List of corporations furnished by secretary of state, 15-31-603
Overpayments, 15-31-509, 15-31-531, 15-31-701
Partnerships

- alternative fuel motor vehicle conversion, credit, 15-31-137
- reclaimable material, property to collect or process — credits or deduction, Title 15, chapter 32, part 6
- university system and private college endowment fund contributions, credit, 15-31-136
- wind-generated electricity, commercial investment, 15-32-402 — 15-32-407

Payment, 15-31-502, 15-31-521
Penalties, 15-1-501, 15-31-510, 15-31-524, 15-31-526, 15-31-531, 15-31-543

- income tax, 15-31-404
- license tax, 15-31-522, 15-31-543, 15-31-701, 15-31-702

Property taxes, assessment

- statement to department of revenue, 15-8-301
- stock as property, 15-1-101, 15-8-403
- where property is assessed, 15-8-403

Refunds, 15-1-211, 15-31-119, 15-31-132, 15-31-509, 15-31-521, 15-31-531, 15-31-532
Research and development firms, 15-1-101, 15-6-135, 15-31-103, 15-31-401, 15-31-403
Return

- amended, 15-31-506, 15-31-509
- banks and building and loan associations, 15-31-701
- certified copies, 15-31-551, 15-31-553, 15-31-554
- confidentiality, 15-31-511
- deficiency, 15-31-503
- failure to file, 15-31-504, 15-31-523, 15-31-541, 15-31-543, 15-31-544
- federal returns, copy to be filed, 15-31-201, 15-31-506, 15-31-509
- inspection, 15-31-511
- license tax, 15-31-111, 15-31-141, 15-31-143, 15-31-201, 15-31-551
- rules, 15-31-501, 15-31-511
- tax clearance certificates, 15-31-552 — 15-31-554
- violations, 15-31-543
- water's-edge election, inclusions, 15-31-322

Review, 15-1-211, 15-31-503, 15-31-532, 15-31-701

TAXATION, CORPORATIONS (Continued)

Reviver of corporation, 15-31-524
Rules
  allocation and apportionment of income, 15-31-313
  energy-related incentives, 15-32-102, 15-32-105, 15-32-107, 15-32-203, 15-32-407
  estimated tax payments, 15-31-502, 15-31-510
  income tax, 15-31-407
  license tax, 15-31-127, 15-31-702
  recycling of material, 15-32-611
  returns, 15-31-501, 15-31-511
  small business investment companies, 15-33-105
Savings and loan associations, See **Banks and building and loan associations**
Securities, effect of fiduciary transfer, 30-10-410
Shifting of income, 15-31-505
Site of failure to act, 15-31-541
Small business corporations, special provisions, See also **TAXATION, INDIVIDUAL INCOME**
  alternative fuel motor vehicle conversion, 15-31-137
  corporation license or income tax, nonapplicability, 15-31-202
  definitions, 15-31-123, 15-31-201
  dissolution, effect, 15-31-203
  fee, minimum, 15-31-202, 15-31-204
  investment credits, 15-31-123
  reclaimable material, property to collect or process — credits and deduction, Title 15, chapter 32, part 6
  termination or revocation of election, 15-31-209
  university system and private college endowment fund contributions, credit, 15-31-135
  wind-generated electricity, commercial investment, 15-32-402 — 15-32-407
Small business independent liability funds
  contributions, administrative costs, or income, 15-31-117, 33-27-118
  termination, tax liability upon, 15-31-118, 33-27-119
Small business investment companies, investment in
  citation of small business investment incentive act, 15-33-101
  definition, 15-33-103
  exemption of capital gains or dividend income from, 15-33-102, 15-33-106
  purpose of provisions, 15-33-102
  reports and records, 15-33-104
  rules, 15-33-105
Statutes of limitations, 15-31-509
Subpoenas, 15-31-505
Suspension of corporate powers upon delinquency, 15-31-523, 15-31-524
Tax clearance certificates, 15-31-552 — 15-31-554, 35-1-944, 35-1-1037
Unitary business, 15-31-301, 15-31-312, 15-31-322
Violations, 15-31-511, 15-31-543
Warrant for distraint, 15-31-525
Water's-edge election, 15-31-121, 15-31-321 — 15-31-326
Withdrawal of foreign corporation, 35-1-1037

TAXATION, ESTATES
  See also **TAXATION, GENERAL PROVISIONS**
Apportionment of taxes, 15-8-503, 72-16-603, 72-16-604
  bond of distributee, 72-16-605
  court's authority to determine, 72-16-602, 72-16-604
  definitions, 72-16-601
  distribution prior to, 72-16-605
  exemptions, deductions, and credits — allowance for, 72-16-607
  fiduciary, 72-16-601
    foreign personal representative, 72-16-612

TAXATION, ESTATES (Continued)
Apportionment of taxes (Continued)
    fiduciary (Continued)
        negligence, 72-16-609
        recovery of tax by, 72-16-608, 72-16-610
        security of distributee, terms by, 72-16-605
        withholding of tax, 72-16-608
    foreign personal representative, recovery of tax, 72-16-612
    insufficiency of estate, 72-16-608
    interest and penalties, 72-16-601, 72-16-604, 72-16-609
    nonresident decedents, 72-16-612, 72-16-704
    property taxes, 15-8-503
    recovery of tax, 72-16-608, 72-16-610 — 72-16-612
    security for liability of distributee, 72-16-605
    temporary interests and remainders, no apportionment between, 72-16-606
    variation, 72-16-604
    withholding of tax, 72-16-608
Conservator's duties, 72-5-427, 72-16-601
Estate tax
    appeal, 72-16-907
    apportionment of taxes, Title 72, chapter 16, part 6
    bonds
        agricultural loan authority program, 80-12-305
        coal severance tax bonds or notes, 17-5-718
        economic development, 17-5-1518
        highway revenue, 17-5-930
        municipal finance consolidation bonds and notes, 17-5-1629
    claim against estate, exclusion, 72-1-103
    closing of estate, payment required for, 72-3-1004
    collection and deposit, 15-1-501, 72-16-912
    computation, 72-16-905
    construction of provisions, 72-16-901
    determination by department of revenue, 72-16-907
    evidence of value of in-kind payment, 72-16-449
    extension of time, 72-16-910
    filings, 7-4-2613, 72-16-906
    housing authorities, bonds issued by, 90-6-125
    housing, board of — bonds issued by, 90-6-125
    imposition, 72-16-904
    inheritance tax laws, applicability, 72-16-902, 72-16-903, 72-16-907, 72-16-909
    inventory of property, 72-3-607
    liability, who liable, 72-16-908
    lien of tax, 72-16-432, 72-16-911
    military personnel, exemption, 72-16-319
    nonresident decedents, 72-16-801 — 72-16-805
    payment, 72-16-909, 72-16-910
        protest, 15-1-406
    purpose of provisions, 72-16-901
    review procedure, nonapplicability, 15-1-211
    securities, effect of fiduciary transfer, 30-10-410
    taxable situs of property, 72-16-903, 72-16-905
Generation-skipping transfer tax
    applicability of other taxes, 72-16-1007
    definitions, 72-16-1001
    imposition, 72-16-1002
    interest on delinquent tax, 72-16-1004
    liability, 72-16-1004, 72-16-1006
    lien of tax, 72-16-1005

TAXATION, ESTATES (Continued)
Generation-skipping transfer tax (Continued)

- maximum credit, duty to claim, 72-16-1006
- returns and payment, 72-16-1003
- rules, 72-16-1007

Gifts to estates, effect, 70-1-701, See **PROPERTY, GENERALLY**, **Gifts**
Income of estates and trusts, See **TAXATION, INDIVIDUAL INCOME**, **Estate or trust income**
Inheritance tax

- actions
  - apportionment, 72-16-602
    - recovery of tax, 72-16-608, 71-16-610
  - collection, 72-16-443
- administration of estate, 72-16-212, 72-16-213, 72-16-308, 72-16-802
- administration of provisions, 72-16-201, 72-16-202
- affidavit, nonresident decedents, 72-16-802
- alternate valuation
  - active management as material participation, 72-16-331, 72-16-343, 72-16-345
  - additional tax, 72-16-338, 72-16-340
    - exchange of qualified property, 72-16-348
    - lien for, 72-16-491 — 72-16-493
    - notice, 72-16-340, 72-16-342
    - timber, special rules, 72-16-347
    - time limitation, 72-16-342
  - closely held businesses, 72-16-336, 72-16-337, 72-16-491 — 72-16-493
  - definitions, 72-16-331, 72-16-332, 72-16-338, 72-16-349
  - election of, 72-16-334, 72-16-343, 72-16-347
  - exchange of qualified property, 72-16-348
  - farm property, 72-16-331, 72-16-333, 72-16-335, 72-16-339, 72-16-345, 72-16-491 — 72-16-493
  - involuntary conversion of property, 72-16-331, 72-16-341, 72-16-342
  - material participation, 72-16-331, 72-16-339, 72-16-343 — 72-16-345, 72-16-349
  - property acquired from decedent, 72-16-332
  - qualified use, 72-16-331
    - cessation, when occurs, 72-16-339
    - commencement date, no tax imposed when, 72-16-346
    - disposition or failure to use for, 72-16-338
  - real property, 72-16-308, 72-16-331, 72-16-333, 72-16-341, 72-16-342
  - replacement property, 72-16-349
  - retired or disabled decedents, 72-16-344
  - rules, 72-16-337
  - surviving spouse, special rules, 72-16-343
  - timber, special rules, 72-16-347
- appeal, 72-16-403, 72-16-804, 72-16-805
- apportionment, Title 72, chapter 16, part 6
- appraisal
  - contingent or defeasible estates, 72-16-421
  - hearing, 72-16-415, 72-16-416
  - market value, 72-16-411, 72-16-412, 72-16-414
  - notice, 72-16-412
  - reappraisal, 72-16-425
  - rehearing, 72-16-424
  - report, 72-16-412, 72-16-415, 72-16-417
  - special appraiser, 72-16-411 — 72-16-413, 72-16-415, 72-16-417, 72-16-425
  - witnesses, 72-16-412, 72-16-413
- bonds
  - agricultural loan authority program, 80-12-305
  - alternate valuation, for additional tax, 72-16-338, 72-16-340
  - coal severance tax bonds or notes, 17-5-718

TAXATION, ESTATES (Continued)
Inheritance tax (Continued)
  bonds (Continued)
    deferral of tax, as security, 72-16-460, 72-16-476, 72-16-481
    economic development, 17-5-1518
    highway revenue, 17-5-930
    lien for deferred tax, in lieu of, 72-16-476, 72-16-481
    municipal finance consolidation bonds and notes, 17-5-1629
  claim against estate, exclusion, 72-1-103
  closely held businesses
    alternate valuation, 72-16-336, 72-16-337
    deferral of payment, 72-16-452
      acceleration of payment, 72-16-463, 72-16-464, 72-16-482
      additional tax, 72-16-458 — 72-16-460, 72-16-462, 72-16-473
      bond of taxpayer, 72-16-460
      definitions, 72-16-451, 72-16-453, 72-16-455
      delinquencies, 72-16-463
      election, 72-16-457 — 72-16-459
      farming businesses, 72-16-454
      interest, 72-16-461 — 72-16-463
      joint tenancy and tenancy in common, 72-16-453, 72-16-456
      multiple businesses, 72-16-456
      partnership interests and stock not tradable, 72-16-455
      qualification, 72-16-453
      security, 72-16-460
      statute of limitation, effect on, 72-16-465
    lien for additional tax, 72-16-491 — 72-16-493
    lien for deferred tax, 72-16-472
      additional lien property, 72-16-482
      additional tax, 72-16-473
      agreement consenting to lien, 72-16-472, 72-16-474, 72-16-482
      bond as partial substitution for lien, 72-16-476
      bond in lieu of lien, 72-16-481
      definitions, 72-16-471
      distraint, warrant for — filing, 72-16-477, 72-16-478
      duration, 72-16-478
      filing, 72-16-477
      priorities, 72-16-479, 72-16-480
      subordination, 72-16-493
      value of required lien property, 72-16-475
  collection, 72-16-215, 72-16-419, 72-16-436, 72-16-443, 72-16-465
  composition and compromise between fiduciary and department of revenue, 72-16-209
  confidentiality of information, 72-16-201, 72-16-208
  contingent encumbrances, 72-16-418
  contingent estates, 72-16-417, 72-16-419, 72-16-421
  credit
    child's credit for tax paid by decedent's spouse, 72-16-318
    taxes paid in other states, for, 72-16-317
  debts against estate proved after distribution, 72-16-442
  deductions, 72-16-308, 72-16-422, 72-16-704
  defeasible estates, 72-16-421
  deferral, 72-16-438
    closely held businesses, 72-16-451 — 72-16-465
    closing of estate, effect, 72-16-437
    duration, 72-16-438
    interest, 72-16-441
    request, 72-16-423, 72-16-438

TAXATION, ESTATES (Continued)
Inheritance tax (Continued)

- definitions, 72-16-101
  - alternative valuation provisions, 72-16-331, 72-16-332, 72-16-338, 72-16-349
  - closely held business interest, deferral provisions, 72-16-451, 72-16-453, 72-16-455
  - decedent, 72-16-101, 72-16-502
  - general power of appointment, 72-16-302
  - lien for deferred tax on closely held business provisions, 72-16-471
- delinquencies, 72-16-441, 72-16-443, 72-16-463
- determination by court, 72-16-403
  - appraisal, 72-16-411 — 72-16-416
  - hearing, 72-16-415, 72-16-416
  - order, 72-16-422, 72-16-423
  - reappraisal, 72-16-425
  - rehearing, 72-16-424
- determination by department of revenue, 72-16-402
  - appeal, 72-16-403
  - application, 72-16-401
  - escheated estates, 72-14-303
  - nonresident decedents, 72-4-304, 72-16-802 — 72-16-805
  - notice, 72-16-402, 72-16-403
- disposition of revenue, 15-1-501, 72-16-434
- distraint, warrant for, 72-16-432, 72-16-477, 72-16-478
- employees of department of revenue, 72-16-203
- enforcement, 72-16-210, 72-16-419
- escheated estates, 72-14-303
- estate tax, applicability of laws, 72-16-902, 72-16-903, 72-16-907, 72-16-909
- evidence
  - apportionment of tax, presumption of accuracy of court's determination, 72-16-611, 72-16-612
  - appraisal, market value, 72-16-412
  - in-kind payment, value, 72-16-449
  - insurance, commissioner of — presumption of accuracy of valuation, 72-16-417
- exemptions, 72-16-311
  - charitable and public purposes, transfers for, 72-16-312
  - coal severance tax bonds or notes, 17-5-718
  - insurance proceeds, 72-16-304
  - mausoleum-columbarium plot, 35-21-422
  - military personnel, property of, 72-16-319
  - nonresident decedents, when, 72-16-801
  - personal property located out of state, 72-16-316
  - probate code allowances and exemptions, 72-16-314
  - spouse and other relatives, transfer to, 72-16-313
- farm property, special provisions
  - alternate valuation, 72-16-308, 72-16-331, 72-16-333, 72-16-335, 72-16-339, 72-16-345
  - deferred payment, 72-16-454
  - lien for additional tax, 72-16-491 — 72-16-493
- forms and blanks, 72-16-207
- future estates, 72-16-417
- generation-skipping transfer tax, applicability, 72-16-1007
- hearings
  - appraisal, 72-16-415, 72-16-416
  - determination of tax by court, 72-16-415, 72-16-416, 72-16-424
  - determination of tax by department of revenue, 72-16-403
  - distraint, warrant for, 72-16-432
- housing authorities, bonds issued by, 90-6-125
- housing, board of — bonds issued by, 90-6-125
- imposition of tax, 72-16-307

TAXATION, ESTATES (Continued)
Inheritance tax (Continued)

- interest
  - advance payments, relief from, 72-16-439
  - closely held business interest, deferred payments, 72-16-461 — 72-16-463
    - lien for, 72-16-472, 72-16-473
  - deferred payments, on, 72-16-441
  - delinquent taxes, 72-16-441
  - determination of tax by court, inclusion, 72-16-422
  - disposition, 15-1-501
  - future, contingent, or limited estates — computation of value, 72-16-417
  - transmittal of collections to state treasurer, unpaid, 72-16-215
- inventory of property, 72-3-607
- investigations, 72-16-201, 72-16-202, 72-16-204, 72-16-206, 72-16-208, 72-16-209, 72-16-211
- joint tenancies, 72-16-101
  - attorney's fees, 72-3-633, 72-16-505
  - closely held businesses, 72-16-453, 72-16-456
  - filings required, 7-4-2613, 72-16-503
  - lien, release, 72-16-503
  - personal representative's compensation, 72-3-631
  - procedure when personal representative
    - appointed, 72-16-504
    - not appointed, 72-16-502, 72-16-503
  - right of survivorship subject to tax, 72-16-303
  - termination when, 72-16-501
  - transfer of title, attorney not required, 72-16-505
  - waiver of tax for surviving spouse when, 72-16-315
- jurisdiction of district court, 72-16-102
- liability for tax, 72-16-432
- lien of tax, 72-16-432, 72-16-436
  - deferred tax, inapplicable to, 72-16-480
  - joint tenancy, release of lien, 72-16-503
  - transfer free of lien, consent, 72-16-433
- life estates
  - apportionment, 72-16-606
  - attorney's fees, 72-3-633, 72-16-505
  - divesting, when subject to, 72-16-420
  - filings, 7-4-2613, 72-16-503
  - holding over, damages, 27-1-319
  - lien, release, 72-16-503
  - personal representative's compensation, 72-3-631
  - procedure when personal representative
    - appointed, 72-16-504
    - not appointed, 72-16-502, 72-16-503
  - transfer of title, attorney not required, 72-16-505
- limited estates, 72-16-417
- list of deaths from department of public health and human services to county clerk, 72-16-217, 72-16-218
- nonresident decedents
  - ancillary administration, effect, 72-4-304, 72-16-701
  - apportionment of tax, 72-16-612, 72-16-704
  - composition and compromises, 72-16-209
  - determination of tax by department of revenue, 72-4-304, 72-16-802 — 72-16-805
  - intangible personal property, 72-16-801 — 72-16-805
  - investigations, 72-16-208
  - securities transfer, 72-16-701 — 72-16-706, 72-16-801 — 72-16-805
  - transfers subject to tax, 72-16-301

TAXATION, ESTATES (Continued)
Inheritance tax (Continued)

- overpayments, 15-1-503, 72-16-439
- payment, 72-16-434
  - advance payment, 72-16-439
  - closing of estate, prerequisite to, 72-3-1004, 72-3-1006, 72-3-1104, 72-16-423, 72-16-437
  - delinquencies, 72-16-441, 72-16-443, 72-16-463
  - discount for prompt payment, 72-16-440
  - due date of tax, 72-16-417, 72-16-419, 72-16-431
  - estimated, 72-16-439
  - joint tenants or life estates, 72-16-502
  - personal representative, by, 72-3-606, 72-3-613, 72-3-915, 72-3-1104
  - protest, 15-1-406
  - receipt, 7-4-2613, 72-3-1006, 72-16-423, 72-16-432, 72-16-434, 72-16-435, 72-16-437, 72-16-439, 72-16-502
  - report to department of revenue, 72-16-215
  - sale of property for payment, 72-16-436
- penalties, 15-1-501, 72-16-439, 72-16-706
- perjury, 72-16-206
- personal representative, duties, See **ESTATES AND PROBATE**, **Personal representative**, tax duties; **TAXATION, INDIVIDUAL INCOME**, generally
- preexisting transfers, 72-16-307
- probate laws, applicability, 72-16-314, 72-16-443
- probate records of court to department of revenue, 72-16-216
- public administrator
  - application for administration by, 72-16-212, 72-16-213
  - compensation, 72-16-211, 72-16-214
  - investigations, 72-16-211
  - rehearing of court determination, application, 72-16-424
- rate of tax
  - contingent estates, 72-16-419
  - determination of tax by court, inclusion in order, 72-16-422
  - other rates, 72-16-322
  - primary rate, 72-16-321
- refunds, 15-1-503, 72-16-418, 72-16-439, 72-16-442
- reports by department of revenue, 15-1-205, 72-16-202
- reports to
  - district court and department of justice, 72-16-208
  - revenue, department of, 72-16-215
- review procedure, nonapplicability, 15-1-211
- rulemaking
  - alternate valuation, 72-16-337
  - lien for additional tax, 72-16-492
  - securities transfer, nonresident decedents, 72-16-705
  - transfer of property free of lien, 72-16-433
- securities
  - fiduciary transfer, effect, 30-10-410
  - nonresident decedents, transfer, 72-16-701 — 72-16-706, 72-16-801 — 72-16-805
- spouse
  - apportionment, 72-16-607
  - closely held businesses, 72-16-453
  - exemption of transfers to, 72-16-313
  - waiver of tax for, 72-16-315
- subpoena and discovery powers, 72-16-204, 72-16-205, 72-16-412
- taxes owing at time of decedent's death, 72-16-308, 72-16-317
- transfers subject to tax, 72-16-101, 72-16-301
  - bequests to executors or trustees, 72-16-305

TAXATION, ESTATES (Continued)
Inheritance tax (Continued)
  transfers subject to tax (Continued)
    contemplation of death, in, 15-7-307, 72-16-213, 72-16-301, 72-16-308
    death, transfers recorded after, 72-16-306
    generation-skipping, 72-16-1001 — 72-16-1007
    insurance proceeds, 72-16-304
    joint estates, by right of survivorship, 72-16-303
    lien of tax, consent for transfer free of, 72-16-433
    list of deaths, check against records, 72-16-218
    military personnel, property of, 72-16-319
    power of appointment, under, 72-16-302
    preexisting transfers, 72-16-307
    realty transfer certificate, exemption, 15-7-307
    recording date as date of transfer, 72-16-306
  valuation
    alternate valuation, 72-16-331 — 72-16-349
    appraisal, 72-16-412, 72-16-414
    contingent encumbrances, 72-16-418
    contingent estate, 72-16-417, 72-16-421
    defeasible estate, 72-16-421
    farm and business property, 72-16-308
    future estate, 72-16-417
    limited estate, 72-16-417
    market value, 72-16-308, 72-16-411, 72-16-412, 72-16-414
  waiver of tax, 72-4-304, 72-16-315
  witnesses, 72-16-204, 72-16-205
  years, estates for
    apportionment, 72-16-606
    divesting, tax when subject to, 72-16-420
In-kind payment
  application, 72-16-447, 72-16-448
  definitions, 72-16-446
  intent, 72-16-445
  limitations, 72-16-448
  receipts and recording, 72-16-450
  review committee and process, 72-16-447, 72-16-448
  valuation, 72-16-449
Principal and income determinations on income earned during administration of estate, 72-34-404, 72-34-406, 72-34-416
Property taxes, assessment, 15-8-502, 15-8-503
Trusts
  impairment, 72-33-413
  inheritance tax
    bequest to, in lieu of compensation, 72-16-305
    closely held business, as, 72-16-337
    composition and compromise by, 72-16-209
  payment of tax by trustee, 72-34-337
  principal and income determinations, charges against, 72-34-416

TAXATION, GASOLINE AND VEHICLE FUELS
  See also **TAXATION, GENERAL PROVISIONS**
Agreements with governmental entities relating to, 15-70-124
Alcohol production tax incentive, 15-70-522
  application, 15-70-523
  citation of alcohol tax incentive and administration act of 1983, 15-70-501
  definitions, 15-70-503
  gasoline tax refund, 15-70-521

TAXATION, GASOLINE AND VEHICLE FUELS (Continued)
Alcohol production tax incentive (Continued)

  licensing of alcohol distributors, 15-70-511, 15-70-527
  payment, 15-70-522, 15-70-523
  penalties, 15-70-527
  purpose of provisions, 15-70-502
  records, 15-70-513, 15-70-514
  rules, 15-70-522
  statement of distributor to department of transportation, 15-70-512, 15-70-527
Allocation of revenue, 15-70-101, 15-70-102, 15-70-204, 17-5-507, 17-5-903, 60-3-201, 60-3-202, 67-1-301; Const., VIII, 6
Appeals, 15-70-111
Aviation fuel, 15-70-201, 15-70-204, 15-70-205, 15-70-207, 15-70-221, 15-70-225, 15-70-231, 67-1-301, See also **Gasoline license tax**
Compressed natural gas tax
  deficiency assessment, 15-70-716, 15-70-717, 15-70-720
  definitions, 15-70-701
  determination by department of revenue, 15-70-717
  enforcement, 15-70-713
  license for dealers, 15-70-702
    application, 15-70-703
    bonding requirements, 15-70-701, 15-70-704
    cancellation, 15-70-704 — 15-70-707
    issuance, 15-70-705
    suspension or revocation, 15-70-705, 15-70-706
  payment, 15-70-704, 15-70-711, 15-70-714, 15-70-715
  penalties, 15-70-704, 15-70-715 — 15-70-718
  rate of tax, 15-70-711
  reciprocity, 15-70-713
  records, 15-70-712, 15-70-713
  returns, 15-70-704, 15-70-714, 15-70-715, 15-70-717, 15-70-718, 15-70-720
  rules, 15-70-104
  statute of limitation, 15-70-720
  temporary trip permit, 15-71-102
  warrant for distraint, 15-70-719
Definitions, 15-1-101, 15-70-112, 15-70-121, 15-70-123, 15-70-201, 15-70-202, 15-70-301, 15-70-341, 15-70-503, 15-70-701
Delinquent taxes, collection, 15-70-110
Diesel fuel, See **Special fuel use tax**
Electronic funds transfer, payment by, 15-70-112, 15-70-113, 15-70-115
Exemptions, 15-70-204
Filings
  electronic filing of returns and information, 15-70-114, 15-70-115
  time of, 15-70-103
Fines, forfeitures, or penalties, 15-70-125
  alcohol distributors, violations, 15-70-527
  compressed natural gas tax, 15-70-704, 15-70-715 — 15-70-718
  gasoline license tax, 15-70-209, 15-70-210, 15-70-232
    license to sell gasoline on which refund may be claimed, noncompliance, 15-70-203
  liquefied petroleum gas, vehicles propelled by — license tax, 15-71-105
  report by unlicensed petroleum dealer, failure to make, 15-70-123
  special fuel license tax, 15-70-341, 15-70-342, 15-70-351 — 15-70-353, 15-70-366
  special fuel use tax, 15-70-304, 15-70-308, 15-70-314, 15-70-324, 15-70-330, 15-70-332, 15-70-333, 15-70-336, 15-70-349
  writeoff of penalty, 15-70-105, 15-71-110
Gasohol
  alcohol production tax incentives, See **Alcohol production tax incentive**

TAXATION, GASOLINE AND VEHICLE FUELS (Continued)
Gasohol (Continued)

- license tax, 15-70-204, 15-70-221, See also **Gasoline license tax**
- petroleum storage tank cleanup fee, 75-11-314, 75-11-319
- property used for production, 15-6-135, 15-10-411, 15-10-412

Gasoline license tax

- actions
  - to collect, 15-70-210, 15-70-211
  - to set aside or review, 15-70-205, 15-70-209
- affidavits, 15-70-223, 15-70-226
- agricultural use, 15-30-303, 15-70-201, 15-70-223
- aviation fuel, 15-70-201, 15-70-204, 15-70-205, 15-70-207, 15-70-221, 15-70-225, 15-70-231, 67-1-301
- cardtrol or keylock purchases, evidence of, 15-70-223
- collection, 15-70-210, 15-70-211
- confidentiality of information, 15-70-205, 15-70-209
- credits, 15-70-205, 15-70-221, 15-70-225, 15-70-226
- deficiency assessment, 15-70-212
- definitions, 15-70-201, 15-70-202
- delinquencies, 15-70-210, 15-70-211, 15-70-232
- erroneous payments, 15-70-221, 15-70-225
- gasohol, 15-70-204, 15-70-221
- highway use, determination, 15-70-224
- inspections, 15-70-205, 15-70-208, 15-70-209
- invoices, requirements, 15-70-207, 15-70-208, 15-70-222, 15-70-223, 15-70-225
- license for wholesale distribution, 15-70-202, 15-70-210
- license to sell gasoline on which refund may be claimed, 15-70-203, 15-70-210
- local option motor fuel excise tax, applicability, 7-14-304
- payment, 15-70-205, 15-70-221
- penalties, 15-70-209, 15-70-210, 15-70-232
- petroleum storage tank cleanup fee, applicability, 75-11-314, 75-11-319
- rate of tax, 15-70-204
- records, 15-70-206, 15-70-208, 15-70-222, 15-70-223
- refunds, 15-30-303, 15-70-203, 15-70-205, 15-70-221 — 15-70-223, 15-70-225, 15-70-226, 15-70-232, 15-70-521, 60-3-201, 67-1-301
- rules, 15-70-104, 15-70-221
- statement of distributions to department of transportation, 15-70-205, 15-70-210, 15-70-232
- statement of shipments to department of transportation, 15-70-209, 15-70-210, 15-70-221, 15-70-232
- statutes of limitation, 15-70-212, 15-70-225
- warrant for distraint, 15-70-211

Interest, 15-70-125

- compressed natural gas tax, 15-70-704, 15-70-715 — 15-70-718
- gasoline license tax, 15-70-210
- special fuel license tax, 15-70-352, 15-70-353
- special fuel use tax, 15-70-304, 15-70-330, 15-70-331 — 15-70-333
- writeoff, 15-70-105, 15-71-110

International fuel tax agreement, 15-70-104, 15-70-121, 15-70-122, 15-70-302
Investigations, 15-70-121, 15-70-208, 15-70-324, 15-70-349
Judicial review, 15-70-111
Liquefied petroleum gas, vehicles propelled by — license tax, 15-71-101

- certificate and fee, 15-71-101, 15-71-103
- disposition of revenue, 15-71-104
- temporary trip permit, 15-71-102
- violations, 15-71-105, 61-12-206
- writeoff, 15-71-110

Local option motor fuel excise tax, 7-14-301 — 7-14-304
Mailings, time of, 15-70-103
Payment by negotiable instrument, 15-70-108

TAXATION, GASOLINE AND VEHICLE FUELS (Continued)

Refunds, offset when, 15-70-110
Report by unlicensed petroleum dealer, 15-70-123
Rules, 15-70-104, 15-70-105, 15-70-115, 15-70-221, 15-70-311, 15-70-321, 15-70-522, 15-71-101, 15-71-110, 75-11-319
Selling price, report to governor and legislature, 15-1-205
Special fuel license tax
    actions
        to collect, 15-70-352, 15-70-354
        to set aside or review, 15-70-344, 15-70-351
    affidavits, 15-70-362, 15-70-365
    agricultural use, 15-70-362
    cardtrol or keylock purchases, evidence of, 15-70-362
    confidentiality of information, 15-70-344, 15-70-351
    credits, 15-70-344, 15-70-356, 15-70-364, 15-70-365
    deficiency, 15-70-353, 15-70-355
    definitions, 15-70-301, 15-70-341
    delinquencies, 15-70-352, 15-70-366
    dyed special fuel, 15-70-343
    erroneous payments, 15-70-356, 15-70-364
    evidence of cardtrol or keylock purchases, 15-70-362
    highway use, determination, 15-70-363
    inspections, 15-70-344, 15-70-349, 15-70-351
    invoices, requirements, 15-70-348, 15-70-361, 15-70-362, 15-70-364
    license for distributors, 15-70-341, 15-70-352
    license to sell special fuel on which refund may be claimed, 15-70-342, 15-70-352
    payment, 15-70-344, 15-70-352, 15-70-366
    penalties, 15-70-341, 15-70-351 — 15-70-353, 15-70-366
    rate of tax, 15-70-343
    records, 15-70-342, 15-70-345, 15-70-349, 15-70-361, 15-70-362
    refunds, 15-70-342, 15-70-344, 15-70-356, 15-70-361, 15-70-362, 15-70-364 — 15-70-366
    reports to department of transportation, 15-70-344, 15-70-351, 15-70-356
    returns, 15-70-344, 15-70-353, 15-70-355
    statement of distributions to department of transportation, 15-70-344, 15-70-366
    statement of shipments to department of transportation, 15-70-351, 15-70-366
    statutes of limitation, 15-70-355
    warrant for distraint, 15-70-354
Special fuel use tax
    affidavits, 15-70-223
    cardtrol or keylock devices for delivery of special fuel, 15-70-223, 15-70-301
    computation, 15-70-326
    credits, 15-70-328, 15-70-329
    deductions, 15-70-327
    deficiencies, 15-70-333
    deficiency assessment, 15-70-331, 15-70-335
    definitions, 15-70-301
    delinquencies, 15-70-325, 15-70-330
    dyed special fuel, 15-70-321, 15-70-330
    enforcement, 15-70-324, 15-70-325
    estimates by department of transportation, 15-70-331, 15-70-332
    evidence
        assessment, correctness — burden of proof, 15-70-332
        cardtrol or keylock purchases, 15-70-223
        deliveries of fuel, 15-70-324
    inspections, 15-70-302, 15-70-323, 15-70-324
    overpayment, 15-70-328

TAXATION, GASOLINE AND VEHICLE FUELS (Continued)
Special fuel use tax (Continued)

- payment, 15-70-304, 15-70-327, 15-70-328, 15-70-330
- penalties, 15-70-304, 15-70-314, 15-70-330, 15-70-332, 15-70-333, 15-70-336
- permits, 15-70-302, 15-70-305
  - application, 15-70-303, 15-70-305
  - bond requirements, 15-70-301, 15-70-304, 15-70-305, 15-70-308, 15-70-314
  - cancellation, 15-70-304 — 15-70-307, 15-70-329
  - courtesy vehicle permit, 15-70-302
  - exceptions, 15-70-302
  - fees, 15-70-305, 15-70-312
  - hearings, 15-70-305, 15-70-306
  - nonresident agricultural harvesting equipment special fuel permit, 15-70-311 — 15-70-314
  - refusal, 15-70-305
  - surrender, 15-70-306, 15-70-307
  - suspension or revocation, 15-70-305, 15-70-306
  - temporary operating permit, 15-70-308, 15-70-329
  - temporary trip permits, 15-70-311 — 15-70-314
- rate of tax, 15-70-321
- records, 15-70-323, 15-70-324
- refunds, 15-70-329
- reports to department of transportation, 15-70-304, 15-70-325
- returns, 15-70-308, 15-70-325, 15-70-327, 15-70-330, 15-70-332, 15-70-333, 15-70-335
- rules, 15-70-311, 15-70-321, 15-70-330
- statute of limitation, 15-70-335
- warrant for distraint, 15-70-334

Tribal agreements for motor fuels taxes, 15-70-234 — 15-70-236
Violations

- alcohol distributors, 15-70-527
- gasoline license tax, 15-70-232, 61-12-206
  - aviation fuel, unlawful use, 15-70-231
  - license to sell gasoline on which refund may be claimed, noncompliance, 15-70-203
- liquefied petroleum gas, vehicles propelled by — license tax, 15-71-105, 61-12-206
- special fuel license tax, 15-70-342, 15-70-349, 15-70-366, 61-12-206
- special fuel use tax, 15-70-314, 15-70-324, 15-70-330, 15-70-333, 15-70-336, 61-12-206

Warrant for distraint, 15-70-211, 15-70-334, 15-70-354, 15-70-719
Writeoff of tax, penalty, or interest, 15-70-105, 15-71-110

TAXATION, GENERAL PROVISIONS
Accounting, public — practice of, 37-50-101
Actions

- agreements with taxpayers, from, 15-1-211
- cement and gypsum producer's license tax, collection, 15-59-114
- cement dealer's license tax, collection, 15-59-214
- costs, 15-1-222, 25-10-101, 25-10-102
- electric energy producers' license tax, collection, 15-51-113, 15-51-114
- enforcement, for, 15-1-202
- erroneous taxation, declaratory judgments, 15-1-406 — 15-1-408, 15-15-101
- investigations
  - expenses, to recover, 15-1-301
  - witnesses, to compel testimony and evidence, 15-1-302
- 9-1-1 emergency telephone exchange access service fee, collection, 10-4-207
- nursing facility utilization fee closing agreements, 15-60-207
- protest payments, recovery, 15-1-402
- public contractor's license tax on gross receipts, collection, 15-50-304
- taxpayers, court costs and attorney fees — entitlement when, 15-1-222
- telephone company license tax, collection, 15-53-115

TAXATION, GENERAL PROVISIONS (Continued)

Administration of laws, 15-1-201, 15-1-203, 15-1-204, 15-1-301; Const., VIII, 3
Alcoholic beverages, See **ALCOHOLIC BEVERAGES**
Appeals, specific provisions, See **TAX APPEAL BOARDS**
Auctioneers, 30-11-516
Bill of Rights, Taxpayer, 15-1-221 — 15-1-223
Boxing matches or exhibitions, tax on gross proceeds, 23-3-601, 23-3-602
Cement and gypsum producer's license tax, 15-59-102
  action to collect, 15-59-114
  assessment, 15-59-114
  credits, 15-59-113, 15-59-114
  deficiency assessment, 15-1-211, 15-59-112, 15-59-114
  definitions, 15-59-101
  delinquencies, 15-59-106, 15-59-107, 15-59-114
  disposition of revenue, 15-59-108
  estimate by department of revenue, 15-59-106
  overpayment, 15-59-113, 15-59-114
  payment, 15-59-105
  penalties, 15-59-106, 15-59-121
  rate of tax, 15-59-102
  records, 15-59-104
  refund, 15-59-113, 15-59-114
  review, 15-1-211, 15-59-112
  statement of production to department of revenue, 15-59-105, 15-59-106, 15-59-110, 15-59-114
  statute of limitation, 15-59-114
  supplemental tax, license tax is, 15-59-109
  violations, 15-59-121
  warrant for distraint, 15-59-106, 15-59-107
Cement dealer's license tax, 15-59-201
  action to collect, 15-59-214
  assessment, 15-59-214
  credits, 15-59-213, 15-59-214
  deficiency assessment, 15-1-211, 15-59-212, 15-59-214
  delinquencies, 15-59-205, 15-59-206, 15-59-214
  disposition of revenue, 15-59-208
  estimate by department of revenue, 15-59-205
  invoices to indicate payments of tax, 15-59-207
  overpayment, 15-59-213, 15-59-214
  payment, 15-59-204
  penalties, 15-59-205, 15-59-221
  rate of tax, 15-59-201
  records, 15-59-203
  refund, 15-59-213, 15-59-214
  review, 15-1-211, 15-59-212
  statement of sales to department of revenue, 15-59-204, 15-59-205, 15-59-210
  statute of limitation, 15-59-214
  supplemental tax, license tax is, 15-59-209
  violations, 15-59-210, 15-59-221
  warrant for distraint, 15-59-205, 15-59-206
Cigarettes, Title 16, chapter 11, part 1
Cities and towns, by, See **CITY FINANCE**
Collection
  abuse in activities, 15-1-223
  duplicate payments, 15-16-603
  electronic funds transfer, by, 15-1-801 — 15-1-803, 15-16-104
  injunction to restrain, 15-1-404, 15-1-405

TAXATION, GENERAL PROVISIONS (Continued)
Collection (Continued)

insufficient payment, 15-1-211
protest, 15-1-406
refunds, See **Refunds**
uncollectible taxes, penalties, and interest, 15-1-708
writeoff when, 15-1-207
Complaints concerning Department of Revenue, 15-1-223
Confidentiality, taxpayer rights, 15-1-222
Conflict of laws, 15-1-601
Consumer counsel, funding, Const., XIII, 2
Contractors, public, See **Public contractor's license tax on gross receipts**
Cost of doing business, taxes as, 30-14-202
Counties, by, See **COUNTY FINANCE**
County Tax Appeal Board, See **TAX APPEAL BOARDS**
County water and/or sewer districts, by, Title 7, chapter 13, part 23, See **SEWAGE DISPOSAL AND SEWER SYSTEMS**
Court proceedings, levy imposed on — unlawful, 3-1-112
Definitions, 15-1-101, 15-1-102, 15-1-211, 15-1-801, 15-50-101, 15-53-101, 15-59-101, 15-60-101, 15-61-102, See also specific taxation subject heading
Disposition of revenue
general fund, 15-1-501, 15-23-215
long-range building program, 15-1-501
schools, state equalization aid, 15-1-501
settlements by
county clerk and recorder, 15-16-302, 15-16-305
county treasurer, 15-1-504, 15-16-302, 15-16-305, 15-24-925
Dissolution of marriage, division of property not a tax event, 40-4-202
Drug distribution, wholesale — licensing provisions, effect, 37-7-605
Electric energy producers' license tax
action to collect, 15-51-113, 15-51-114
credits, 15-32-107, 15-51-110, 15-51-114
customer billing may not reflect, 15-51-102
deficiency assessment, 15-1-211, 15-51-109, 15-51-114
delinquencies, 15-51-103, 15-51-111 — 15-51-114
disposition of revenue, 15-1-501, 15-51-103
estimate by department of revenue, 15-51-111
future producers, compliance, 15-51-106
inspection of records, 15-51-104
overpayment, 15-51-110
payment, 15-51-102
penalties, 15-51-103, 15-51-111, 15-51-113
rate of tax, 15-51-101
refunds, 15-51-110, 15-51-114
review, 15-1-211, 15-51-109
statement to department of revenue, 15-51-101, 15-51-102, 15-51-111, 15-51-114
statute of limitation, 15-51-114
warrant for distraint, 15-51-111, 15-51-112
Enforcement of laws, 15-1-202
Erroneous, remedies
declaratory judgment, 15-1-406 — 15-1-408
injunction, 15-1-404, 15-1-405
other remedies superseded, 15-1-404
refunds, 15-16-603
Evidence
investigations, 15-1-301

TAXATION, GENERAL PROVISIONS (Continued)
Evidence (Continued)

- nursing facility utilization fee
  - deficiency assessment hearings, 15-60-206
  - estimates of bed day use and correctness of reports, 15-60-205
- refunds, denial — judicial review, 15-16-604

Exemptions
- agricultural loan authority program bonds, 80-12-305
- city refunding revenue bonds, 7-7-4607
- coal severance tax bonds and notes, 17-5-718
- comprehensive health association, 33-22-1503
- conservation districts, 76-15-404, 76-15-506
- conservation easements, 76-6-208
- county health care facility bonds, 7-34-2416
- county water and/or sewer district bonds, 7-13-2330
- credit unions, 32-3-901 — 32-3-903
- economic development bonds, 17-5-1518
- farm mutual insurers, 33-4-409
- firefighters, 7-33-2314
- fraternal benefit societies, 33-7-410
- health facility authority, 90-7-112
- highway revenue bonds, 17-5-930
- housing authorities, bond issues, 90-6-125
- housing, board of — bond issues, 90-6-125
- insurance guaranty associations, 33-10-107, 33-10-208
- irrigation districts, 85-7-2011
- municipal finance consolidation bonds and notes, 17-5-1629
- parking commission revenue bonds, 7-14-4654
- railroad
  - rehabilitation refunding and revenue bonds, 60-11-1110
  - rolling stock refunding and revenue bonds, 60-11-1210
- small employer health reinsurance program, 33-22-1819
- urban renewal bonds, 7-15-4307
- workers' compensation self-insurers guaranty fund, 39-71-2617

Federal sums in lieu of, Title 17, chapter 3, part 3
Federal tax law changes, report to governor and legislature on effect, 15-1-205
Filing of statements or returns, late — waiver of penalties, 15-1-206
Fines, forfeitures, and penalties
- abatement of penalties, 15-1-206
- actions to recover, 15-1-202
- cement
  - dealer's license tax, 15-59-205, 15-59-221
  - producer's license tax, 15-59-106, 15-59-121
- electric energy producers' license tax, 15-51-103, 15-51-111, 15-51-113
- installment payments, 15-1-222
- insufficient penalty, notice, 15-1-211
- medical care savings accounts — false claims, receipts, statements, or billing, 15-61-205
- 9-1-1 emergency telephone system fee, applicability, 10-4-204, 10-4-206, 10-4-211, 10-4-212
- nursing facility utilization fee, 15-60-204, 15-60-210
- officers' failure to provide information, 15-1-301
- prosecution, 15-1-202
- public contractor's license tax on gross receipts, 15-50-206, 15-50-301, 15-50-308, 15-50-309
- refunds of penalties, 15-1-501, 15-16-603, 15-16-605
- telephone company license tax, 15-53-105, 15-53-111, 15-53-112
- tramway assessments, 23-2-716, 23-2-717
- transmittals from county treasurer to state treasurer, delinquent, 15-1-504
- waiver, 15-1-206, 15-1-222

TAXATION, GENERAL PROVISIONS (Continued)
Fines, forfeitures, and penalties (Continued)

  writeoff of penalties when, 15-1-207
Forfeitures, See **Fines, forfeitures, and penalties**
Fort Peck Dam territory, within, 2-1-209
Gambling
  bingo and keno games, tax on gross proceeds, 23-5-409
  sports tabs sold, tax on, 23-5-502
  video gambling machines, tax on gross income, 23-5-610
Glacier National Park, within, 2-1-205
Hail insurance, for, Title 80, chapter 2, part 2
Highway general obligation bonds, pledge and appropriation for, 17-5-501
Horseracing, taxes on parimutuel betting, 23-4-201, 23-4-303, 23-4-304
Inalienable power to tax, Const., VIII, 2
Indian tribes — cooperative agreements for assessment, collection, or refund, 18-11-103, 18-11-104, 18-11-112
Injunctions, 15-1-404, 15-1-405, 15-51-113
Insurance companies
  premium tax, See **INSURERS ORGANIZATION AND REGULATION GENERALLY**
  taxation, 15-31-102, 33-2-705, 33-2-707
Interest
  cement and gypsum producer's license tax, 15-59-106, 15-59-112, 15-59-113
  cement dealer's license tax, 15-59-205, 15-59-212, 15-59-213
  electric energy producers' license tax, 15-51-103, 15-51-109 — 15-51-111
  installment payments, 15-1-222
  insufficient, notice, 15-1-211
  9-1-1 emergency telephone system fee, applicability, 10-4-205, 10-4-206, 10-4-211, 10-4-212
  nursing facility utilization fee, 15-60-204, 15-60-206, 15-60-208, 15-60-210
  protest payments, upon recovery, 15-1-402
  public contractor's license tax on gross receipts, 15-50-308, 15-50-309
  refunds, 15-1-501, 15-16-603, 15-16-605
  telephone company license tax, 15-53-105, 15-53-106, 15-53-111, 15-53-112
  tramway assessments, 23-2-716, 23-2-717
  transmittals from county treasurer to state treasurer, delinquent, 15-1-504
  waiver, 15-1-206, 15-1-222
  writeoff when, 15-1-207
Investigations, 15-1-301 — 15-1-303
  interstate, 15-1-601
  9-1-1 emergency telephone system fee, applicability, 10-4-212
  nursing facility utilization fee, 15-60-202
  unclaimed funds, identification, 70-9-314
Irrigation districts, by, Title 85, chapter 7, part 21, See **IRRIGATION DISTRICTS, Taxes and assessments**
Jurisdiction
  city court, 3-11-103, 15-8-309
  district court, See **DISTRICT COURT JURISDICTION**.
  justices' courts, 3-10-301, 15-8-309, 25-31-101, 25-31-102
Legislative recommendations, 15-1-203
Legislative fiscal analyst, revenue estimates, 5-12-302
Legislative studies, 5-5-215
License taxes, See also **License** entry in specific business or profession subject heading
  architects, prohibited, 37-65-203
  attorneys at law, 37-61-211 — 37-61-214
  cement and gypsum producers, Title 15, chapter 59, part 1
  cement dealers, Title 15, chapter 59, part 2
  corporations, Title 15, chapter 31
  electric energy producers, Title 15, chapter 51, part 1

TAXATION, GENERAL PROVISIONS (Continued)
License taxes (Continued)

  gasoline, Title 15, chapter 70, part 2
  insurance companies, 33-2-705, 33-2-707
  military personnel, suspension, 10-1-605
  mining, Title 15, chapter 37, parts 1 and 2
  propane powered vehicles, 15-71-101 — 15-71-105
  public contractors, on gross receipts, Title 15, chapter 50
  telephone company, Title 15, chapter 53, part 1
  veterinarians, prohibited, 37-18-313
Local government, by, See **CITY FINANCE**; **COUNTY FINANCE**
Long-range building program bonds, special tax for, 17-5-403, 17-5-405 — 17-5-407
Marital property, division not a tax event, 40-4-202
Medical care savings accounts
  administration, 15-61-204
  citation of Montana medical care savings account act of 1995, 15-61-101
  definitions, 15-61-102
  establishment, 15-61-201
  false claims, receipts, statements, or billing, 15-61-205
  tax exemption and conditions for, 15-30-111, 15-61-202
  withdrawal of funds, 15-61-203, 15-61-205
Multistate Tax Compact, Commission, and Advisory Council, 2-15-1311, 15-1-601 — 15-1-603
  corporation income tax, applicability, 15-31-403
  corporation license tax, applicability, 15-31-122
  income tax, individual — applicability, 15-30-105
9-1-1 emergency telephone system fee, applicability, Title 10, chapter 4, part 2
Nursing facility utilization fee, 15-60-102
  amount, 15-60-102
  audits, 15-60-202
  closing agreements, 15-60-207
  credits, 15-60-203, 15-60-207, 15-60-208
  deficiency assessment, 15-60-203, 15-60-206
  definitions, 15-60-101
  delinquencies, 15-60-204
  disposition, 15-60-210
  estimate by department of revenue, 15-60-205
  hearing, 15-60-206
  list of facilities, 15-60-201
  overpayment, 15-60-203, 15-60-208
  payment, 15-60-201
  penalty, 15-60-204, 15-60-210
  records, 15-60-202, 15-60-205
  refund, 15-60-203, 15-60-207, 15-60-208
  relation to other taxes and fees, 15-60-103
  report to department of revenue, 15-60-201
  rules, 15-60-104
  statute of limitation, 15-60-203
  warrant for distraint, 15-60-209
Payment, See **Collection**
Payments in lieu of taxes (PILT), Title 7, chapter 6, part 1; Title 17, chapter 3, part 3
Penalties, See **Fines, forfeitures, and penalties**
Poll tax, exemption for firefighters, 7-33-2314
Power of attorney, statutory — authority, 72-31-201, 72-31-224, 72-31-225, 72-31-229, 72-31-230, 72-31-232, 72-31-233, 72-31-236
Power to tax inalienable, Const., VIII, 2
Property, acquisition by state, 70-1-204

TAXATION, GENERAL PROVISIONS (Continued)

Protest, payments under, 15-1-402, 15-7-102
  business incubator tax exemption approval, effect, 15-24-1802
  industrial park tax exemption approval, effect, 15-24-1902
  local economic development organization, building and land tax exemption approval — effect, 15-24-2002
  new or expanding industries, effect on valuation reduction, 15-24-1402
  nursing facility utilization fee, additional assessment, 15-60-206
  refunds, 15-2-303, 15-2-306, 15-7-102, 15-8-115, 15-16-603
  repayment, 15-10-412
  value-added manufacturing, expanding industry taxable value decrease approval — effect, 15-24-2403
Public contractor's license tax on gross receipts, 15-50-205
  credit against or for other taxes or fees, 15-50-207, 15-50-304
  deficiency assessment, 15-50-304
  definitions, 15-50-101
  delinquencies, 15-50-309
  disposition, 15-50-311
  estimate by department of revenue, 15-50-308
  inspection of contractor's books, 15-50-307
  penalties, 15-50-206, 15-50-301, 15-50-308, 15-50-309
  refunds, 15-50-206, 15-50-304
  return, 15-50-301, 15-50-304
  statute of limitations, 15-50-304
  warrant for distraint, 15-50-308, 15-50-310
  withholding, 15-50-206
Public officers
  cooperation, 2-7-105
  official misconduct or neglect of duty, 15-1-202
Purpose, public — levies to be for, Const., VIII, 1
Records
  destruction, 15-1-103, 15-1-104
  local government, requirements and examination, 15-1-202, 15-1-301
  personal records, examination, 15-1-301
Refunds
  cement and gypsum producer's license tax, 15-59-113, 15-59-114
  cement dealer's license tax, 15-59-213, 15-59-214
  child support debts, offsets, 17-4-105
  debts owed to state, offsets, 17-4-105
  denial, review and appeal, 15-1-211, 15-16-604
  electric energy producers' license tax, 15-51-110, 15-51-114
  erroneous taxes paid, 15-1-408
  migratory personal property, 15-16-603, 15-16-613, 15-24-303
  natural disaster, destruction of property by, 15-16-612
  9-1-1 emergency telephone system fee, claims — applicability, 10-4-205 — 10-4-207, 10-4-212, 10-4-301
  nursing facility utilization fee, 15-60-203, 15-60-207, 15-60-208
  overpayments, refund of, 15-1-503
  procedure, 15-1-501, 15-16-603 — 15-16-605
  protest payments, 15-1-402, 15-1-406, 15-2-303, 15-2-306, 15-7-102, 15-8-115, 15-16-602
  public contractor's license tax on gross receipts, 15-50-206, 15-50-304
  remedies concurrent, 15-16-602
  tax sales, voided, 15-17-326
  telephone company license tax, 15-53-106, 15-53-115
Renewable resource loan debt service fund, revenue for, 85-1-619
Report to legislature and governor, 15-1-205, 72-16-202
Resettlement projects, federal sums in lieu of, Title 17, chapter 3, part 3

TAXATION, GENERAL PROVISIONS (Continued)

Revenue Oversight Committee, 5-18-107, 5-18-115, See **REVENUE OVERSIGHT COMMITTEE**
Revenue studies, 2-7-104, 5-12-302, 5-18-107
Review procedures, 15-1-211, 15-1-222, 15-1-223, 15-1-406, 15-1-705, 15-51-109, 15-53-105, 15-59-112, 15-59-212; Const., VIII, 7
Rights of taxpayers, 15-1-211, 15-1-221 — 15-1-223
Rules
  electronic funds transfer, for payments by, 15-1-803
  illegal or improper, 15-1-406
  nursing facility utilization fee, 15-60-104
  public contractor's license tax on gross receipts return, 15-50-301
  state tax appeal board, authority, 15-2-301
  supervision of laws, for, 15-1-201
  telephone company license tax, 15-53-104
  writeoff of collection of tax, penalty, or interest, 15-1-207
Rural special improvement districts, Title 7, chapter 12, part 21
Securities — registration of transfer, pledge, or release — effect of compliance, 30-8-401
Special improvement districts, Title 7, chapter 12, parts 41 and 42; Const., VIII, 5
State Tax Appeal Board, See **TAX APPEAL BOARDS**
Study of other systems, 2-7-104, 15-1-203
Supervision of laws, 15-1-201; Const., VIII, 3
Tax Appeal Boards, See **TAX APPEAL BOARDS**
Tax increment financing, 7-15-4282 — 7-15-4293, 7-15-4297 — 7-15-4299
Taxpayer Assistance, Office of, 15-1-223
Taxpayer Bill of Rights, 15-1-221 — 15-1-223
Telephone company license tax
  action to collect, 15-53-115
  assessment, 15-53-112, 15-53-115
  credits, 15-53-106, 15-53-115
  customer billing may reflect, 15-53-101
  deficiency assessment, 15-1-211, 15-53-105, 15-53-115
  definitions, 15-53-101
  delinquencies, 15-53-105, 15-53-111 — 15-53-113, 15-53-115
  disposition of revenue, 15-1-501, 15-53-114
  due dates, 15-53-101
  estimate by department of revenue, 15-53-112
  overpayment, 15-53-106, 15-53-115
  penalties, 15-53-105, 15-53-111, 15-53-113
  rate of tax, 15-53-101
  records, 15-53-103
  refunds, 15-53-106, 15-53-115
  review, 15-1-211, 15-53-105
  rules, 15-53-104
  statement of taxable revenue to department of revenue, 15-53-102, 15-53-112
  statute of limitation, 15-53-115
  warrant for distraint, 15-53-112, 15-53-113
Tobacco products, Title 16, chapter 11, part 2
Tramways, gross receipts, 23-2-715 — 23-2-718
Trusts
  charitable or split-interest, 72-34-202, 72-34-203, 72-35-301
  payment of tax by trustee, 72-34-337
  principal and income determinations, charges against, 72-34-416
Violations, See also **Fines, forfeitures, and penalties**
  cement license tax violations
    dealers, 15-59-210, 15-59-221
    producers, 15-59-110, 15-59-121

TAXATION, GENERAL PROVISIONS (Continued)
Violations (Continued)

- electric energy producers' license tax provisions, 15-51-113
- investigation, 15-1-301
- medical care savings accounts — false claims, receipts, statements, or billing, 15-61-205
- perjury, 15-1-302
- prosecution, 15-1-202
- public contractor's license tax on gross receipts return, failure to file, 15-50-301

Warrant for distraint, 15-1-701 — 15-1-709
- cement and gypsum producer's license tax, 15-59-106, 15-59-107
- cement dealer's license tax, 15-59-205, 15-59-206
- electric energy producers' license tax, 15-51-111, 15-51-112
- 9-1-1 emergency telephone system fee, 10-4-211
- nursing facility utilization fee, 15-60-209
- public contractor's license tax on gross receipts, 15-50-308, 15-50-310
- railroad car company tax, 15-23-216
- telephone company license tax, 15-53-112, 15-53-113

Water conservancy districts, assessments for construction and funding, Title 85, chapter 9, part 6, See **WATER CONSERVANCY DISTRICTS, Taxes and assessments**
Workers' compensation self-insurers guaranty fund, 39-71-2617
Wrestling matches or exhibitions, tax on gross proceeds, 23-3-601, 23-3-602

TAXATION, INDIVIDUAL INCOME
See also **TAXATION, GENERAL PROVISIONS**
Acknowledgments, 15-30-302
Actions
- closing agreements, under, 15-30-307
- collection, for, 15-30-146, 15-30-208, 15-30-312
- confidentiality of records when, 15-30-303
- order to show cause upon failure to file returns or reports, 15-30-316
- penalties, recovery, 15-30-208, 15-30-321
- to set aside or review, 15-30-303

Adjusted gross income, 15-30-110, 15-30-111, 15-30-121, 15-30-131, 15-30-146, 15-32-302, 15-61-202
Affidavits, 15-30-144, 15-30-208
Allocation of revenue, 15-1-501, 15-30-331, 17-5-408
Appeals, 15-30-147, 15-30-148, 15-30-310
Audits, 15-30-145
Budget and Program Planning, Office of and budget director — information to, 15-30-303, 17-7-111
Checkoffs
- administration, special revenue accounts for, 15-30-153
- agriculture in Montana schools program funding, 15-30-151, 15-30-152
- child abuse and neglect prevention program funding, 15-30-155 — 15-30-157
- drug abuse resistance education program funding, 15-30-158 — 15-30-160
- nongame wildlife funding, 15-30-150, 87-5-121

Children, 15-30-112 — 15-30-115, 15-30-201, 72-26-702
Closing agreements, 15-30-307
Collection
- action for, 15-30-146, 15-30-208, 15-30-312
- closing agreements, 15-30-307
- erroneous, 15-30-149
- jeopardy assessments, 15-30-312
- offset of tax refunds or other funds, 15-30-310
- statutes of limitations, 15-30-145, 15-30-146, 15-30-313, 15-30-324
- stay of proceedings, 15-30-148
- workers' compensation
  - old fund liability tax, 15-30-207, 39-71-2503
  - payroll tax, applicability, 39-71-2503

TAXATION, INDIVIDUAL INCOME (Continued)

Confidentiality of information, 5-12-303, 15-30-303, 53-2-503
Credits, 15-30-149, 15-30-307
  alternative energy systems, for installation, 15-32-201 — 15-32-203
  alternative fuel motor vehicle conversion, 15-30-164
  capital companies, for investment in, 90-8-102, 90-8-202
  dependent care assistance, 15-30-186, 15-30-201
  disability insurance premiums paid by small businesses for employees, 15-30-129
  economic development loan, business created from — infrastructure fees, 17-6-316
  elderly care expenses, 15-30-128
  energy conservation investments, 15-30-125, 15-32-104, 15-32-106, 15-32-109
  estates or trusts, for, 15-30-137
  estimated payments, 15-30-142
  foreign taxes paid, 15-30-124
  geothermal systems, for, 15-32-102, 15-32-115
  investment credit, 15-30-161, 15-30-162
  overpayments, 15-30-149
  physicians practicing in rural areas, 15-30-188 — 15-30-191
  reclaimable material, for investment in property to collect or process or to manufacture product from, 15-32-601 — 15-32-604, 15-32-611
  report to governor and legislature, 15-1-205
  residential property tax credit for elderly, 15-30-175
  tax refund, 15-30-111, 15-30-136
  university system or private college endowment funds, contributions to, 15-30-163
  wind-generated electricity, commercial investment, 15-32-402 — 15-32-407
  withholding, 15-30-142
Death of spouse, effect, 15-30-112, 15-30-122, 15-30-134
Debt, personal — tax is, 15-30-141
Deductions
  adjustment, 15-30-122
  child abuse and neglect prevention program contributions, 15-30-156
  computer equipment donated by small business corporation to schools, 15-30-126
  drug abuse resistance education program contributions, 15-30-159
  estate or trust income, computation, 15-30-136
  exemptions, individual, 15-30-112
  land sales to beginning farmers, 80-12-211
  medical care savings accounts, contributions or loss in value of investment contained in — nonapplicability, 15-61-202
  net income, allowed in computation, 15-30-117, 15-30-121, 15-30-123, 15-30-136
  net operating loss, 15-30-117, 15-30-136
  nondeductible items, 15-30-123
  organic fertilizer, purchase of Montana-produced, 15-30-121, 15-32-301 — 15-32-303
  recovery of amounts deducted in prior tax year, 15-30-111
  recycled material, purchase, 15-32-601, 15-32-609 — 15-32-611
  report to governor and legislature, 15-1-205
  small business independent liability fund contributions or administrative costs, 15-30-127
  standard, 15-30-122
  wages and salaries for which federal tax credit taken, 15-30-111, 15-30-117
Deficiencies, 15-30-142, 15-30-312, 15-30-323, 39-71-2503
Definitions, 15-30-101, 15-30-112, 15-30-113, 15-30-121, 15-30-128, 15-30-136, 15-30-163, 15-30-164, 15-30-171, 15-30-188, 15-30-195, 15-30-201, 15-30-241, 15-30-247, 15-32-102, 15-32-302, 15-32-601, 15-33-103
Delinquencies, 15-30-310
Dependents, 15-30-112 — 15-30-115, 15-30-121, 15-30-186, 15-30-201
Dissolution of marriage, effect, 15-30-134
Distributions when no withholding, reporting, 15-30-301

TAXATION, INDIVIDUAL INCOME (Continued)

Domestic international sales corporation (DISC), income from, 15-30-111
Eminent domain, compensation to condemnees not income, 70-31-106
Energy-related incentives
  alternative energy systems
    credit for installation, 15-32-201 — 15-32-203
    definitions, 15-32-102
    purpose of provisions, 15-32-101
  energy conservation investments
    classification of property, extension, 15-32-108
    credit for, 15-30-125, 15-32-104, 15-32-106, 15-32-109
    deduction for, 15-32-103, 15-32-104, 15-32-106
    definitions, 15-32-102
    loans by utilities or financial institutions, 15-32-107
    new construction, applicability, 15-32-105
    purpose of provisions, 15-32-101
  geothermal systems, 15-32-102, 15-32-115
  rules, 15-32-105, 15-32-107, 15-32-203, 15-32-407
  wind-generated electricity, commercial investment
    credit for, 15-32-402 — 15-32-407
    purpose and policy, 15-32-401
Estate or trust income, 15-30-135, See also **Trusts**; **TAXATION, ESTATES**
  computation, 15-30-136
  definitions, 15-30-101
  determination and rate of tax, 15-30-137
  gifts, 70-1-701, See **PROPERTY, GENERALLY, Gifts**
  investment credit, 15-30-161, 15-30-162
  remedies available, 15-30-138
  return, 15-30-135, 15-30-143, 15-30-195
Estimated tax, 15-30-142, 15-30-144, 15-30-149, 15-30-241
Estimate of taxable income by Department of Revenue, 15-30-145
Evidence
  delinquency, 15-30-321
  prima facie evidence for order to show cause and of failure to file return or report, 15-30-316
  records confidential, 15-30-303
  returns, revision — examination of records and persons, 15-30-145
Examination of records, 5-12-303, 15-30-145, 15-30-303
Excess Tax Refund Agreement (EXTRA), 15-30-195
Exemptions, 15-30-111, 15-30-112, 15-30-142
  adjustment, 15-30-111, 15-30-112
  "agent orange" payments, 15-30-111
  blind persons, 15-30-112, 15-30-303
  capital gains, 15-30-110
  corporation liquidation, gain from, 15-30-111
  deferred compensation contributions, 19-50-101, 19-50-103
  dependents, 15-30-112 — 15-30-115
  estates or trusts, 15-30-135, 15-30-136
  handicapped persons, 15-30-112 — 15-30-115
  health insurance premiums, employer-paid, 15-30-111
  individual, 15-30-112, 15-30-136
  interest income, 15-30-111
  military personnel salaries, 15-30-116, 15-30-201, 15-30-202
  pension and annuity income, 15-30-101, 15-30-111, 15-30-135
    firefighters, 19-17-407, 19-18-612
    police, 19-19-504
    public employees, 19-2-1004

TAXATION, INDIVIDUAL INCOME (Continued)
Exemptions (Continued)
    pension and annuity income (Continued)
        teachers, 19-20-706, 19-21-212
        university system optional retirement program, 19-21-212
    report to governor and legislature, 15-1-205
    small business investment companies, capital gains or dividend income from, 15-33-102, 15-33-106
    state income tax refunds or refund credits, 15-30-111
    tips or gratuities for service at premises for food, beverages, or lodging, 15-30-111, 15-30-201
    veterans' bonuses, 15-30-116
    withholding, 15-30-201, 15-30-202
    workers' compensation benefits, 15-30-111
Federal annuity payments, voluntary state withholding, 15-30-215
Federal income tax, 15-30-111, 15-30-117, 15-30-121, 15-30-123, 15-30-136, 15-30-146, 15-30-206, 15-30-207
Federal territory, within, 2-1-202, 2-1-205, 2-1-209
Fines, 15-30-303, 15-30-314, See also **Penalties**
Gross income, 15-30-101, 15-30-136, 15-30-142, 15-30-146
Hearings, 15-30-310, 15-30-314, 15-30-316
Information agents, 15-30-101, 15-30-207, 15-30-301
Interest
    deficiency penalty, on, 15-30-323
    erroneous collection, 15-30-149
    jeopardy assessments, 15-30-312
    military personnel
        deferment of tax, 15-30-313
        stay of enforcement against, 15-30-314
    on additional tax, 15-1-206, 15-30-142
    on overpayments, 15-30-149
    personal debt, as, 15-30-141
    residential property tax credit for elderly, false claims, 15-30-179
    return, failure to file, 15-30-145
    unpaid tax, 15-30-321
    withholding, failure of employer to pay, 15-30-203
Interest income, 15-30-105, 15-30-111, 15-30-117, 15-30-136, 15-30-301
Investigations, 15-30-145, 15-30-303
Jeopardy assessments, 15-30-312
Legislative fiscal analyst, information to, 5-12-303, 15-30-303
Lien of, 15-30-208
Limited liability companies — furnishing copy of share of income, credit, and deductions schedule, 15-30-304
Long-term care insurance premiums, 15-30-121, 15-30-128
Lottery winnings, withholding, 15-30-246, 15-30-247
Lump-sum distributions, tax on, 15-30-101, 15-30-106
Marital status, determination, 15-30-122, 15-30-134
Medical care insurance premiums, 15-30-121
Medical care savings accounts, Title 15, chapter 61
Military personnel
    deferment of tax, 15-30-313
    retirement benefits, 15-30-101
    salary exemption, 15-30-116, 15-30-201, 15-30-202
    stay of enforcement against, 15-30-314
Net income, 15-30-101, 15-30-102, 15-30-121, 15-30-123, 15-30-133, 15-30-135, 15-30-136, 15-30-304
Net operating loss, computation, 15-30-117, 15-30-136, 15-30-149
Nonresidents, 15-30-105
    adjusted gross income, 15-30-131
    alternative tax on gross sales, 15-30-105
    change in status, 15-30-132

TAXATION, INDIVIDUAL INCOME (Continued)
Nonresidents (Continued)

- estate or trust income, 15-30-135
- insurance producers, subject to tax, 33-17-407
- reciprocal agreements, 15-30-306
- returns, 15-30-142

Oaths, 15-30-302
Order to show cause, 15-30-316
Overpayments, 15-30-149, 15-30-204
Partnerships

- adjusted gross income, 15-30-111
- alternative fuel motor vehicle conversion, 15-30-164
- copy of share of income, credit, and deductions schedule — furnishing, 15-30-304
- income tax involving, requirements, 15-30-133
- information agents, 15-30-101
- investment credit, 15-30-161, 15-30-162
- reclaimable material, property to collect or process — credits or deduction, Title 15, chapter 32, part 6
- university system or private college endowment funds, contributions to, 15-30-163
- wind-generated electricity, commercial investment, 15-32-402 — 15-32-407

Payment, 15-30-142, 15-30-144, 15-30-307, 15-30-312, 15-30-321

- estimated tax, 15-30-241
- university students, nonpayment indication of domiciliary intent, 20-25-504
- withholding, 15-30-203, 15-30-204

Penalties, See also **Fines**

- action to recover, 15-30-208, 15-30-321
- deficiency, on, 15-30-142, 15-30-323
- erroneous collection, 15-30-149
- estimated tax, underpayment, 15-30-241
- jeopardy assessments, 15-30-312
- military personnel
  - deferment, 15-30-313
  - stay of enforcement against, 15-30-314
- personal debt, as, 15-30-141
- residential property tax credit for elderly, false claims, 15-30-179
- return violations, 15-30-145, 15-30-321
- violations generally, on, 15-30-321
- withholding
  - employer violations, 15-30-203, 15-30-207, 15-30-209
  - grantor subject to penalties, 15-30-208

Prosecution of offenses, time limitations, 15-30-324
Rate of tax, 15-30-103
Reciprocity, 15-30-306
Records, 5-12-303, 15-30-303
Refunds

- checkoffs deducted from, 15-30-152, 15-30-155, 15-30-158
- closing agreements, 15-30-307
- credits, 15-30-111, 15-30-128, 15-30-136
- excess tax refund agreement, 15-30-195
- federal income tax, 15-30-111, 15-30-117, 15-30-136
- offset, 15-30-310
- overpayments, 15-30-116, 15-30-149, 15-30-195, 15-30-204
- physician practicing in rural area, credit, 15-30-190
- residential property tax credit for elderly, 15-30-175
- state income tax, 15-30-111, 15-30-136, 15-30-142

Reports, 15-30-302, 15-30-303, 15-30-316
Residence

- change of status, 15-30-132

TAXATION, INDIVIDUAL INCOME (Continued)
Residence (Continued)

- defined for, 15-30-101
- dependent, qualification for, 15-30-113
- foreign taxes paid, credit to, 15-30-124
- handicapped child, qualification for exemption, 15-30-114
- judicial review, venue determined by, 15-30-148
- military personnel, salary exemption, 15-30-116

Residential property tax credit for elderly
- computation, 15-30-176
- definitions, 15-30-171
- denial of claim, 15-30-179
- disallowance or adjustment of claims, 15-30-173
- eligibility, 15-30-172
- filing date, 15-30-174
- form of relief, 15-30-175
- limitations, 15-30-177
- proof of claim, 15-30-178

Retirement disability benefits, 15-30-111
Returns, 15-30-142
- acknowledgments, 15-30-302
- affidavit, 15-30-144
- amended, 15-30-195, 15-30-304
- certified copies, 15-30-303, 15-30-331
- confidentiality, 5-12-303, 15-30-303, 53-2-503
- estate or trust, for, 15-30-135, 15-30-143
- extension of time, 15-30-144, 15-30-321, 15-30-323
- federal return, 15-1-206, 15-30-304
- fiduciary, of, 15-30-143
- filing, 15-30-142, 15-30-144, 15-30-145, 15-30-147, 15-30-316, 15-30-321, 33-17-407
- fishing and hunting licenses, residency requirements, 15-30-303, 87-2-102
- gasoline license tax refunds, information provided for, 15-30-303, 15-70-223
- information agent, duty, 15-30-301
- inspection, 15-30-303
- insurance producers, nonresident — filing, 33-17-407
- joint, 15-30-111, 15-30-112, 15-30-121, 15-30-122, 15-30-142, 15-30-150, 15-30-152, 15-30-155, 15-30-158
- oaths, 15-30-302
- public assistance investigations, available for, 53-2-503
- revision, 15-30-145, 15-30-147
- withholding statement filed with, 15-30-206

Review, 15-1-211, 15-30-149, 15-30-303
Royalties, 15-30-136, 15-30-301
Rules, 15-30-142, 15-30-145, 15-30-191, 15-30-211, 15-30-215, 15-30-241, 15-30-302, 15-30-303, 15-30-305, 15-32-105, 15-32-107, 15-32-203, 15-32-407, 15-32-609, 15-32-611, 15-33-105
Small business corporations, See also **TAXATION, CORPORATIONS**
- adjusted gross income, 15-30-111
- alternative fuel motor vehicle conversion, 15-30-164
- computer equipment donated to schools, 15-30-126
- investment credit, 15-30-161, 15-30-162
- reclaimable material, property to collect or process — credits or deduction, Title 15, chapter 32, part 6
- university system or private college endowment funds, contributions to, 15-30-163
- wind-generated electricity, commercial investment, 15-32-402 — 15-32-407

Small business independent liability funds
- contributions, administrative costs, or income, 15-30-127, 33-27-118
- termination, tax liability upon, 15-30-107, 33-27-119

TAXATION, INDIVIDUAL INCOME (Continued)

Small business investment companies, investment in
  citation of small business investment incentive act, 15-33-101
  definition, 15-33-103
  exemption of capital gains or dividend income, 15-33-102, 15-33-106
  purpose of provisions, 15-33-102
  reports and records, 15-33-104
  rules, 15-33-105
Social security benefits, 15-30-111
Subchapter S corporation shareholder's income, 15-30-111, 15-30-304
Tier 1 railroad retirement benefits, 15-30-111
Title plant owned by insurer or producer, 15-30-111
Trusts, See also **Estate or trust income**
  charitable, 15-30-135
  principal and income determinations, charges against, 72-34-416
  withholding, employer to hold in trust for state, 15-30-208
University students, nonpayment evidence of domiciliary intent, 20-25-504
Veterans' bonus payments, 15-30-116
Violations, 15-30-145, 15-30-179, 15-30-209, 15-30-303, 15-30-321, 15-30-324
Warrant for distraint, 15-30-148, 15-30-208, 15-30-311, 15-30-312
Withholding, 15-30-202
  amount withheld considered tax collected, 15-30-205
  collection, 15-30-208, 15-30-209
  definitions, 15-30-201
  electronic funds transfer and electronic reporting, employer option, 15-30-210, 15-30-211
  employer-employee relationship, determination, 15-30-248
    review and appeal, 15-1-211, 15-2-201
  estimated tax, 15-30-241
  exemptions, 15-30-201, 15-30-202
  federal annuity payments, from, 15-30-215
  liability of employer, 15-30-203
  lottery winnings, from, 15-30-247
  military personnel, 15-30-201, 15-30-202
  overpayment, 15-30-149, 15-30-204
  payment, 15-30-203, 15-30-204, 15-30-210, 15-30-211
  remedies, 15-30-209
  required, 15-30-202
  return, extension of time, 15-30-144
  return of employer, 15-30-204
  statement by employer to department of revenue, 15-30-207, 15-30-209
  statement by employer to employee, 15-30-206, 15-30-209, 39-3-101
  trust, funds held in, 15-30-208
  violations by employer, 15-30-203, 15-30-207, 15-30-209
  warrant for distraint, 15-30-208
Workers' compensation
  benefits, exemption, 15-30-111
  old fund liability tax, 15-30-207, 15-30-210, 15-30-248, 15-30-304, 39-71-2503
  payroll tax, applicability of provisions, 39-71-2503

TAXATION, MINERALS
  See also **TAXATION, GENERAL PROVISIONS**
Actions for collection of
  coal severance tax, 15-35-114
  mines, metal — license tax, 15-37-116
  mines, micaceous mineral — license tax, 15-37-212
  mines net proceeds tax, 15-23-504, 15-23-508

TAXATION, MINERALS (Continued)
Actions for collection of (Continued)

oil and natural gas production tax, 15-36-321
resource indemnity trust and ground water assessment tax, 15-38-112
Building stone, exemptions, 15-6-131, 15-6-208, 15-23-502
Coal
exemptions, 15-6-201, 15-6-208, 15-23-502
haulers, classification and rate of tax, 15-6-138
net proceeds tax, exemption, 15-23-502
reservation of mineral rights, exemption, 15-6-201
right of entry to explore, exemption, 15-6-201
value-added manufacturing, expanding industry taxable value increase, 15-24-2401 — 15-24-2405
Coal gross proceeds
assessment, See also **TAXATION, PROPERTY**, **Assessment**, centrally assessed property
deficiency assessments, 15-23-115
estimate, 15-23-104
interest on incorrect valuation, 15-23-115
property tax record, entry, 15-23-702
report of assessed values to counties, 15-23-106
review, 15-23-104
calculation of tax, 15-23-703
coal gross proceeds redistribution account, 15-23-707
collection of tax, 15-23-703, 15-23-704
distribution of tax, 15-23-703, 15-23-705 — 15-23-707
imputed value, 15-23-701
lien of tax 15-23-704
limitation on levy of tax, 15-10-411, 15-10-412
statement of gross yield and value to department of revenue, 15-23-103, 15-23-104, 15-23-701, 15-35-107
unit value, calculation, 15-23-705
Coal severance tax
action to collect, 15-35-114
allocation of revenue
art in capitol, 15-35-108
bonds for renewable resource projects, Title 17, chapter 5, part 7; Title 85, chapter 1, part 6
conservation districts, 15-35-108
constitutional trust fund, 15-35-108; Const., IX, 5, See **COAL TRUST FUNDS**
county land planning, 15-35-108
cultural and aesthetic projects, 15-35-108, 22-2-301, 22-2-304, 22-2-321
flathead basin commission, 75-7-307
general fund, 15-35-108
growth through agriculture act, 15-35-108
highway construction, 60-3-216
historical sites, acquisition, 15-35-108, 23-1-108
libraries, 15-35-108
long-range building program account, 15-35-108
renewable resource development projects, 15-35-108
renewable resource loan debt service fund, 85-1-603, 85-1-604
state parks — acquisition, development, operation, and maintenance, 15-35-108, 23-1-108
water development debt service fund, 15-35-108
bonds, Title 17, chapter 5, part 7; Title 85, chapter 1, part 6
capital companies, credits for investment in, 90-8-202
credits, 15-35-103, 15-35-113, 15-35-114, 15-35-201 — 15-35-205
deficiency assessment, 15-1-211, 15-35-112, 15-35-114
definitions, 15-35-102, 15-35-103, 15-35-107
delinquencies, 15-35-105
imputed valuation, 15-35-107

TAXATION, MINERALS (Continued)
Coal severance tax (Continued)

legislative findings, 15-35-101
lien of tax, 15-23-704
new coal production incentive tax credit, 15-35-103, 15-35-202
calculation, 15-35-203
citation of new coal production incentive tax credit act of 1985, 15-35-201
declaratory ruling, petition for, 15-35-204
public availability to returns and information, 15-35-205
reporting requirements, 15-35-204, 15-35-205
overpayment, 15-35-113, 15-35-114
payment, 15-35-104
penalties, 15-35-105, 15-35-113, 15-35-121
purpose of provisions, 15-35-101
rate of tax, 15-35-103
refunds, 15-35-113, 15-35-114
return, 15-35-107, 15-35-114
revenue oversight committee, duties, 5-18-107
review, 15-1-211, 15-35-112
royalties, 15-35-101, 15-35-102
rules, 15-35-122
samples of coal, testing, 15-35-106
statements to department of revenue, 15-35-104, 15-35-107, 15-35-121, 15-35-203, 15-35-204
statute of limitation, 15-35-114
tribal royalties, 15-35-102
warrant for distraint, 15-35-105
Definitions, 15-1-101, 15-16-201
coal severance tax, 15-35-102, 15-35-103, 15-35-107
mines, metal — gross proceeds, 15-23-801
mines, metal — license tax, 15-37-102
mines net proceeds, 15-23-515, 15-23-516, 15-23-518
oil and natural gas production tax, 15-36-303
resource indemnity trust and ground water assessment tax, 15-38-103, 15-38-125 — 15-38-127, 15-38-129
Evidence
coal, market value, 15-35-107
metal mines
imputed value, 15-23-805
license tax hearings, 15-37-109
Exemptions, 15-6-131, 15-6-201, 15-6-208, 15-6-213, 15-23-502, 15-35-103, 15-38-121
Fines, forfeitures, and penalties
coal severance tax, 15-35-105, 15-35-113, 15-35-121
mines, metal — gross proceeds tax delinquencies, 15-23-804
mines, metal — license tax, 15-37-106, 15-37-108, 15-37-109
mines, micaceous mineral — license tax, 15-37-205, 15-37-206, 15-37-221
mines net proceeds tax, 15-23-504, 15-23-507
oil and natural gas production tax, 15-36-311 — 15-36-313, 15-36-315, 15-36-324
local government severance tax, 15-36-325
resource indemnity trust and ground water assessment tax, 15-38-107
Industrial garnets and associated byproducts
mines, net proceeds, 15-6-131, 15-8-111, 15-23-103, 15-23-106, 15-23-115, 15-23-502, 15-23-503, 15-23-518
resource indemnity trust and ground water assessment tax, 15-38-104, 15-38-129
Interest
coal severance tax, 15-35-105, 15-35-112, 15-35-113
mines, metal — license tax, 15-37-105, 15-37-106, 15-37-108, 15-37-109, 15-37-114, 15-37-115
mines, micaceous mineral — license tax, 15-37-205, 15-37-206, 15-37-210, 15-37-211

TAXATION, MINERALS (Continued)
Interest (Continued)

  mines net proceeds tax, 15-23-507
  oil and natural gas production tax, 15-36-311, 15-36-313 — 15-36-315, 15-36-324
    local government severance tax, 15-36-325
  resource indemnity trust and ground water assessment tax, 15-38-107, 15-38-110, 15-38-111
Limestone
  mines, net proceeds, 15-6-131, 15-8-111, 15-23-103, 15-23-106, 15-23-115, 15-23-502, 15-23-503, 15-23-517
  resource indemnity trust and ground water assessment tax, 15-38-104, 15-38-128
Limitation on amount of taxes levied, 15-10-402, 15-10-411, 15-10-412
Mines and mining, 15-23-501
  corporation license tax, depletion and depreciation allowance, 15-31-114
  machinery and equipment, classification and rate of tax, 15-6-138
  mining claim, 15-23-501
  new industries property tax classification, 15-6-135, See also **TAXATION, PROPERTY**, **Industries**
  nonproductive patented mining claims, 15-6-133
  ore haulers, classification and rate of tax, 15-6-138
  privilege tax on use, exemption, 15-24-1203
  real property, defined as, 15-1-101
  reservation of mineral rights, exemption, 15-6-201
  right of entry to explore, exemption, 15-6-201
  value-added manufacturing, expanding industry taxable value decrease, 15-24-2401 — 15-24-2405
  wage protection, effect of unpaid or unredeemed tax sale certificate, 39-3-501
Mines, metal, 15-23-501
  assessment, review, 15-23-104
  exemptions, 15-6-208, 15-23-502
  net proceeds tax, exemption, 15-23-502
  property taxes
    large scale mineral developments, 15-6-152, 15-16-201, 90-6-307, 90-6-309, 90-6-310
    reallocation of taxable value, 90-6-401 — 90-6-405
Mines, metal — gross proceeds
  assessment, 15-8-111, 15-23-115, 15-23-804, 15-23-807, See also **TAXATION, PROPERTY, Assessment**, centrally assessed property
  classification, 15-6-132
  collection of tax, 15-23-804, 15-23-806
  definitions, 15-23-801
  delinquent tax, 15-23-804
  imputed value, 15-23-805
  lien of tax, 15-23-806
  merchantable value, 15-23-801, 15-23-803 — 15-23-805
  penalties, 15-23-804
  rate of tax, 15-6-132
  real property, defined as, 15-1-101
  statement of gross metal yield to department of revenue, 15-23-802, 15-23-805
Mines, metal — license tax, 15-37-101
  action to collect, 15-37-116
  allocation of revenue, 7-6-2225, 7-6-2226, 15-37-117, 20-9-231, 85-2-905, 90-6-303, 90-6-304
  assaying to be done within state, 15-37-104
  computation, 15-37-105
  credits, 15-37-115, 15-37-116
  deficiency assessment, 15-1-211, 15-37-114, 15-37-116
  delinquencies, 15-37-105, 15-37-108, 15-37-109, 15-37-116
  dissolution of corporation, effect, 15-37-112
  estimates by department of revenue, 15-37-106
  gross value of product, computation, 15-37-102, 15-37-110
  inspection of books and records, 15-37-109

TAXATION, MINERALS (Continued)
Mines, metal — license tax (Continued)

- overpayment, 15-37-115, 15-37-116
- payment, 15-37-105
- penalties, 15-37-106, 15-37-108, 15-37-109
- rate of tax, 15-37-103
- refund, 15-37-115, 15-37-116
- resource indemnity trust and ground water assessment tax, exemption from, 15-38-113
- review, 15-1-211, 15-37-110, 15-37-114
- statement of gross value of product to department of revenue, 15-37-104, 15-37-106, 15-37-109, 15-37-112
- statute of limitation, 15-37-116
- supplemental tax, license tax is, 15-37-111
- warrant for distraint, 15-37-107

Mines, micaceous mineral — license tax, 15-37-201
- action to collect, 15-37-212
- credits, 15-37-211, 15-37-212
- deficiency assessment, 15-1-211, 15-37-210, 15-37-212
- delinquencies, 15-37-205, 15-37-206, 15-37-212
- disposition of revenue, 15-37-207
- estimate by department of revenue, 15-37-205
- overpayment, 15-37-211, 15-37-212
- payment, 15-37-202, 15-37-204
- penalties, 15-37-205, 15-37-206, 15-37-221
- rate of tax, 15-37-201
- records of production, 15-37-203
- refund, 15-37-211, 15-37-212
- return, 15-37-204, 15-37-212
- review, 15-1-211, 15-37-210
- statement of production to department of revenue, 15-37-204, 15-37-205
- statute of limitation, 15-37-212
- warrant for distraint, 15-37-206

Mines net proceeds, 15-23-501
- assessment, 15-8-111, 15-23-101, See also **TAXATION, PROPERTY**, **Assessment**, centrally assessed property
  - deficiency assessments, 15-23-115
  - estimate, 15-23-104, 15-23-506, 15-23-521
  - interest on incorrect valuation, 15-23-115
  - report to counties, 15-23-106
  - review, 15-23-104
- audits of taxable value, 15-8-104
- classification, 15-6-131
- collection of tax, 15-23-504, 15-23-507, 15-23-508, 15-23-522
- computation of tax, 15-23-503
- definitions, 15-23-515 — 15-23-518
- delinquencies, 15-23-507
- dissolution of corporation, effect, 15-23-523
- exemptions, 15-6-131, 15-23-502
- industrial garnets and associated byproducts
  - assessment, 15-8-111, 15-23-115
  - interest on incorrect valuation and deficiency assessment, 15-23-115
  - rate of tax, 15-6-131
  - report of assessed values to counties, 15-23-106
  - statement of gross yield and value to department of revenue, 15-23-103, 15-23-502, 15-23-503, 15-23-518
- lien of tax, 15-23-504, 15-23-508

TAXATION, MINERALS (Continued)
Mines net proceeds (Continued)

- limestone
  - assessment, 15-8-111, 15-23-115
  - interest on incorrect valuation and deficiency assessment, 15-23-115
  - rate of tax, 15-6-131
  - report of assessed values to counties, 15-23-106
  - statement of gross yield and value to department of revenue, 15-23-103, 15-23-502, 15-23-503, 15-23-517
- limitation on levy of tax, 15-10-411, 15-10-412
- machinery and equipment, 15-23-503, 15-23-504, 15-23-522
- penalties, 15-23-504, 15-23-508
- rate of tax, 15-6-131
- real property, defined as, 15-1-101
- records, examination, 15-23-521
- royalties, assessment and tax, 15-23-106, 15-23-502, 15-23-503, 15-23-505, 15-23-507, 15-23-515, 15-23-516
- statement of gross yield and value to department of revenue, 15-23-103, 15-23-104, 15-23-502, 15-23-503
  - false or fraudulent, 15-23-506, 15-23-521
  - talc producers, 15-23-515
  - vermiculite producers, 15-23-516
- surface ground and improvements, 15-23-501, 15-23-522
- talc mines
  - assessment, 15-8-111, 15-23-115
  - interest on incorrect valuation and deficiency assessment, 15-23-115
  - rate of tax, 15-6-131
  - report of assessed values to counties, 15-23-106
  - statement of gross yield and value to department of revenue, 15-23-103, 15-23-515
- vermiculite
  - assessment, 15-8-111, 15-23-115
  - interest on incorrect valuation and deficiency assessment, 15-23-115
  - rate of tax, 15-6-131
  - report of assessed values to counties, 15-23-106
  - statement of gross yield and value to department of revenue, 15-23-103, 15-23-502, 15-23-516

Oil and gas
- corporation license tax, depletion and depreciation allowance, 15-31-114
- down-hole equipment, exemption, 15-6-213
- exemptions, 15-6-201, 15-6-213
- machinery and equipment, 15-6-137, 15-23-611
- natural gas, classification of companies' allocations, 15-6-141
- pipelines, See **TAXATION, PROPERTY, Utilities**
- reservation of mineral rights, exemption, 15-6-201
- right of entry to explore, exemption, 15-6-201
- value-added manufacturing, expanding industry taxable value decrease, 15-24-2401 — 15-24-2405
- wage protection, effect of unpaid or unredeemed tax sale certificate, 39-3-501

Oil and gas natural gas production tax
- action to collect, 15-36-321
- carriers to furnish data, 15-36-312
- citation of Montana oil and natural gas production tax act, 15-36-301
- credits, 15-36-315, 15-36-321
- deficiency assessment, 15-1-211, 15-36-314, 15-36-321
- definitions, 15-36-303
- delinquencies, 15-36-324, 15-36-325
- disposition of revenue, 15-1-501
- distribution of tax, 15-36-323, 15-36-324, 82-11-135
- enhanced recovery projects, 15-36-303

TAXATION, MINERALS (Continued)
Oil and gas natural gas production tax (Continued)

- estimation of tax, 15-36-313
- gross taxable value, 15-36-303, 15-36-304, 15-36-324
- gross value of product, 15-36-305, 15-36-310
- legislative findings and purpose, 15-36-302
- lien of tax, 15-36-319
- local government severance tax payments for 1995 production, 15-36-325
- oil and natural gas accelerated tax fund, 15-36-325, 15-36-326
- overpayments, 15-36-315, 15-36-321
- payment, 15-36-310, 15-36-311, 15-36-313, 15-36-314, 15-36-319, 15-36-325
- penalties, 15-36-311 — 15-36-313, 15-36-315, 15-36-324, 15-36-325
- rate of tax, 15-36-304
- records, 15-36-312
- refunds, 15-36-315, 15-36-321
- resource indemnity and ground water assessment tax, exemption, 15-36-320
- review, 15-1-211, 15-36-314
- royalties, 15-36-309
- rules, 15-36-322
- school district funding, consideration in computation, 15-36-324, 20-9-104, 20-9-141, 20-9-161, 20-9-331, 20-9-333, 20-9-501, 20-9-507, 20-10-144, 20-10-146
- statement to department of revenue, 15-36-311, 15-36-313
- statute of limitation, 15-36-321
- tertiary recovery projects, 15-36-303
- unit value, 15-36-323 — 15-36-325
- warrant for distraint, 15-36-313, 15-36-314, 15-36-319

Resource indemnity trust and ground water assessment tax
- action to collect, 15-38-112
- allocation of revenue, 15-38-106, 15-38-201 — 15-38-203, 75-1-1101, 75-10-621, 75-10-704, 82-11-161, 85-1-604, 85-1-631, 85-2-905, 90-2-1104; Const., IX, 2
- citation of Montana resource indemnity trust and ground water assessment act, 15-38-101
- confidentiality of information supplied by producer, 15-38-109
- credits, 15-38-106, 15-38-111, 15-38-112
- deficiency, 15-38-106
- deficiency assessment, 15-38-110, 15-38-112
- definitions, 15-38-103, 15-38-125 — 15-38-127, 15-38-129
- delinquencies, 15-38-107, 15-38-112
- estimate by department of revenue, 15-38-107
- exemption, 15-38-113, 15-38-121
- gross value of product, 15-38-103, 15-38-104, 15-38-107, 15-38-125 — 15-38-129
- legislative policy, 15-38-102
- oil and natural gas production tax, exemption, 15-36-320
- overpayment, 15-38-106, 15-38-111, 15-38-112
- payment, 15-38-106, 15-38-107
- penalties, 15-38-107
- rate of tax, 15-38-104
- records of production, 15-38-106, 15-38-109
- refunds, 15-38-106, 15-38-111, 15-38-112
- resource indemnity trust fund, 15-36-324, 15-38-106, 15-38-201, 15-38-202, 75-1-1101, 75-10-621, 75-10-704, 82-11-161, 85-1-604, 85-1-631, 85-2-905, 90-2-1104; Const., IX, 2
- resource indemnity trust interest account, 15-38-202, 15-38-203, 75-1-1101, 85-1-604, 85-1-631
- review, 15-1-211, 15-38-110
- royalties, 15-38-104, 15-38-121
- statement of gross yield to department of revenue, 15-38-105, 15-38-107
- statute of limitation, 15-38-112
- tribal royalties, exemption, 15-38-121
- warrant for distraint, 15-38-107, 15-38-108

TAXATION, MINERALS (Continued)

Revenue Oversight Committee, duties, 5-18-107
Rules
  coal severance tax, 15-35-106, 15-35-122
    new coal production incentive tax credit, 15-35-205
  oil and natural gas production tax, 15-36-322
Talc mines
  mines, net proceeds, 15-6-131, 15-8-111, 15-23-103, 15-23-106, 15-23-115, 15-23-515
  resource indemnity trust and ground water assessment tax, 15-38-104, 15-38-126
Travertine, exemptions, 15-6-131, 15-6-208, 15-23-502
Vermiculite
  mines, micaceous mineral — license tax, Title 15, chapter 37, part 2
  mines, net proceeds, 15-6-131, 15-8-111, 15-23-103, 15-23-106, 15-23-115, 15-23-502, 15-23-516
  resource indemnity trust and ground water assessment tax, 15-38-104, 15-38-127
Violations
  coal severance tax statements, failure to file or falsification, 15-35-121
  mines, metal — license tax, refusal to allow examination of records and false or erroneous statements, 15-37-109
  mines, micaceous mineral — license tax, 15-37-221
Warrant for distraint
  coal severance tax, 15-35-105
  mines, metal — license tax, 15-37-107
  mines, micaceous mineral — license tax, 15-37-206
  oil and natural gas production tax, 15-36-313, 15-36-314, 15-36-319
  resource indemnity trust and ground water assessment tax, 15-38-107, 15-38-108

TAXATION, PROPERTY
  See also **TAXATION, GENERAL PROVISIONS**
Actions
  assessment, declaratory judgments, 15-1-406, 15-15-101
  collection, for, 15-16-503, 15-17-911, 15-23-116, 15-23-216, 15-24-1104, 15-24-1206
  penalty, recovery, 15-8-309
  railroad car company tax, collection, 15-23-216
  royalty interest in land acquired by county at tax sale, 15-17-326, 27-2-210, 70-19-421
  tax deed quiet title, 15-18-411, 15-18-412
Agricultural, Const., XII, 1
  associations, 15-31-102, 35-16-406
  bees, 15-6-207, 15-24-921, 15-24-922, 15-24-925
  buildings, 15-6-201
  combine harvesters, 15-24-301, 61-10-130, See also **Migratory personal property**
  defined, 15-1-101
  exemptions, 15-6-201, 15-6-206, 15-6-207
  gasoline license tax, 15-70-201, 15-70-223, See also **TAXATION, GASOLINE AND VEHICLE FUELS**
  irrigation systems, exemption, 15-6-206
  land, See **Agricultural land**
  livestock, See **Livestock**
  machinery and equipment
    canola seed oil processing facility, 15-6-136
    classification and rate of tax, 15-6-136, 15-6-138
    combine harvesters, 15-24-301, 61-10-130
    exemptions, 15-6-201, 15-6-207
    market value, 15-8-111
  plants out of production or acquired through foreclosure or bankruptcy, 15-6-134
  poultry, 15-1-101, 15-6-207, 15-24-921, 15-24-922, 15-24-925
  societies, exemptions, 15-6-201, 15-31-102

TAXATION, PROPERTY (Continued)
Agricultural (Continued)

- special fuels use, Title 15, chapter 70, part 3
- value-added manufacturing, expanding industry taxable value decrease, 15-24-2401 — 15-24-2405

Agricultural land
- advisory committee, 15-7-201
- appraisal, 15-7-103
  - change in use, 15-7-208 — 15-7-210
  - continuance of valuation as agricultural land, 15-7-207, 15-7-210
  - criteria for valuation, 15-7-201, 15-7-203, 15-8-111
  - crossing county lines, 15-7-212
  - eligibility, 15-7-202
  - improvements included, 15-7-206
  - legislative intent, 15-7-201
  - valuation, 15-7-201, 15-8-111
- assessment, 15-7-201, 15-7-202, 15-7-207, 15-8-111
- change in use, 15-7-208 — 15-7-210
- classification, 15-6-133, 15-6-134, 15-7-103, 15-7-201, 15-7-202
  - reclassification, 15-7-202, 15-7-208 — 15-7-210
- grazing lands, exemption when, 15-24-1203
- rate of tax, 15-6-133, 15-7-201
- rollback tax lien, release, 15-7-209
- taxable value, 15-7-221
- transfer certificate, exemption, 15-7-307

Air and water pollution control equipment, 15-6-135
Air carriers
- assessment, 15-23-101, 15-23-403, See also **Assessment**, centrally assessed property
  - apportionment, 15-23-105, 15-23-106, 15-23-403
  - definitions, 15-23-401
  - estimate, 15-23-104
  - report of assessed values to counties, 15-23-106
  - report to department of revenue, 15-23-103, 15-23-104, 15-23-402
- classification and rate of tax, 15-6-145
- delinquent taxes, suspension when, 15-16-802, 15-16-803
- disposition of revenue, 67-1-303
- exemption, 67-3-204
- taxable value, 15-6-145

Aircraft
- fee in lieu of tax, 15-24-304, 67-3-201, 67-3-203 — 67-3-206
- gasoline license tax, Title 15, chapter 70, part 2, See **TAXATION, GASOLINE AND VEHICLE FUELS, Gasoline license tax**
- migratory, 15-24-304
- ultralight, 67-3-201, 67-3-206

Airlines, See **Air carriers**
Airports and landing fields
- buildings on airport property, 15-24-1203
- exemptions, 15-24-1203, 67-10-301, 67-10-406, 67-11-306
- levy, 67-10-401, 67-10-402, 67-11-201, 67-11-301, 67-11-302

All property subject to, 15-6-101
Appeals, See **TAX APPEAL BOARDS**
Appraisal, 15-7-101, 15-8-111; Const., VIII, 3, See also **Assessment**
- adjustment, 15-7-102
- agricultural land, See **Agricultural land**
- appeal, 15-6-135, 15-7-102, 77-1-208; Const., VIII, 7
- appraisers
  - instruction, examination, and certification, 15-7-105 — 15-7-107
  - offices, 15-8-102

TAXATION, PROPERTY (Continued)
Appraisal (Continued)
  appraisers (Continued)
    records, availability, 15-7-102
  assessment upon, 15-8-112
  centrally assessed property, independent appraisal option, 15-23-102
  change, 15-1-205, 15-7-102
  energy-related incentives, portion of appraised value exempt, 15-6-201
  funds for technology and administration, 2-6-110, 15-1-521
  greenbelt law, Title 15, chapter 7, part 2, See **Agricultural land**
  limitation on amount of taxes levied, effect, 15-10-412
  market value, appraisal at, 15-7-103, 15-8-111
  notice, 15-7-102, 15-15-101, 15-15-102
  objection, 15-7-102
  preexisting laws, applicability, 15-7-104
  property valuation and assessment system, 2-6-110
  records, 15-7-101, 15-7-102
  refund of taxes, appraisal required prior to — when, 15-16-603
  residential property in changing use areas, 15-7-401 — 15-7-403
  revaluation, 15-7-103, 15-7-111 — 15-7-114, 15-7-131, 15-7-134, 77-1-208
    agricultural land, 15-7-201, 15-7-202
    class 3 property, 15-6-133
    class 4 property, 15-7-103
    limitation on amount of taxes levied, nonapplicability, 15-10-412
    protest payments due to, 15-1-402
    report to revenue oversight committee, 5-18-115
  review, 15-7-102, 15-15-102
  uniformity, 15-7-103, 15-7-105, 15-7-112
Assessment, 7-6-4409, 7-6-4411, 15-8-111; Const., VIII, 3; See also **Appraisal**
  absent owners, 15-8-501
  agricultural land, 15-7-201, 15-7-202, 15-7-207, 15-8-111
  appeals, 15-1-211, 15-1-222, 15-2-201, 15-2-302, 15-8-112, 15-8-113, 15-8-115, 15-8-306, 15-15-101, 15-15-102, 15-23-102; Const., VIII, 7, See also **TAX APPEAL BOARDS**
  appraisal, assessment on, 15-8-112
  assessed value, 15-8-111
    report to counties, 15-23-106
  building and loan association property, 15-24-801
  business incubator tax exemption, assessment change, 15-24-1802
  centrally assessed property
    appeal, 15-2-302, 15-23-102
    apportionment, 15-23-105, 15-23-106
    credits, 15-23-116
    deficiency assessment, 15-23-115, 15-23-116
    enumeration, 15-23-101
    estimates, 15-23-104
    exempt property, beneficial interest in, 15-23-101, 15-23-111
    independent appraisal option, 15-23-102
    interest on incorrect valuation, 15-23-115
    notice of assessment, 15-23-102
    refund, 15-23-116
    reports and returns
      due date and extensions, 15-23-103
      failure to file, 15-23-104, 15-23-116
    review, 15-1-211, 15-1-705, 15-8-601, 15-23-102, 15-23-104
    revised assessments, 15-23-102, 15-23-107
    revision and conference for review, 15-8-601
    rulemaking authority, 15-23-108
  change, 15-1-205, 15-1-408, 15-8-601, 15-8-709, 15-9-101, 15-10-206

TAXATION, PROPERTY (Continued)
Assessment (Continued)

- classification
  - assessment on, 15-8-112
  - purpose, 15-7-103
- commercial personal property, audits, 15-8-104
- common elements
  - condominium project, undivided interest, 15-8-511
  - lots in residential or commercial development, 15-8-512
- concealed property, 15-8-306
- conservation districts, certification, 76-15-518
- conservation easements, property subject to, 76-6-208
- consigned property, 15-8-401
- contested, Const., VIII, 7, See **TAX APPEAL BOARDS**
- correction, 15-8-709
- county motor vehicle computer system user advisory group, employee representation on, 61-3-345
- county road improvement districts, 7-14-2738, 7-14-2743
- deceased persons, undistributed property of, 15-8-503
- delay, effect, 15-8-308
- duplicate assessments, 15-16-105
- enforcement, 15-8-304
- errors or omissions
  - delinquency list, carryover to, 15-8-708
  - name of owner, 15-8-201
  - revision, 15-8-601, 15-8-709
  - statement of taxpayer, correction, 15-8-303
  - tax sale, effect on, 15-17-124, 15-17-326, 15-18-413
- estimate, 15-1-303, 15-8-501, 15-23-104
- evidence, as, 15-16-504
- evidence of, 15-1-303, 15-8-709, 15-8-710, 15-18-213
- exempt property, interests in, 15-24-1201, 15-24-1202
  - privilege tax on gainful use, 15-24-1205
- exempt status, property changed to taxable status, 15-8-201, 15-16-203, 15-24-1902, 15-24-2002
- federal property, interests in, 15-24-1101 — 15-24-1103
- forest lands, 15-44-103
- funds for technology and administration, 15-1-521
- general assessment day, 15-8-201
- historic property tax abatement disqualification — back taxes, interest, and penalty, 15-24-1607
- horses, abandoned — those taken in roundup, 81-4-511, 81-4-513, 81-4-516
- how property is assessed, Title 15, chapter 8, part 3
- increase, 15-8-601, 15-9-101
- industrial park tax exemption, assessment change, 15-24-1902
- informality, effect, 15-8-308
- insurance companies, 15-24-601
- land, special provisions, 15-8-111, 15-8-301, 15-8-307, 15-8-701, 15-8-702
- litigation, when property and money in, 15-8-504
- livestock, See **Livestock**
- local economic development organization, building and land tax exemption — assessment change, 15-24-2002
- maps, 15-8-704
- market value standard, 15-8-111
- migratory personal property, 15-16-613, 15-24-301, 15-24-302, 15-24-305
- misrepresentation of property, 15-8-306
- modification, 15-1-303
- 9-1-1 emergency telephone system fee, applicability, 10-4-212
- objections, 15-1-705
- offices, 15-8-102

TAXATION, PROPERTY (Continued)
Assessment (Continued)

    penalties, 15-1-303, 15-8-309
    percentage basis of assessment, 15-8-112, 15-8-113
    personal property, special provisions, 15-8-408, 15-16-119, 15-16-402, 61-3-431
    production credit associations, 15-24-701
    property valuation and assessment system, 2-6-110
    protest, 15-15-101
        declaratory judgment action, 15-1-406, 15-15-101
    reduction, 15-8-306, 15-9-101, 15-15-102
    representative, designation when assessed as, 15-8-502
    review, 15-1-211, 15-1-222, 15-1-705, 15-8-601, 15-23-102, 15-23-104
    revision and conference for review, 15-8-601, 15-23-102
    sales assessment ratios and studies, 15-1-201, 15-6-145
    separate assessments
        common elements, 15-8-511, 15-8-512
        exempt status, property changed to taxable status, 15-16-203, 15-24-2002
        improvements and land, 15-8-111, 15-8-701
        personal and real property, 15-16-402
    special improvement districts, certification, 7-12-4181
    statements of taxpayers to department of revenue
        affidavit to accompany, 15-8-304, 15-8-309
        completion and return, 15-8-303
        contents, 15-8-301
        enforcement, 15-8-304
        failure to provide, 15-1-303, 15-8-309
    supervision, 15-1-201, 15-8-101; Const., VIII, 3
    supplemental, 15-8-204
    tax deed quiet title actions, new assessments, 15-18-412
    tax sales
        irregularity of assessment, effect, 15-17-124, 15-17-326, 15-18-412, 15-18-413
        property sold at, 15-17-324
    to whom property assessed, Title 15, chapter 8, part 5
    tramways, 23-2-715 — 23-2-718
    transfer of property, effect, 15-7-304, 15-7-309
    unknown owners, 15-8-501
    warrant for distraint, 15-1-705
    when property assessed, 15-8-201, 15-8-202, 15-8-204, 15-8-205
    where property is assessed, Title 15, chapter 8, part 4
Assessment book, See **Record, property tax**
Bees, 15-6-207, 15-24-921, 15-24-922, 15-24-925, See also **Agricultural**
Boats
    assessment, 15-8-201
    exemption, 15-6-201
    fee in lieu of tax, 15-16-202, 23-2-508, 23-2-510, 23-2-512, 23-2-516 — 23-2-520
Building and loan associations, 15-24-801
Business equipment tax on business personal property, 15-6-122, 15-8-301
Business equipment tax rate reduction reimbursement, 15-1-112
Business incubators, exemption, 15-24-1801, 15-24-1802
Campers, See **Recreational vehicles**
Canals, ditches, and flumes
    assessment, 15-8-406, 15-23-301, See also **Utilities**
    exemption, 15-6-206, 85-7-2011
Cities and towns, See also **Exempt property, interest in**
    exemption from taxation, 15-6-201; Const., VIII, 5
    historic properties, tax abatement, 15-24-1601 — 15-24-1607
    sewer charges, arrearages inserted as tax against property, 7-13-4309

TAXATION, PROPERTY (Continued)
Cities and towns (Continued)

- tax deed lands, acquisition, See **Tax sales**, municipality as purchaser

Classification of property, 15-6-101, 15-7-101, 15-7-103
- adjustment, 15-7-102
- affidavit, class four — application, 15-6-151
- agricultural land, 15-6-133, 15-6-134, 15-7-103, 15-7-201, 15-7-202, 15-7-208 — 15-7-210
- appeal, 15-2-302, 15-7-102
- application for special classifications, 15-6-151, 15-6-152
- assessment upon, 15-8-112
- change, 15-7-102, 15-7-208
- class one, 15-6-131
- class two, 15-6-132
- class three, 15-6-133, 15-7-134
- class four, 15-6-134, 15-6-151, 15-7-103, 15-8-205
- class five, 15-2-302, 15-6-135, 15-6-152
- class six, 15-6-136
- class seven, 15-6-137
- class eight, 15-6-138, 15-24-2403
- class nine, 15-6-141
- class ten, 15-6-143
- class eleven, 15-7-202
- class twelve, 15-6-145
- energy conservation investments, extension of classification, 15-32-108
- equalization of valuation, 15-9-101
- forest lands, 15-44-103
- new classes, restrictions, 15-10-411
- notice, 15-7-102, 15-15-101, 15-15-102
- objection, 15-7-102
- preexisting laws, applicability, 15-7-104, 15-32-108
- reclassification, 15-7-202, 15-7-208 — 15-7-210, 15-10-412
- records, 15-7-101, 15-7-102
- review, 15-7-102, 15-15-102
- transfers of real property, effect, 15-7-309
- uniformity, 15-7-103

Collection
- action to recover, 15-17-911
  - evidence, 15-16-504
  - move to another county by taxpayer, 15-16-503
- adverse possession established by payment, 70-19-411
- boats, sailboats, or personal watercraft — payment of current and back taxes and fees, 15-16-202, 23-2-515
- covenants for payment, 70-17-203
- current year tax without paying delinquent tax, 15-16-102
- date due, 15-16-101, 15-16-102
- delay, effect, 15-8-308
- entry of payment, 15-16-104, 15-16-115
- escrow accounts, payments from, 32-7-121
- exempt status, property changed to taxable value, 15-16-203
- informality, effect, 15-8-308
- levy of tax, costs figured in, 15-10-102
- minimum tax payment, 15-10-406, 15-16-118
- motor vehicles, payment of current and back taxes and fees, 15-16-202, 61-3-303
- natural disaster, property destroyed by, 15-16-611, 15-16-612
- notice of amount and date due, 15-16-101, 15-16-118, 15-16-203
- partial payment when, 15-16-102, 15-18-112
- personal property, special provisions, 15-16-115, 15-16-117, 15-16-119, 15-16-402, 15-17-911

TAXATION, PROPERTY (Continued)
Collection (Continued)

- poor fund taxes, 15-16-117
- protest, 15-1-406
- receipt, 15-16-104
- redemption of property, prerequisite, 25-13-802 — 25-13-806, 25-13-822, See also **Tax sales**
- report, 15-16-301
- road taxes, 15-16-117
- snowmobiles, payment of current and back taxes and fees, 15-16-202, 23-2-616
- special improvement district assessments, 15-16-103
- supplemental assessment, upon, 15-8-204

Combine harvesters, 15-24-301, 61-10-130, See also **Migratory personal property**
Commercial buildings, improvements to remove barriers to persons with disabilities — exemption, 15-6-216
Commercial personal property, audits, 15-8-104
Commercial property, delinquent taxes — suspension and cancellation, 15-16-301, 15-16-801, 15-24-1701 — 15-24-1704
Comparable property, 15-1-101, 15-1-201, 15-6-134, 15-7-112
Condominiums

- common elements, assessment, 15-8-511
- declaration, payment required for, 70-23-304
- homeowner's tax payment, 15-1-1001 — 15-1-1007
- lien for common expenses, effect, 70-23-607

Conservation easements, property subject to, 76-6-208
Counties, See also **Exempt property, interest in**

- exemption from taxation, 15-6-201; Const., VIII, 5
- historic properties, tax abatement, 15-24-1601 — 15-24-1607
- tax deed lands, acquisition, See **Tax sales**; See also **COUNTIES**, **Tax-deed lands**

Credits, 15-1-101, 15-8-301, 15-30-171 — 15-30-179
Definitions, 15-1-101, 15-1-111, 15-1-112, 15-10-402, 15-16-201, 15-16-611, 15-16-613

- agricultural land, 15-7-202
- air carriers, 15-23-401
- assessment, 15-8-111
- business incubators, 15-24-1801
- classification, 15-6-134 — 15-6-136, 15-6-138, 15-6-143
- economic development, 15-24-2001
- exemptions, 15-6-201, 15-6-202, 15-6-204
- forest lands, 15-44-102
- historic properties, tax abatement, 15-24-1601
- homeowner's tax payment provisions, 15-1-1001
- industrial parks, 15-24-1901
- industries, 15-24-1401, 15-24-2402
- livestock, 15-24-901, 15-24-903, 15-24-921
- mobile homes, 15-24-201
- property tax record, 15-8-701
- railroad car companies, 15-23-211
- residential property, changing use areas, 15-7-403
- tax sales and tax deeds, 15-17-121, 15-17-316, 15-18-111
- transfers of real property, 15-7-303
- warrant for distraint, 15-1-701

Delinquencies

- actions to collect, 15-16-504, 15-17-911, 15-23-216, 15-24-1104, 15-24-1206
- administrative costs, 15-17-121
- affidavit of county treasurer, 15-16-305, 15-16-504
- airlines, suspension when, 15-16-802, 15-16-803
- assessment of centrally assessed property, reports, 15-23-104
- cancellation of tax, 15-16-301, 15-16-702, 15-17-911, 15-24-1701 — 15-24-1704

TAXATION, PROPERTY (Continued)
Delinquencies (Continued)

- charged to county treasurer, 15-16-303
- commercial property, suspension or cancellation, 15-16-301, 15-16-801, 15-24-1701 — 15-24-1704
- county lien on money of taxpayer in its possession, 15-16-404
- current year tax, payment without payment of delinquent tax, 15-16-102
- execution, upon writ of, 15-16-401
- five-year delinquencies, 15-16-701 — 15-16-703
- hazardous or deleterious substances, facility ownership or operation acquired by, 75-10-701
- injunction to restrain enforcement prohibited, 15-1-405
- installment payments, 15-1-222
- interest, 15-16-101, 15-16-102, 15-16-119, 15-16-504, 15-16-701, 15-16-801, 15-16-802, 15-17-121, 15-17-911, 15-24-202, 15-24-1104, 15-24-1206
- levy of tax, computation in, 15-10-102
- liens, See **Liens**
- list
  - corrections, 15-8-708
  - disposition, 15-16-305
  - errors or omissions, 15-8-708
  - evidence, as, 15-8-710, 15-16-504
  - five-year list, 15-16-701 — 15-16-703
  - preparation, 15-16-301, 15-17-121
  - tax sales, reference to — when, 15-17-214
  - transmittal to county clerk and recorder, 15-16-301, 15-16-302
- mobile home taxes, 15-24-202
- natural disaster, effect of destruction of property by, 15-16-611
- 9-1-1 emergency telephone system fee, 10-4-211
- notice of, 15-16-101
- partial payment equal to, 15-16-102
- penalties, 15-1-206, 15-16-101, 15-16-102, 15-16-119, 15-16-504, 15-16-701, 15-16-801, 15-16-802, 15-17-121, 15-17-911, 15-24-202, 15-24-1206
- personal property, 15-16-119, 15-16-401, 15-16-404, 15-17-121, 15-17-911, 17-5-1524
- railroad car company tax, 15-23-216
- settlement between county clerk and recorder and county treasurer, 15-16-302, 15-16-305
- special improvement district assessments, 15-16-102, 15-16-103
- suspension of tax
  - airlines, 15-16-802, 15-16-803
  - commercial property, 15-16-301, 15-16-801, 15-24-1701 — 15-24-1704
- taxpayer rights, 15-1-222
- tax sales, See **Tax sales**
- tramway assessments, 23-2-716
- uncollectible taxes, 15-1-708, 15-16-704, 15-17-124
- warrant for distraint, 15-1-701 — 15-1-709, 15-23-216, 90-5-110

Drainage districts, 15-1-101, 15-6-201, 15-6-206, See also **DRAINAGE DISTRICTS, Taxes and assessments**

Economic development
- board, delinquent personal property taxes, 17-5-1524
- business incubators, exemption, 15-24-1801, 15-24-1802
- industrial parks, 15-24-1901, 15-24-1902, 90-5-112
- levy for, 15-10-412, 90-5-112
- local economic development organization, building and land — exemption, 15-24-2001, 15-24-2002
- projects subject to taxation, 17-5-1524

Emergency tax, 10-3-405, 15-10-412

Eminent domain
- proration of taxes, 70-30-315
- transfer taxes, reimbursement, 70-31-302

Equalization, 7-6-4411, 15-7-112, 15-7-131, 15-8-101, 15-9-101, 15-9-103; Const., VIII, 3; VIII, 4; VIII, 7

TAXATION, PROPERTY (Continued)

Evidence
- appraisal, hearings, 15-7-102
- assessment, 15-1-303, 15-8-709, 15-16-504, 15-18-213
  - reduction, hearings, 15-15-103
- classification of property, hearings, 15-7-102
- delinquency, 15-8-710, 15-16-504, 15-18-213
- equalization hearings, 15-9-101
- hogs, weight, 15-24-931
- levy, 15-18-213
- railroads, description of property, 15-23-201
- tax deeds, 15-18-213
  - notice, proof of — prima facie evidence of sufficiency, 15-18-212
  - right of possession accrued upon tax sale, as prima facie evidence, 15-18-214, 15-18-413
- tax sales
  - certificates, of loss or destruction, 15-17-318
  - notice, affidavit, 15-17-123, 15-18-213

Exemptions, 15-6-201; Const., VIII, 5
- agricultural, 15-6-201, 15-6-206, 15-6-207
- air carriers, 67-3-204
- airports and landing fields, 15-24-1203, 67-10-301, 67-10-406, 67-11-306
- business incubators, 15-24-1801, 15-24-1802
- canals, ditches, and flumes, 15-6-206, 85-7-2011
- cemeteries, 15-6-201, 35-20-217; Const., VIII, 5
- charities, 15-6-201, 15-6-203; Const., VIII, 5
- city property, 15-6-201; Const., VIII, 5
- commercial buildings, improvements to remove barriers to persons with disabilities, 15-6-216
- community services buildings, 15-6-209
- county property, 15-6-201; Const., VIII, 5
- dams and reservoirs, 15-6-206, 85-7-2011
- drainage districts, 15-6-201, 15-6-206
- electric transmission lines and facilities, 15-6-141, 15-24-1203
- energy systems, alternative, 15-6-201
- federal property, 15-6-201, 15-24-1101; Const., VIII, 5
- freeport merchandise and business inventories, 15-6-202
- grazing lands, 15-24-1203
- historic properties receiving tax abatement, ineligibility, 15-24-1603
- industrial parks, 15-24-1901, 15-24-1902
- injunction on collection of tax on exempt property, 15-1-405
- irrigation and drainage facilities, 15-6-206
- irrigation districts, 15-6-201, 15-6-206, 85-7-2011
- libraries, 15-6-201, 15-6-203, 22-1-313; Const., VIII, 5
- livestock, 15-6-201, 15-6-207, 15-24-1203
- local economic development organization, building and land, 15-24-2001, 15-24-2002
- mausoleum and columbarium property, 15-6-201, 35-21-403; Const., VIII, 5
- mining lands, 15-24-1203
- moneys and credits, 15-6-204
- motion picture and television commercial property, 15-6-215
- port authorities, 7-14-1137, 15-24-1203, 15-24-1901, 15-24-1902
- railroads, right-of-way or track, 15-24-1203
- report to governor and legislature, 15-1-205
- school district property, 15-6-201; Const., VIII, 5
- solid waste management district property, 7-13-311
- special improvement district assessments against exempt property authorized, Const., VIII, 5
- state property, 15-6-201; Const., VIII, 5
  - water conservation projects, 15-6-205

TAXATION, PROPERTY (Continued)
Exemptions (Continued)

taxable status, property changed to — assessment, 15-8-201, 15-10-412, 15-16-203, 15-24-1902, 15-24-2002
timber lands, 15-24-1203
urban renewal property, 7-15-4261
utilities, 15-24-1203
value-added manufacturing, expanding industry taxable valuation decrease — exclusion when, 15-24-2404
veterans
  clubhouses, 15-6-203
  incompetent veteran, trusts when, 15-6-203
  residences, 15-6-211
water conservancy district bonds, 85-9-626
Exempt property, interest in
apportionment, 15-24-1208
assessment, 15-24-1201, 15-24-1202, 15-24-1208
centrally assessed property, 15-23-101, 15-23-111
privilege tax on use, 15-24-1203 — 15-24-1207
statement to department of revenue, 15-24-1207
Exempt status, property changed to taxable status, 15-8-201, 15-10-412, 15-16-203, 15-24-1902, 15-24-2002
Federal lien registration, Title 71, chapter 3, part 2
Federal property
electric transmission facilities congressionally created, 15-6-141, 15-23-101
exemption, 15-6-201, 15-24-1101; Const., VIII, 5
transfer information, exemption from certificate provisions, 15-7-307
Federal property, interests in, 15-24-1101 — 15-24-1104, See also **Exempt property, interest in**
privilege tax on use, 15-24-1203 — 15-24-1207
Federal territory, within, 2-1-202, 2-1-205, 2-1-209
Fees in lieu of taxes
agricultural harvesting machinery, 15-24-301, 61-10-130
aircraft, 15-24-304, 67-3-201, 67-3-203 — 67-3-206
boats, 15-16-202, 23-2-516 — 23-2-520
campers, 61-3-509, 61-3-519, 61-3-521, 61-3-523
motorcycles, 61-3-509, 61-3-527
motor homes, 61-3-509, 61-3-521, 61-3-522
off-highway vehicles, 23-2-803, 23-2-804, 23-2-817
snowmobiles, 15-16-202, 23-2-615.1, 23-2-616
trailers, 61-3-509, 61-3-521, 61-3-523
Fines, forfeitures, and penalties
assessment
  centrally assessed property, reports — failure to file, 15-23-104
  information, failure to provide, 15-1-303, 15-8-309, 15-24-904
historic property tax abatement disqualification, 15-24-1607
homeowner's tax payment, fraudulent claim, 15-1-1007
livestock assessment, failure to provide information, 15-24-904
mobile homes — delinquent taxes or failure to display or produce declaration, sticker, or receipt, 15-24-202, 15-24-204
natural disaster, property destroyed by — replacement, failure to notify department, 15-16-611
railroad car companies, 15-23-215
transfers of real property, violations, 15-7-310
warrant for distraint, inclusion, 15-1-701
Fire insurance proceeds, lien on — when, 33-24-104
Fixtures
classification and rate of tax, 15-6-135, 15-6-138
improvement, defined as, 15-1-101
new industrial property, 15-6-135

TAXATION, PROPERTY (Continued)
Fixtures (Continued)

  transfer certificates, 15-7-303, See **Transfers of real property**
Forest fire protection costs, 76-13-207
Forest lands, See also **Timber**
  administration, 15-44-105
  assessment, 15-8-111
  citation of forest lands tax act, 15-44-101
  commercial property, forest lands not, 15-1-101
  definitions, 15-44-102
  legislative intent, 15-44-103
  national, 2-1-210
  productivity value, 15-44-103
  reduction in valuation, 15-44-104
  rules, 15-44-105
  valuation zones and schedules, 15-44-103
Forest products
  new or expanding industries, 15-24-1401, 15-24-1402
  value-added manufacturing, expanding industry taxable value decrease, 15-24-2401 — 15-24-2405
Fraternal benefit societies, 33-7-410
Furniture, 15-6-138, 15-6-201, 15-6-203
Game animal farms, animals raised on, 87-4-420
Greenbelt Law, Title 15, chapter 7, part 2, See **Agricultural land**
Historic properties, tax abatement, 15-24-1603
  definitions, 15-24-1602
  disqualification and penalty, 15-24-1607
  eligibility, 15-24-1604
  local governing bodies, responsibilities, 15-24-1605
  purpose, 15-24-1601
  state historic preservation office, responsibilities, 15-24-1604 — 15-24-1606
Homeowner's tax payment
  amount, 15-1-1005
  claim form, 15-1-1004
  definitions, 15-1-1001
  eligibility, 15-1-1002
  filing date, 15-1-1003
  fraudulent claim, penalty, and interest, 15-1-1007
  limitations, 15-1-1006
Hotels and motels
  furniture and fixtures, classification, 15-6-138
  retirement homes, exemption when operated as, 15-6-201
Housing authorities
  rentals in lieu of taxes, 7-15-2115, 7-15-4464
  rural housing projects, 7-15-2122
Improvements
  agricultural land, on, 15-6-134, 15-7-202, 15-7-206
  assessment, 15-8-111, 15-8-112, 15-8-701
  classification, 15-6-134, 15-6-135, 15-6-151
  commercial buildings, to remove barriers to persons with disabilities — exemption, 15-6-216
  defined, 15-1-101
  lien of tax, 15-16-403
  natural disaster, destruction of property by, 15-16-611, 15-16-612
  new or expanding industry, real property, 15-24-1402
  nonproductive patented mining claims, on, 15-6-133
  rate of tax, 15-6-134, 15-6-135
  remodeling, reconstruction, or expansion of buildings or structures, 15-24-1501, 15-24-2404
  research and development firms, 15-6-135

TAXATION, PROPERTY (Continued)
Improvements (Continued)

sales assessment ratios and studies, 15-1-201, 15-6-145
transfer certificates, 15-7-303, See **Transfers of real property**
trust property, principal and income determinations, effect, 72-34-416
Income tax credit, See **TAXATION, INDIVIDUAL INCOME, Property tax credit**
Indians, general provisions, 2-1-304
Industrial districts, tax increment financing, 7-15-4297 — 7-15-4299
Industrial parks
economic development, levy for, 90-5-112
tax exemption, 15-24-1901, 15-24-1902
Industries
agricultural or timber plants out of production or acquired through foreclosure or bankruptcy, 15-6-134
development projects, 15-10-412, 90-5-110, 90-5-112
machinery and equipment, classification and rate of tax, 15-6-138
new industries
classification and rate of tax, 15-2-302, 15-6-135, 15-6-152
coal impact grants, 90-6-205
definitions, 15-6-135
prepayment, 15-16-201
school districts, bond issue agreements, 20-9-407
value-added manufacturing, expanding industry taxable value decrease — exclusion, 15-24-2404
new or expanding industries
class four property, consideration as — when, 15-6-134
real property improvements, 15-24-1401, 15-24-1402
value-added manufacturing, expanding industry — exclusion, 15-24-2402, 15-24-2404
value-added manufacturing, expanding industry taxable value decrease, 15-24-2403
definitions, 15-24-2402
exclusion from other reductions or exemptions, 15-24-2404
purpose, 15-24-2401
reports, 15-24-2403
rules, 15-24-2405
Insurance companies, 15-24-601, 15-24-602
farm mutual insurers, 33-4-409
title plant owned by, 15-6-201, 15-24-602
Insurance guaranty associations, 33-10-107, 33-10-208
Interest
centrally assessed property, incorrect valuation, 15-23-115
historic property tax abatement, upon disqualification, 15-24-1607
homeowner's tax payment, fraudulent claim, 15-1-1007
railroad car companies, 15-23-215
warrant for distraint, inclusion, 15-1-701
Irrigation facilities
agricultural land, included as, 15-7-206
exemptions, 15-6-206
Leases
business inventories, goods for lease not included, 15-6-202
community service organizations, tax exemption not extended to leased property, 15-6-209
exempt property under lease subject to tax, 15-24-1201, 15-24-1203
federal property under lease subject to tax, 15-24-1101 — 15-24-1104
goods and equipment, classification and rate of tax, 15-6-136, 15-6-138
mobile home on land not owned by owner defined as leasehold improvement, 15-1-101
right of entry exclusive of leasehold interest, exemption, 15-6-201
Levies, Const., VIII, 1
airlines, delinquent taxes — suspension, applicability, 15-16-802
airports, for, 67-10-402, 67-11-301, 67-11-302
budget, state — for, 15-10-101, 15-10-102, 15-24-102

TAXATION, PROPERTY (Continued)
Levies (Continued)

- business incubators, exemption — applicability, 15-24-1802
- commercial property, delinquent taxes — suspension or cancellation, applicability, 15-24-1703
- computation, 15-10-201, 15-10-305
- county commissioners, board of — failure to levy, 15-10-104
- economic development, for, 15-10-412, 90-5-112
- emergency tax, for, 10-3-405, 15-10-412
- erroneous tax payment revenue used as reduction, 15-1-408
- evidence of, 15-18-213
- increase, 15-7-122, 15-10-203, 15-10-204
- jurisdictions, new or change in, 15-10-321
- libraries, for, 7-11-1112, 22-1-304, 22-1-316, 22-1-326, 22-1-403
- limitations
  - exceeding, 15-7-122, 15-10-208
  - oil and gas local government severance tax, exemption from, 15-36-325
  - on amounts levied, 15-10-401, 15-10-402, 15-10-406, 15-10-411, 15-10-412, 15-16-118, 20-7-714
- millage rate, necessary
  - certification, 15-10-202
  - increase over certified amount
    - additional, 15-10-207
    - assessment changes, due to, 15-10-206
    - insurance premiums and reserve funds, for, 2-9-212
    - maximum, 15-7-122, 15-10-208, 15-10-412
    - resolution or ordinance for, 15-10-204, 15-10-205
  - reductions permitted, 15-10-208
- mills and fractions of mills, computation in, 15-10-201
- open-space land purposes, for, 76-6-109
- port authorities, for, 67-10-402
- protest refund, special levy for, 15-1-402
- public assistance, for, 53-2-322
- public employees' retirement, contracting employers' authority, 19-3-204, 20-9-501
- 6-mill levy, 15-10-106, 15-16-802, 15-24-102, 15-24-1703, 15-24-1802, 15-24-1902, 15-24-2002, 15-24-2403, 15-36-324, 15-36-325, 20-25-423, 90-6-309
- statewide, 15-10-101, 15-10-102, 15-10-104, 15-10-106, 15-16-802, 15-24-102, 15-24-1603, 15-24-1703, 15-24-1802, 15-24-1902, 15-24-2002, 15-24-2403
- taxable values
  - certification, 15-10-202
  - increase, effect of limitation of amount of taxes levied, 15-10-412
  - value-added manufacturing, expanding industry — decrease, 15-24-2403
- tax sales, effect of irregularity of levy, 15-17-326, 15-18-413
- television districts, 7-13-2510, 7-13-2528
- trucks and truck tractors, 15-24-2501
- university system, statewide levy for, 15-16-802, 15-24-1703, 15-24-1802, 15-24-1902, 15-24-2002, 15-24-2403, 20-25-423, 90-6-309

Libraries

- exemptions, 15-6-201, 15-6-203, 22-1-313; Const., VIII, 5
- levies for, 7-11-1112, 22-1-304, 22-1-316, 22-1-326, 22-1-403

Liens

- city or town lien, foreclosure, 3-11-103
- commercial property, delinquent taxes — subordination of lien, 15-24-1701
- consumer report, inclusion in, 31-3-112, 31-3-126
- county lien, 15-16-404, 15-17-326, 15-24-1701
- current year tax, payment without payment of delinquent tax — effect, 15-16-102
- delinquent taxes, penalties, and interest, 15-16-401, 15-16-801
- federal lien registration, Title 71, chapter 3, part 2
- federal property, interests in, 15-24-1102, 15-24-1103

TAXATION, PROPERTY (Continued)
Liens (Continued)

- fire insurance proceeds, on — when, 33-24-104
- foreclosure by tax sale, See **Tax sales**
- leasehold improvements, 15-1-101
- mobile homes, delinquent taxes, 15-24-209
- personal property tax as lien on real property, 15-16-119, 15-16-402, 15-16-701
- priority, 72-16-479
- railroad car company tax, 15-23-216
- real property tax as lien on property assessed, 15-16-403
- redemption of property by lienholder, 15-18-111
- tax deed, what liens attach, 15-18-214, 15-18-413
- tax due as lien, 15-16-801
- tax-exempt property, interests in, 15-24-1202, 15-24-1205
- taxpayer rights, 15-1-222
- tax sale
  - satisfaction by, See **Tax sales**
  - voided, effect, 15-17-326
- uncollectible taxes, 15-16-704
- warrant for distraint, 15-1-211, 15-1-701 — 15-1-709

Life tenants, responsibility, 70-16-103
Livestock, Const., XII, 1, See also **Agricultural**; **PREDATORS AND PREDATOR CONTROL**

- assessment, 15-24-902 — 15-24-904, 15-24-920, 15-24-927
  - applicability of laws, 15-8-201, 15-8-408
  - statement of taxpayer to department of revenue, 15-24-903, 15-24-904, 15-24-920, 15-24-927
  - swine, 15-24-931
- average inventory basis, 15-24-927
  - assessment on, 15-6-207, 15-24-303, 15-24-902, 15-24-903, 15-24-920
  - per capita tax levy, 15-24-922
- classification, 15-6-136
- definitions, 15-1-101, 15-24-901, 15-24-903, 15-24-921
- exemptions, 15-6-201, 15-6-207, 15-24-1203
- grazing land, exemption when, 15-24-1203
- livestock reserve fund, 15-24-926
- migratory, 15-24-301, 15-24-302, 15-24-905, 15-24-906, See also **Migratory personal property**
  - proration of tax, 15-24-920, 15-24-922, 15-24-926
- per capita tax levy, 15-24-921, 15-24-922, 15-24-925, 81-7-603
- poultry, 15-1-101, 15-6-207, 15-24-921, 15-24-922, 15-24-925
- predator control, levy for, 15-24-921, 81-7-118, 81-7-201, 81-7-603; Const., XII, 1
- proration of tax, 15-24-920, 15-24-922, 15-24-926
- protective districts or committees, county levy for, 81-6-101, 81-6-104, 81-6-106, 81-6-204, 81-6-205, 81-6-209, 81-6-210
- purebred shows and sales, levy for, 81-8-504
- rate of tax, 15-6-136
- refunds, 15-24-920, 15-24-922, 15-24-926
- sheep, special provisions
  - disposition of revenue, 15-24-925
  - license fee, 81-7-303, 81-7-305
  - protective associations, levy for, 81-6-101
- swine, 15-6-207, 15-24-921, 15-24-922, 15-24-925, 15-24-931

Machinery and equipment

- agricultural, See **Agricultural**
- classification, 15-6-135 — 15-6-138
- exemptions, 15-6-201
- industrial, 15-6-138
- irrigation district property, exemption, 85-7-2011
- irrigation, exemption, 15-6-206

TAXATION, PROPERTY (Continued)
Machinery and equipment (Continued)

  value-added manufacturing, expanding industry taxable value decrease, 15-24-2401 — 15-24-2405
Migratory personal property
  aircraft, 15-24-304
  assessment, 15-16-613, 15-24-301, 15-24-302, 15-24-305
  collection of tax, 15-24-302
  livestock, 15-24-301, 15-24-302, 15-24-905, 15-24-906, 15-24-920
  proration, 15-16-613, 15-24-303, 15-24-304, 15-24-920
  refund, 15-16-603, 15-16-613, 15-24-303
Military personnel, suspension, 10-1-606
Mines, metal
  large scale mineral developments, 15-6-152, 15-16-201, 90-6-307, 90-6-309, 90-6-310
  reallocation of taxable valuation, 90-6-401 — 90-6-405
Mobile homes, See also **Recreational vehicles**
  applicability of laws, 15-24-205
  assessment, 15-8-201, 15-8-202, 15-8-205, 15-24-202
  classification, 15-6-134
  collection of tax, 15-24-202, 15-24-206, 15-24-209
  declaration of destination, 15-24-202, 15-24-204, 15-24-206
  definitions, 15-1-101, 15-24-201
  delinquent tax, 15-24-202, 15-24-206, 15-24-209
  homeowner's tax payment, 15-1-1001 — 15-1-1007
  lienholder
    delinquent taxes chargeable to, limit, 15-24-209
    notice to, 15-24-202, 15-24-210
  movement when taxes unpaid and declaration of destination not displayed unlawful, 15-24-202, 15-24-204, 15-24-208, 61-12-206
  natural disaster, destruction of property by, 15-16-611, 15-16-612
  penalties, 15-24-202, 15-24-204
  rate of tax, 15-6-134
  receipt, production required when, 15-24-203, 15-24-204
  repossession, 15-24-206, 15-24-209
  rules, 15-24-207
  sale, impending — notice, 15-24-210
  tax-paid stickers, 15-24-202, 15-24-204
Mortgage foreclosure, payment due, 71-1-222
Motion pictures, property used for filming, 15-6-215, 15-24-305, 61-3-507, 61-3-520
Motor homes, See **Recreational vehicles**
Motor vehicles, See **Recreational vehicles**; **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Taxes**
Municipal corporations, 15-1-101, 15-6-201; Const., VIII, 5
Natural disaster, destruction of property by, 15-16-611, 15-16-612
Payment, See **Collection**
Personal property
  public contractor's license tax, credit, 15-50-207
  migratory, See **Migratory personal property**
  reimbursements due to revenue reduction, 15-1-111
  special provisions, 15-1-101, 15-6-122, 15-8-301, 15-8-408, 15-16-115, 15-16-117, 15-16-119, 15-16-401, 15-16-402, 15-16-404, 15-16-503, 15-17-911
Poor fund taxes, 15-16-117
Port authorities, 7-14-1137, 15-24-1203, 15-24-1901, 15-24-1902, 67-10-402
Poultry, 15-1-101, 15-6-207, 15-24-921, 15-24-922, 15-24-925; See also **Agricultural**; **Livestock**
Principal and income determinations, effect, 72-34-416
Production credit associations, 15-24-701
Property tax record, See **Record, property tax**
Property valuation and assessment system, 2-6-110

TAXATION, PROPERTY (Continued)

Property valuation improvement fund, 2-6-110, 15-1-521
Railroad car companies
- assessment, 15-23-101, 15-23-201, 15-23-213
  - apportionment, nonapplicability, 15-23-105
  - definitions, 15-23-211
  - report to department of revenue, 15-23-103, 15-23-104, 15-23-212
- classification, 15-6-145
- delinquencies, 15-23-216
- determination of tax and payment, 15-23-214
- disposition of tax, 15-23-215
- lien of tax, 15-23-216
- taxable value, 15-23-213, 15-23-214

Railroads
- assessment, 15-23-101, 15-23-202, See also **Assessment**, centrally assessed property
  - apportionment, 15-23-105, 15-23-106
  - estimate, 15-23-104
  - report of assessed values to counties, 15-23-106
  - statement to department of revenue, 15-8-301, 15-23-103, 15-23-104, 15-23-201
  - where assessed, 15-8-405 — 15-8-407
- classification, 15-6-145
- consolidation of corporation, effect, 69-14-512
- exemptions, 15-24-1203
- extension of lines into state, effect, 69-14-536
- lease or purchase of railroad, effect, 15-23-202, 69-14-513
- rate of tax, 15-6-145
- street railroads, assessment, 15-8-405
- taxable value, 15-6-145, 15-23-202

Realty Transfer Act and certificate, Title 15, chapter 7, part 3, See **Transfers of real property**
Record, property tax, 15-8-701, 15-8-702
- centrally assessed property, manner of entry, 15-23-106, 15-23-107
- cities and towns
  - assessments, designation, 7-6-4409
  - copy to, 7-6-4410, 7-6-4412
- coal gross proceeds valuations, entry, 15-23-702
- conservation district assessments, entry, 76-15-518
- county road improvement district assessments, entry, 7-14-2743
- county tax appeal board's failure to hear reduction applications, entries, 15-15-103
- county water and/or sewer districts, levy notice, 7-13-2304, 7-13-2306
- defects, errors, or omissions, 15-8-707, 15-8-709
- delinquent lists, information, 15-16-302, 15-16-305
- drainage district assessments, entry, 85-8-601
- evidence, as, 15-8-710
- hail insurance, levy for — entry, 80-2-225
- irrigation district assessments, entry, 85-7-2136
- land assessment, procedure, 15-8-307
- livestock disease control area, information relating to, 81-2-302
- mines, metal — merchantable value, entry, 15-23-803
- personal property, entry, 15-16-115
- poor fund taxes, entries, 15-16-117
- property not assessed, entry, 15-9-103
- revisions in assessments, 15-8-601, 15-10-206, 15-23-107
- road taxes, entries, 15-16-117
- royalty assessments, entry, 15-23-507
- sheep, license fees — entry, 81-7-303
- special improvement district assessments, entry, 7-12-4181

TAXATION, PROPERTY (Continued)
Record, property tax (Continued)

- taxes
  - computation and entry, 15-10-305
  - payment, entry, 15-16-104, 15-16-115
- tax sales
  - municipality as purchaser, 15-17-317
    - special improvement districts, 7-12-4184
  - when property not to be sold, 15-17-124
- television district tax, entry, 7-13-2528
- totals, 15-8-701, 15-16-302, 20-9-122
- transfers of real property, grantee's name added to record when, 15-7-304
- water quality districts, fee — assessed units, 7-13-4507

Recreational vehicles
- campers
  - assessment, 15-8-201
  - exemption, 15-6-201
  - fee in lieu of tax, 61-3-509, 61-3-519, 61-3-521, 61-3-523
- motor homes
  - assessment, 15-8-201
  - exemption, 15-6-201
  - fee in lieu of tax, 61-3-509, 61-3-521, 61-3-522
- off-highway vehicles, fee in lieu of tax, 23-2-803, 23-2-804, 23-2-817
- snowmobiles, fee in lieu of tax, 15-16-202, 23-2-615.1, 23-2-616
- trailers
  - assessment, 15-8-201
  - classification and rate of tax, 15-6-138
  - exemption, 15-6-201
  - fee in lieu of tax, 61-3-509, 61-3-521, 61-3-523

Refunds, See **TAXATION, GENERAL PROVISIONS**
Rental goods and equipment, classification and rate of tax, 15-6-136, 15-6-138
Report to governor and legislature, 15-1-205
Residential dwelling, special provisions
- changing use areas, appraisal, 15-7-401 — 15-7-403
- classification, 15-6-134, 15-6-151
- elderly, property tax credit, 15-30-171 — 15-30-179
- homeowner's tax payment, 15-1-1001 — 15-1-1007
- natural disaster, effect of destruction of property by, 15-16-611, 15-16-612
- rate of tax, 15-6-134
- sewage disposal and water supply systems, 15-7-103
- taxable value, 15-6-134
- veterans, disabled veteran or surviving spouse of deceased — exemptions, 15-6-211

Revaluation, See **Appraisal**
Road taxes, 7-33-2314, 15-16-117
Royalty interest in land acquired by county at tax sale, 7-8-2305, 7-8-2306, 15-17-326, 27-2-210, 70-19-421
Rules
- agricultural land valuation manuals, 15-7-201
- appraisers, continuing education, 15-7-107
- assessment
  - actions of department of revenue arising from exercise of rules, 15-8-115
  - centrally assessed property, 15-23-108
  - governance or procedure, challenges, 15-15-101
  - rule or procedure challenges, 15-1-406, 15-15-101
- comparable property, 15-1-201
- exempt property, interests in — privilege tax on use, 15-24-1207
- forest lands tax, administration and enforcement, 15-44-105

TAXATION, PROPERTY (Continued)
Rules (Continued)

- migratory personal property, refund applications, 15-16-613
- mobile home tax and declaration of destination, 15-24-207
- new industrial property, classification as — determination of adverse impact, 15-6-152
- railroad car companies, allocation formula, 15-23-213
- revaluation, class 4 property appraisal — year specification, 15-7-103
- sales assessment ratios, 15-1-201
- transfers of real property, reporting or certificates, 15-7-304, 15-7-306
- value-added manufacturing, expanding industry taxable value decrease, 15-24-2405

Sales assessment ratios and studies, 15-1-201, 15-6-145
School district property, 15-6-201; Const., VIII, 5, See also **Exempt property, interest in**
Sewage disposal systems, 15-7-103
State lands purchased from state, subject to taxation, 77-2-313
State property, See also **Exempt property, interest in**

- exemptions, 15-6-201, 15-6-205; Const., VIII, 5
- interests in, assessment and tax, 15-24-1201, 15-24-1202
- transfers of real property, certificate exemption, 15-7-307

Swine, 15-6-207, 15-24-921, 15-24-922, 15-24-925, 15-24-931
Taxable value, 15-1-101, 15-8-104, 15-8-111, 15-10-412, See also **Assessment**; **Levies**
Tax deeds, 15-18-211, See also **Tax sales**

- affidavit, 15-18-411
- assignee, notice provisions, 15-18-211, 15-18-212
- county as purchaser, 15-18-211, 15-18-212, See also **COUNTIES, Tax-deed lands**
- defect, 15-18-413
- definitions, 15-17-121, 15-18-111
- effect, 15-18-214, 15-18-413
- evidence, deed as, 15-18-213, 15-18-413
- fees, 7-6-2131, 15-18-211
- form of deed, 15-18-213
- form of notice that tax deed may issue, 15-18-215
- form of proof of notice, 15-18-216
- interested party, 15-17-121, 15-18-111, 15-18-212
- issuance, 15-17-121, 15-18-112, 15-18-211, 15-18-212, 15-18-214, 15-18-216, 15-18-413
  - tax sale certificate represents lien leading to, 15-17-212
- notices, 15-18-211 — 15-18-213, 15-18-215, 15-18-216, 15-18-413
- quiet title, 15-18-411 — 15-18-413
- recording, 15-18-211
- title conveyed by, 15-18-214, 15-18-413

Tax sales

- affidavits, 15-17-123, 15-17-318, 15-17-323
- assessment irregularities, effect, 15-17-124, 15-17-326, 15-18-412, 15-18-413
- assessment of property sold, 15-17-324
- assignee, 15-17-121, 15-17-318, 15-17-323, 15-17-326
- assignment of interest, 15-17-214, 15-17-317, 15-17-318, 15-17-323
- certificate of assignment, 15-17-323
- certificate, tax sale, 15-17-212
  - county as purchaser, 15-17-214
  - defined, 15-17-121
  - duplicate, 15-17-318
  - identification number, 15-17-212, 15-17-213
  - municipality as purchaser, 15-17-317, 15-17-318
  - redemption noted on, 15-18-113
- conduct of, 15-17-211
- county as purchaser, 15-17-214, 15-17-321, 15-17-326, 15-18-114
  - abandoned counties, 7-2-2722, 7-2-2723
  - assessment of taxes on property, 15-17-324

TAXATION, PROPERTY (Continued)
Tax sales (Continued)
  county as purchaser (Continued)
    assignment of interest, 15-17-317, 15-17-323
    misnomer of ownership, effect, 15-17-325
    royalty interest in land acquired by, recovery, 15-17-326, 27-2-210, 70-19-421
  deed, See **Tax deeds**
  defect, 15-17-326, 15-18-412, 15-18-413
  definitions, 15-17-121, 15-17-316, 15-18-111
  drainage districts, 85-8-601, 85-8-603
  injunction against, 15-1-405
  lien, property tax
    assessment irregularity, effect, 15-17-124
    assignment, 15-17-214, 15-17-323
    attachment subsequent to sale, effect on tax deed, 15-18-214, 15-18-413
    cancellation, 15-18-212
    certificate represents, 15-17-212
    county, vesting in, 15-17-326
    defined, 15-17-121
    municipality as purchaser, 15-17-317
    notice of sale, 15-17-122
    purchaser, vesting in, 15-17-326
    record of sale, 15-17-213
    redemption, 15-18-111 — 15-18-114, 15-18-211, 15-18-212
    tax deed, 15-18-213, 15-18-215, 15-18-216, 15-18-411, 15-18-412
  lists of property, 15-17-122, 15-17-211, 15-17-214
  mining property, 15-23-504, 15-23-508, 39-3-501
  misnomer of ownership, effect, 15-17-325
  municipality as purchaser, 15-17-317
    assignment of interest, 15-17-318
    definitions, 15-17-316
    disposition of property, 15-17-319
    improvement fund, 15-17-316 — 15-17-319
    parking improvement districts, 7-14-4713, 7-14-4734
    special improvement districts, 7-12-4182 — 7-12-4184, 7-12-4227, 7-12-4228
    subsequent taxes and assessments, 15-17-320
  nonpayment of sales price, 15-17-321
  notice, 15-17-121 — 15-17-123
  oil and gas operations, 39-3-501, 82-10-201, 82-10-204
  payment of taxes, penalties, interest, and costs, 15-17-122, 15-17-212 — 15-17-214, 15-17-317, 15-17-318, 15-17-321, 15-17-323, 15-18-112, 15-18-113, 15-18-212, 15-18-413
  personal property, 15-16-119, 15-16-401, 15-16-402, 15-17-121, 15-17-911, 15-23-216
    coal mining property, 15-23-704
    mining property, 15-23-504, 15-23-508, 15-23-704
    real property sold to pay delinquent taxes on, 15-18-213
  place, 15-17-122, 15-17-211, 15-17-911
  poor fund taxes, to collect, 15-16-117
  proceeds, disposition, 15-17-322, 15-17-911, 15-18-114
  purchasers, 15-17-121, 15-17-326, 15-17-911, 15-18-112
  recording, 15-17-213, 15-18-113
  redemption, 15-18-111 — 15-18-114, 15-18-211 — 15-18-214, 25-13-802 — 25-13-806, 25-13-822
    deeds, See **Tax deeds**
    drainage districts, 85-8-601, 85-8-603
    personal property, lien on, 15-16-402
    waiver of right, 15-18-412, 15-18-413
  refund to purchaser or assignee, 15-17-326
  resale, 15-17-321
  road taxes, to collect, 15-16-117

TAXATION, PROPERTY (Continued)
Tax sales (Continued)

- state lands within irrigation districts, 77-2-315
- statute of limitation on recovery or damage, 15-17-326, 27-2-210, 70-19-421
- time, 15-17-122, 15-17-211
- title, See **Tax deeds**
- transfer certificates, exemption, 15-7-307
- unsold property, 15-17-211, 15-17-214, 15-17-911
- void, 15-18-413
- voided sale, 15-17-326
- water conservation projects, cancellation of taxes when, 15-6-205

Television commercials, property used for filming, 15-6-215, 15-24-305, 61-3-507, 61-3-520
Television districts, duties of department of revenue, 7-13-2527, 7-13-2528
Timber, See also **Forest lands**
- agricultural use, nonapplicability, 15-7-202
- commercial property, timberland not, 15-1-101
- defined as real property, 15-1-101, 15-7-303
- lands
  - appraisal, uniformity, 15-7-103
  - classification and rate of tax, 15-6-143
  - exemptions, 15-24-1203
  - transfer, certificate exemption, 15-7-303, 15-7-307
- plants out of production or acquired through foreclosure or bankruptcy, 15-6-134
- transfer certificates, 15-7-303

Transfers of real property
- assessment, effect, 15-7-304, 15-7-309
- certificate, 15-6-145, 15-7-304, 15-7-305, 15-7-307, 15-7-308, 85-2-424
- change of ownership records, 15-7-304
- citation of realty transfer act, 15-7-301
- classification, effect, 15-7-309
- costs, 15-7-311
- definitions, 15-7-303
- exceptions, 15-7-307
- penalty for violations, 15-7-310
- purpose of provisions, 15-7-302
- report of transfers, 15-7-304
- rules, 15-7-306
- water rights transfers, inclusion, 85-2-424

Trusts
- assessment, designation of trustee on, 15-8-502
- principal and income determinations, effect, 72-34-416
- veterans, incompetent — exemption, 15-6-203

Uncollectable taxes, 15-16-704
Utilities
- assessment of property, 15-23-101, 15-23-303, See also **Assessment**, centrally assessed property
  - apportionment, 15-23-106
  - estimate, 15-23-104
  - exemptions, 15-23-303
  - public service commission, information to ascertain property values, 69-3-109
  - report of assessed values to counties, 15-23-106
  - statement to department of revenue, 15-23-103, 15-23-104, 15-23-301
  - where assessed, 15-8-404, 15-8-406
- classification, 15-6-137, 15-6-141
- congressionally created electric transmission facilities, 15-6-201, 15-23-101
- exemptions, 15-23-303, 15-24-1203
- rate of tax, 15-6-137

TAXATION, PROPERTY (Continued)
Utilities (Continued)

- rural cooperatives
  - classification and rate of tax, 15-6-135, 15-6-137
  - fee in lieu of excise or income taxes, 35-18-503

Valuation, See **Appraisal**
Veterans

- clubhouses, exemption, 15-6-203
- incompetent veterans, trust — exemption when, 15-6-203
- residence, exemption when veteran disabled or to surviving spouse upon death, 15-6-211

Violations

- building and loan associations, failure to furnish statements, 15-24-801
- classification application, falsification, 15-6-151
- mobile homes, movement when taxes unpaid and declaration of destination or documentation not displayed or produced, 15-24-202, 15-24-204, 15-24-208, 61-12-206
- transfers of real property, 15-7-310

Warrant for distraint, 15-1-701 — 15-1-709, 15-23-216, 17-5-1524, 90-5-110
Water

- adjudication of water rights, notice to file claim included with tax statement, 85-2-213
- supply systems for domestic use, 15-7-103

Weed control assessments and levies, 77-6-114
Workers' compensation self-insurers guaranty fund, 39-71-2617

TAXATION, SALES
See also **TAXATION, GENERAL PROVISIONS**
Cigarettes, Title 16, chapter 11, part 1
Lodging facility use tax

- additional tax, 15-65-136
- audits, 15-65-113
- collection, 15-65-112, 15-65-113, 15-65-121
- credits, 15-65-116
- deficiency assessment, 15-65-115
- definitions, 15-65-101
- delinquencies, 15-65-115
- disposition of proceeds, 2-15-1816, 15-65-121, 15-65-122
- exceptions, 15-65-101
- inspection of books and records, 15-65-113
- overpayment, 15-65-116
- payment, 15-65-112, 15-65-115
- penalty, 15-65-115, 15-65-116
- rate of tax, 15-65-111
- refund, 15-65-116
- registration numbers for owners or operators, 15-65-114
- report of gross receipts, 15-65-112, 15-65-115
- returns, 15-65-113
- review, 15-1-211, 15-65-115
- rules, 15-65-102
- state agency in-state lodging expenditures, 15-65-121, 15-65-131

Motor vehicles, new, 15-16-202, 61-3-303, 61-3-501, 61-3-502, 61-3-506, 61-3-605, 61-12-206
Resort community tax, 7-6-4461 — 7-6-4469
Sales tax or use tax rates, limitation, Const., VIII, 16

TAXIDERMY AND TAXIDERMISTS, 87-1-102, 87-4-201
See also **FISH AND WILDLIFE**

TAX INCREMENT FINANCING INDUSTRIAL DEVELOPMENT ACT, 7-15-4297 — 7-15-4299
See **URBAN RENEWAL, Industrial districts**

TAXPAYER BILL OF RIGHTS, 15-1-221 — 15-1-223

TEACHERS
Abuse of, penalty, 20-4-303
Administrative positions, transfer from or to, 20-4-208
Aides, 20-3-324
Alcohol abuse instruction requirements, 20-25-601 — 20-25-604
Annuity programs, Title 19, chapter 20
Appeals by, 20-2-121, 20-3-210, 20-4-110, 20-4-204, 20-4-206 — 20-4-208
Approved teacher education programs, 2-15-1522, 20-4-131, 20-4-133
Certificates, 20-4-101, See also **Certification**
  class 1 professional, 20-3-201, 20-4-106
  class 2 standard, 20-3-201, 20-4-106, 20-4-107
  class 3 administrative and supervisory, 20-3-201, 20-4-106
  class 4 vocational, recreational, or adult education, 20-4-106
  class 5 provisional, 20-4-106 — 20-4-108
  classification, 20-4-102, 20-4-106
  endorsements, 20-4-106, 20-4-111
  fees, 20-4-109
  issuance, 20-4-103, 20-4-106
  outstanding, validity, 20-4-107
  registration, 20-3-205, 20-4-202
  renewal, 20-4-102, 20-4-107, 20-4-108
  revocation, suspension, or denial, 20-2-121, 20-4-102, 20-4-110, 20-4-111 — 20-4-114, 20-4-133
  term and period of validity, 20-4-108
Certification, 20-4-101, See also **Certificates**
  county superintendent of schools, qualifications, 20-3-201
  emergency, See **Emergency authorization**
  policies, 20-2-121, 20-3-106, 20-4-102, 20-4-106
  qualifications, 20-4-104
  special education, 20-7-403
  standards, 20-4-133
Certification Standards and Practices Advisory Council, 2-15-1522, 20-4-109, 20-4-131 — 20-4-133
Child abuse and neglect, reporting of, 41-3-201, 41-3-203 — 41-3-207
Collective bargaining, 20-4-203, 39-31-103, 39-31-304
Community college districts, 20-15-106, 20-15-225
Community service corps and volunteer projects, 90-14-105
Contracts, 20-4-110, 20-4-201, 20-4-206, 20-4-207
  tenure, 20-4-203, 20-4-205, 20-6-410
Cooperatives, full service education — employment by, 20-7-456
Corporal punishment, 20-4-302, 45-3-107
Cosmetology, Title 37, chapter 31
Counselor, K-12 specialist, 20-4-131, See **SCHOOLS**, **Counselors**
County superintendent of schools, qualifications for office, 20-3-201
Criminal offenses, effect, 20-4-110
Definitions, 20-1-101, 20-4-101, 20-4-131, 20-4-208, 20-4-211
Discipline by, 20-4-302, 20-5-201, 45-3-107
Dismissal, 20-3-210, 20-3-324, 20-4-110, 20-4-207
Driver education, 20-7-501, 20-7-502
Drug abuse instruction requirements, 20-25-601 — 20-25-604
Duties generally, 20-4-301
Emergency authorization, 20-2-121, 20-4-111, See also **Employment**
  certification, in lieu of, 20-4-101
  fees, 20-4-109, 20-4-111
  issuance, 20-3-106, 20-4-102

TEACHERS (Continued)
Emergency authorization (Continued)

  registration, 20-3-205, 20-4-202
  veterans, reemployment, 10-2-211, 10-2-213
Employment
  collective bargaining, 20-4-203, 39-31-103, 39-31-304
  contracts, 20-4-110, 20-4-201, 20-4-206, 20-4-207
  emergency authorization, See **Emergency authorization**
  indian studies requirements, 20-4-211 — 20-4-214; Const., X, 1
  religious or partisan test as prerequisite, prohibited, Const., X, 7
  tenure, 20-4-203, 20-4-205, 20-6-410, 20-6-711
  termination or nonrenewal, 20-4-110, 20-4-112 — 20-4-114
  trustees, by, 20-3-324, 20-3-362, 20-4-201
  validation, 20-4-202
  veterans, reemployment, 10-2-211, 10-2-213
Evidence
  employment relationship, termination or nonrenewal, 20-4-110, 20-4-112
  nontenure, termination hearings, 20-4-206
  privilege, 26-1-808, 26-1-809
Execution, exemption, 25-13-613
Gifted and talented children programs, Title 20, chapter 7, part 9
Housing in district-owned buildings, money from, See **SCHOOL FINANCE, Lease or rental agreement fund**
Indian studies, 20-4-211 — 20-4-214; Const., X, 1
In-service training, 20-1-304, 20-4-211, 20-4-304, 20-7-114, 20-32-101, 20-32-102
Interstate Agreement on Qualification of Educational Personnel, 20-4-121 — 20-4-123
Investment advisers, exclusion as, 30-10-103
Librarians, 20-4-131
Motorcycle safety training, 20-7-501, 20-7-502
Neglect of duty, 20-4-110
Nepotism provisions, nonapplicability when, 2-2-302
Nontenure teachers
  cooperatives, full service education — employment by, 20-7-456
  reelection, acceptance, or termination, 20-3-210, 20-4-206
Nutritionists, exemption from licensing provisions when, 37-25-304
Parent-teacher conferences, 20-1-304
Physical restraint, use, 20-4-302
Prayer to open school day, 20-7-112
Principals, See this subject heading generally; See also **SCHOOLS, Principals**
Professional development meetings, 20-1-304, 20-4-304
Psychology, practice of — applicability of provisions, 37-17-104
Public employees' retirement system, service credits transferred to or from, 19-3-511, 19-20-401, 19-20-409, 19-20-412, 19-20-804, 19-20-902
Pupil instruction, See **SCHOOLS, Pupil instruction days**
Pupil-instruction-related days, 20-1-304, 20-2-121, 20-3-106
Pupils
  abuse of, penalty, 20-4-302
  discipline, 20-4-302, 20-5-201, 45-3-107
  duty to, 20-4-301
  privileged communications, 26-1-808, 26-1-809
  suspension, 20-4-302, 20-5-202
  truancy or incorrigibility, 20-4-302
Qualifications, 20-4-104; Const., X, 1; X, 7
Reduction in force, 20-4-203, 20-4-208
Register to be kept, 20-4-301
Reprimand, letters of, 20-4-110
Retirement, Title 19, chapters 3 and 20

TEACHERS (Continued)

Salary, 20-4-202, 20-4-208, 20-4-301, 20-4-304
Semester report, 20-3-209, 20-4-301
Social security provisions, Title 19, chapter 1
Social worker provisions, applicability, 37-22-305
Special education, 20-4-202, 20-7-403, 20-7-431
Specialists, certification, 20-4-101, 20-4-131, See also **Certificates; Certification**
Standards, 20-4-133
Student teachers, 20-4-101
Substitute teachers, 2-2-302, 19-20-302
Suspension, 20-4-207
Teachers' Retirement Board, membership on, 2-15-1010
Telecommunications network (METNET), 20-9-343, 20-32-101 — 20-32-104
Tenure, 20-4-203, 20-4-205, 20-6-410, 20-6-711
Tenure teachers
  administrative positions, transfer from or to, 20-4-208
  appeals, 20-3-210, 20-4-204, 20-4-208
  cooperatives, full service education — employment by, 20-7-456
  district consolidation or annexation, protection, 20-6-410
  K-12 districts, protection, 20-6-711
  reelection and acceptance, 20-4-205
  termination of services, 20-3-210, 20-4-203, 20-4-204
Termination, 20-4-204
  appeals from, 20-3-210, 20-4-206
  nontenure teachers, 20-3-210, 20-4-206
  tenure teachers, 20-3-210, 20-4-203, 20-4-204
  trustees, by, 20-3-324, 20-4-110, 20-4-204
Traffic education, 20-7-501, 20-7-502
Union organizations, 39-31-103, 39-31-304
University system, 20-25-104, 20-25-301
Veterans, reemployment on completion of service, 10-2-211, 10-2-213

TEACHERS' RETIREMENT SYSTEM
Actuarial investigation, 19-21-111
Actuary, designation and duties, 19-20-203
Administration
  board, by, Title 19, chapter 20, part 2
  expenses, 19-20-605, 19-20-606
    postretirement adjustment, funding determination, 19-20-711
  financial, See **Funds**
  rules, 19-20-201
Allowances, See **Benefits**
Annuities, See **Benefits**
Annuity program, university system optional retirement program, See **UNIVERSITY SYSTEM OPTIONAL RETIREMENT PROGRAM**
Assets and liabilities
  funds, credited to, 19-20-601
  report, inclusion, 19-20-201
  use and purpose, 19-20-502
  valuation, 19-20-201
"Beneficiary" defined, 19-20-101
Benefits
  "actuarial equivalent" defined, 19-20-101
  additional service, purchase, 19-20-404, 19-20-412
  adjustment payments, 19-20-714
  alternate payees, 19-20-305

TEACHERS' RETIREMENT SYSTEM (Continued)
Benefits (Continued)

- "annuity" defined, 19-20-101
- bankruptcy, exemption, 31-2-106
- compensation limit, 19-20-715
- cost-of-living increase and limitation, 19-20-708, 19-20-714
- death benefits
  - members, 19-20-1001
  - public employees' retirement service credits, death of member prior to qualification, 19-20-409
  - retirees, 19-20-1002
- death of beneficiary, effect, 19-20-702
- disability, See **Disability retirement benefits**
- discrimination based on sex or marital status prohibited, 49-2-309
- dissolution of marriage, effect, 19-20-702
- duplication prohibited, 19-20-407
- early retirement, See **Superannuation retirement**
- granting, provision for, 19-20-206, 19-20-701
- group insurance premiums withheld from, 19-20-1101
- guaranteed, 19-20-104
- increase in, 19-20-707
- legal process, exempt from, 19-20-706
- maximum, limitation, 19-20-710
- minimum monthly allowance, 19-20-709
- nonforfeitable, 19-20-504
- one time increase, 19-20-714
- optional, 19-20-702
- payments
  - annual, 19-20-704
  - erroneous, corrections, 19-20-705
  - funds, from, 19-20-605
  - guaranteed, 19-20-104
  - monthly, 19-20-703, 19-20-710
    - cost-of-living increase and limitation, 19-20-708
    - minimum allowance, 19-20-709
- "pension" defined, 19-20-101
- postretirement adjustment, 19-20-711 — 19-20-713
- "retirement allowance" defined, 19-20-101
- superannuation, See **Superannuation retirement**
- tax exemption, 19-20-706, See also **TAXATION, INDIVIDUAL INCOME**, **Exemptions**
- unassignable, 19-20-706
- university system optional retirement program, effect of participation in, 19-21-202
- vesting, 19-20-504

Budget amendment required when, 19-20-606
Community college districts

- teachers, applicability, 20-15-106
- trustees
  - adherence to provisions, 20-15-404
  - participation, 20-15-225

Contributions, See also **Service credits**

- accumulated contributions, 19-20-101
  - additional service, purchase — effect, 19-20-412
  - employer, picked up by, 19-20-602
  - rollover or transfer, 19-20-414
  - transfer upon retirement, 19-20-602
  - withdrawals, 19-20-304, 19-20-401, 19-20-411, 19-20-602, 19-20-603
- additional service, purchase, 19-20-412
- discontinuance, 19-20-504

TEACHERS' RETIREMENT SYSTEM (Continued)
Contributions (Continued)

- employers to pick up, 19-20-208, 19-20-602, See also **Employer contributions**
- injury, employment-related — following absence due to, 19-20-411
- installment payments, 19-20-402 — 19-20-404, 19-20-408, 19-20-410 — 19-20-412
- payments, 19-20-402 — 19-20-404, 19-20-408, 19-20-410, 19-20-411
- payroll deduction for, 19-20-602
- public employees' retirement board, transfers from, 19-20-409
- rates, 19-20-402 — 19-20-404, 19-20-408, 19-20-410, 19-20-412, 19-20-602
- refunds, 19-20-101
- salary credit, purchase, 19-20-413
- substitute teachers, 19-20-302
- termination incentives, 2-18-319, 2-18-320
- transmittal, 19-20-208
- university system optional retirement program, 19-21-111, 19-21-203
- withdrawal
  - accumulated contributions, 19-20-304, 19-20-401, 19-20-411, 19-20-602, 19-20-603
  - membership, effect on, 19-20-304
  - redeposit, 19-20-602
  - service credits, effect on, 19-20-401

Cooperative Extension Service, credit for employment with, 19-20-401, 19-20-405, 19-20-410, 19-20-412
Cost-of-living increase and limitation, 19-20-708
Creation, 19-20-102
Creditable service, See **Service credits**
Death

- beneficiary, effect, 19-20-702
- benefits, See **Benefits**
- member
  - optional benefits, effect on, 19-20-702
  - public employees' retirement service credits, death prior to qualification, 19-20-409
- membership, termination, 19-20-304
- retiree, effect on optional benefits, 19-20-702

Definitions, 19-20-101, 19-21-102
Disability retirement benefits

- active service, restoration to, 19-20-905
- additional service, purchase — effect, 19-20-412, 19-20-902
- adjustment, 19-20-904
- cancellation, 19-20-905
- conversion from optional when, 19-20-702
- cost-of-living increase and limitation, 19-20-708
- discontinuance, 19-20-903
- eligibility, 19-20-901
- granting, provision for, 19-20-206, 19-20-701
- medical examination requirements, 19-20-901, 19-20-903
- minimum monthly allowance, 19-20-709
- postretirement adjustment, 19-20-711 — 19-20-713
- reduction when, 19-20-904
- subpoenas, witnesses, depositions, evidence — powers, 19-20-901

Discrimination prohibited, 19-20-302, 49-2-309
Dissolution of marriage, effect, 19-20-702
Earned compensation, 19-20-101

- additional service, purchase — calculation, 19-20-412
- credit, purchase, 19-20-413

Employer contributions, 19-20-101

- duties, 19-20-208, 19-20-302
- injury, employment-related — following absence due to, 19-20-411
- payment, 19-20-208, 19-20-411, 20-9-501

TEACHERS' RETIREMENT SYSTEM (Continued)
Employer contributions (Continued)

    pick up by employer, 19-20-208, 19-20-602
    public employees' retirement board, transfers from, 19-20-409
    rate, 19-20-412, 19-20-605
    refunds, 19-20-101
Establishment, 19-20-102
Estate of member, payment of contributions to, 19-20-602, 19-20-1001
Expenditures, 19-20-201
False statements, penalty, 19-20-105
Falsification of records, penalty, 19-20-105
Family law order, alternate payee, 19-20-305
Financial reports, 19-20-201, 19-21-111
Fraud, penalty, 19-20-105
Funds
    actuarial valuation, 19-20-201
    annuity reserve fund reserves, maintenance guaranteed, 19-20-104
    annuity savings fund, 19-20-503, 19-20-602, 19-20-605
    custodian, 19-20-501
    dormant savings account, transfer, 19-20-503
    establishment, 19-20-201, 19-20-501, 19-20-601
    expenditures, 19-20-502
    expense fund
        payments from, 19-20-202
        purpose and money for, 19-20-606
    financing, method, 19-20-601
    interest, 19-20-201, 19-20-501, 19-20-605
    investment, 17-6-203, 19-20-501, 19-20-712
    legal process, exempt from, 19-20-706
    management, Title 19, chapter 20, part 5
    pension accumulation fund, 19-20-605
        reserves, maintenance guaranteed, 19-20-104
        transfers to and from, 19-20-503, 19-20-602, 19-20-605
    postretirement adjustment, reserve fund, 19-20-712
    tax exemption when, 19-20-706
    trustees for, 19-20-501
    unassignable, 19-20-706
    use, restrictions, 19-20-502
Management, See **Administration**
Mandatory retirement, See **Superannuation retirement**
Marital status, discrimination based on — prohibited, 49-2-309
Members, See also **Membership**; **Service credits**
    annuity savings accounts, See **Funds**
    contributions, See **Contributions**
    definitions, 19-20-101
    rights and obligations, 19-20-208
Membership, See also **Members**; **Service credits**
    active
        eligibility, 19-20-302
        termination, 19-20-303
        university system optional retirement program election, ineligibility, 19-21-202
    applications
        forms, 19-20-201, 19-20-301
        forwarding to board, 19-20-208
    certification, 19-20-208
    compulsory, 19-20-103, 19-20-302
    consent implied, 19-20-103

TEACHERS' RETIREMENT SYSTEM (Continued)
Membership (Continued)

- disability beneficiary, restoration, 19-20-905
- eligibility, 19-20-205, 19-20-302, 19-20-303
- implied consent, 19-20-103
- inactive
  - contributions, withdrawal, See **Contributions**
  - eligibility, 19-20-303
  - university system optional retirement program election, qualification as — when, 19-21-202
- military personnel, 19-20-303
- termination, 19-20-304, 19-20-504, 19-20-603, 19-21-202
- university system optional retirement program, effect, 19-20-208, 19-20-302, 19-21-111, 19-21-201, 19-21-202

Military personnel, See **Membership; Service credits**
Minor child, benefits to, 19-20-1001, 19-20-1002
Pensions, See **Benefits**
Postretirement adjustment
- eligibility, 19-20-711
- funding, 19-20-712
- payment and amount, 19-20-712, 19-20-713

Private schools, credit for employment in, 19-20-402, 19-20-408, 19-20-409, 19-20-412, See also **Service credits**
Public Employees' Retirement System, service credits transferred to or from, 19-3-511, 19-20-401, 19-20-409, 19-20-412, 19-20-804, 19-20-902
Records
- employers, 19-20-208
- falsification, penalty, 19-20-105

Reports, financial, 19-20-201, 19-21-111
Retirees, part-time employment, 19-20-804
Retirement allowances, See **Benefits**
Salary, See **Earned compensation**
School districts
- employer's contribution, payment, 20-9-501
- special education, allowable costs, 20-7-431, 20-7-435
- trustees, participation, 20-3-324

Service credits, See also **Contributions**; **Membership**
- absence due to employment-related injury, qualification, 19-20-401, 19-20-411, 19-20-412
- additional, purchase, 19-20-404, 19-20-412
- cooperative extension service, employment with — qualification, 19-20-401, 19-20-405, 19-20-410, 19-20-412
- cost-of-living increase, use in calculation, 19-20-708
- "creditable service" defined, 19-20-101
- determination, 19-20-401
- disability retirement, See **Disability retirement benefits**
- effective date of service, 19-20-401
- "full-time service" defined, 19-20-101
- injury, employment-related — qualification following absence due to, 19-20-401, 19-20-411, 19-20-412
- leave, employment while on, 19-20-401, 19-20-403, 19-20-405, 19-20-409, 19-20-412
- limitations, 19-20-404, 19-20-405, 19-20-412
- military service, 19-20-401, 19-20-404, 19-20-405, 19-20-409
- minimum monthly benefit allowance, qualification, 19-20-709
- multiple periods of service, effect, 19-20-407
- out-of-state employment, 19-20-401, 19-20-402, 19-20-405, 19-20-409, 19-20-412
- part-time service, 19-20-401
- policies governing, 19-20-204
- prior service, 19-20-101, 19-20-401, 19-20-406
- private schools, employment in — qualification, 19-20-402, 19-20-408, 19-20-409, 19-20-412

TEACHERS' RETIREMENT SYSTEM (Continued)
Service credits (Continued)

public employees' retirement system, transfer to or from, 19-3-511, 19-20-401, 19-20-409, 19-20-412, 19-20-804, 19-20-902
salary credit, purchase — computation, 19-20-413
substitute teachers, 19-20-302
superannuation retirement, See **Superannuation retirement**
waiver, 19-20-412
Sex, discrimination based on — prohibited, 49-2-309
Social security system, separateness, 19-1-821
State obligations, 19-20-104
Subpoena power, 19-20-901
Substitute teachers, membership eligibility, 19-20-302
Superannuation retirement
additional service, purchase — effect, 19-20-412, 19-20-804
"average final compensation" defined, 19-20-101
benefits, 19-20-804
early retirement benefits, 19-20-707, 19-20-802
eligibility, 19-20-801, 19-20-802
Teachers' Retirement Board, 2-15-1010; Title 19, chapter 20, part 2
Termination incentives, 2-18-319, 2-18-320, 19-20-504
Unfunded liability, 19-21-111
University system optional retirement program, participation in, 19-20-208, 19-20-302, 19-21-111, 19-21-201, 19-21-202, See **UNIVERSITY SYSTEM OPTIONAL RETIREMENT PROGRAM**
Violations, 19-20-105
Witnesses, power to compel, 19-20-901
Workers' compensation, member's injuries covered by — qualification of service for period of absence, 19-20-411

TELECOMMUNICATIONS
See also **COMMUNICATIONS**
Computers, See **COMPUTERS**
Educational telecommunications network (METNET), 20-9-343, 20-32-101 — 20-32-104
Electronic funds transfer, Title 32, chapter 6
Handicapped persons, services and equipment for, Title 53, chapter 19, part 3
Insurance, contracts for inside wiring not included in definition, 33-1-201
Law enforcement teletypewriter, Title 44, chapter 2, part 3
9-1-1 emergency telephone system, Title 10, chapter 4, parts 1 — 3
Radio, See **RADIO BROADCASTING**
Services, See also **UTILITIES**
accounting systems, 69-3-821
action to recover penalties, 69-2-205
adequacy of services provided, 69-3-201
advertisement costs, 69-3-307
alternative forms of regulation, 69-3-305, 69-3-802, 69-3-809
alternative services and providers, 69-3-807, 69-3-808
anticompetitive activity, no preemption of laws, 69-3-824
citation of Montana telecommunications act, 69-3-801
complaints, 69-3-305, 69-3-321, 69-3-809, 69-3-811
consumer counsel fees, 15-1-211, 69-1-201, 69-1-223 — 69-1-228, 69-1-230, 69-2-205; Const., XIII, 2
cooperatives, 69-3-823, 69-3-901
costs for services provided, 69-3-811
cross-subsidization prohibited, 69-3-806
customer billing errors, applicability, 69-3-221
definitions, 69-3-803, 69-3-810, 69-3-811, 69-3-901
detariff of services, 69-3-807, 69-3-810, 69-3-821
emergency communications systems, release of information to, 27-1-735

TELECOMMUNICATIONS (Continued)
Services (Continued)

    examination of books and records, 69-3-821
    exemptions from provisions, 69-3-804, 69-3-823, 69-3-901
    false or fraudulent statements or information or failure to pay fees, 69-2-205
    forbearance of regulation to facilitate competition, 69-3-808
    hearings, 69-3-809, 69-3-810
    installation charges, waiver when, 69-3-305
    new service offerings, 69-3-810
    nontariffed services, 69-3-807, 69-3-810, 69-3-821
    private services, 69-3-803, 69-3-804
    promotional pricing of services, 69-3-305, 69-3-807, 69-3-811
    public service regulation, department of — fees, 69-1-402, 69-1-403
    public utility, defined as, 69-3-101
    purpose of provisions, 69-3-802, 69-3-807
    rates, tariffs, or fares, 69-3-201, 69-3-305, 69-3-805, 69-3-807 — 69-3-809
    rebates or reductions, 69-3-305
    records, 69-3-821
    regulation of service, manner of, 69-3-805
    rulemaking authority, 69-3-305, 69-3-310, 69-3-807, 69-3-822
    sales activities, 69-3-305
    small providers, rates
        alternatives to ratemaking practices, 69-3-809
        definitions, 69-3-901
        earnings, equitable share, 69-3-809
        existing rates, investigation, 69-3-905
        increase, proposed, 69-3-901, 69-3-903, 69-3-904, 69-3-906, 69-3-907
        price caps, 69-3-809
        regulation, applicable provisions, 69-3-902
    special improvement districts, creation for, 7-12-4102
    telephone directory
        services, 69-3-806
        small providers, notice of rate increase — petition procedure published in, 69-3-903
    telephone low income assistance program, participation, Title 69, chapter 3, part 10
    telephone numbers, unpublished or unlisted — release when, 27-1-735
    theft, 45-6-305 — 45-6-307
    unfair business practices, no preemption of laws, 69-3-824
    withdrawal of service, 69-3-810
State agency records management equipment or systems, compatibility standards, 2-6-214
Telephone and telegraph, See **TELEPHONE AND TELEGRAPH**
Television, See **TELEVISION**

TELEPHONE AND TELEGRAPH
    See also generally **TELECOMMUNICATIONS**; **UTILITIES**
Abortion material, provided by, 50-20-106, 50-20-304
Billing of customers
    errors, applicability, 69-3-221
    handicapped persons' telecommunications services and equipment program, for, 53-19-311, 53-19-312
    license tax on telephone company, itemization, 15-53-101
Charges, aiding avoidance of — offense of, 45-6-307
Child support
    administrative hearings, 40-5-273
    income withholding hearings, 40-5-414
Cities and towns
    employees, conflict of interest, 7-3-4256
    franchises for, 7-3-4223
Consolidation of companies prohibited when, 69-6-102

TELEPHONE AND TELEGRAPH (Continued)

Corporations
  meetings of shareholders by conference call, 35-1-516, 35-1-517
  notices, communication, 35-1-116
Courts, adjournment — telegram from judge for, 3-1-304, 3-1-305
Credit reports, disclosure to consumer by, 31-3-123
Depositions taken by telephone, Title 25, chapter 20, M.R.Civ.P., Rule 30(b)
Electrician licensing provisions, applicability, 37-68-103
Emergency communications systems, release of information to, 27-1-735
Employees, See **Operators and employees**
Evidence, authentication of conversation, Title 26, chapter 10, M.R.Ev., Rule 901
Fire protection and safety regulations in telephone exchanges, 50-61-103
Fraud, waste, or abuse of state resources — toll-free number to report, 5-13-311
Funds transfers, transmission, 30-4A-302
Handicapped persons' telecommunications services and equipment, Title 53, chapter 19, part 3
Home arrestees, monitoring device, 46-18-1003
Hostages, communications to and from person holding, 69-6-104
Letter of credit, telegram as, 30-1-201, 30-5-104
License tax, telephone company, Title 15, chapter 53, part 1
Linemen, free or reduced rates for transportation — when, 69-11-208
Lines and facilities
  connection, 69-6-101
  construction standards, 69-4-201, 69-4-203 — 69-4-205
  eminent domain, public uses, 70-30-102
  movement of buildings, interference, 69-4-601 — 69-4-604
  overhead lines, relocation, 69-4-401 — 69-4-404; Title 69, chapter 4, part 3
  pipelines, construction with, 69-13-103
  right-of-way
    easements on state lands, See **STATE LANDS, Easements**
    public, use, 69-4-101
  special improvement districts, underground placement, 7-12-4132
  underground conversion, Title 69, chapter 4, part 3
  underground, excavations near, Title 69, chapter 4, part 5
Low income assistance program, 69-3-1001
  administration, 69-3-1003, 69-3-1004
  amount of assistance, 69-3-1001
  applicability of provisions, 69-3-1007
  discount in local service charge, 69-3-1001, 69-3-1003
  eligible subscribers, 69-3-1001 — 69-3-1003, 69-3-1005
  federal requirements, compliance, 69-3-1006
  providers, participation, 69-3-1003, 69-3-1006, 69-3-1007
  reports, 69-3-1004, 69-3-1005
  rules, 69-3-1002, 69-3-1004
Mental illness or incapacity, commitment procedure, 53-21-122, 53-21-123
Message carriers, 69-11-107, 69-11-121, 69-11-301 — 69-11-304, See also **CARRIERS**
Mobile telephones, tax classification, 15-6-138
9-1-1 emergency telephone system, Title 10, chapter 4, parts 1 — 3
Nonprofit corporations
  meetings of members by conference call, 35-2-526
  notices, communication, 35-2-115
Obscene phone calls, 45-8-213
Operators and employees
  alcoholic beverage advertising or sales solicitation provisions, nonapplicability, 16-3-103
  hours of employment, 39-4-106
  intoxication while engaged in train operations, penalty, 69-14-1004
  law enforcement officials, assistance, 69-6-104

TELEPHONE AND TELEGRAPH (Continued)
Operators and employees (Continued)

minors as employees, employment prohibited, 41-2-106
Party line, failure to yield in emergency, 45-8-114
Police telegraph, 7-32-4311
Privacy in communications, 45-8-213, 53-19-308, 69-6-104
Public telephones
  failure to yield in emergency, 45-8-114
  maintenance in railroad, telegraph, and express company offices, 69-6-103
Railroads
  intoxication of telegraph operator while engaged in train operations, penalty, 69-14-1004
  liability for negligence of operator, 39-2-703
  offices, maintenance of public telephones, 69-6-103
  telegraph lines, construction and operation, 69-14-563
  time schedules, posting, 69-14-203
Rural cooperatives, Title 35, chapter 18
Sales by, unlawful when, 30-14-508, 45-8-216
Search warrant, application and issuance, 46-5-221, 46-5-222
Secured transactions, transmitting utilities, 30-9-105, 30-9-403, 30-9-409, 30-9-410
Service of process by, 25-3-501
Solicitation by automated system unlawful when, 45-8-216
State agencies
  central system, 2-17-301
  electronic bulletin board system, 2-17-321 — 2-17-323
Tax assessment objections or decisions provided by, 15-1-211
Telecommunications Services for the Handicapped, Committee on — local exchange company representation, 2-15-2212
Telephone directories
  dentists, advertising restrictions, 37-4-502
  telecommunications services
    cross-subsidization prohibition, effect, 69-3-806
    small providers, notice of rate increase — petition procedure published in, 69-3-903
Theft of services, 45-6-305 — 45-6-307
Threatening, profane, or abusive language, 45-8-213
Voter registration, confirmation upon erroneous omission, 13-2-603
Wiretapping, illegal, 45-8-213
Woman's right-to-know, published material to include number, 50-20-304
Youth court probable cause hearings, 41-5-312

TELEVISION
  See also generally **NEWS MEDIA**; **TELECOMMUNICATIONS**
Advertising
  commercials, 15-6-215, 15-24-305, 15-65-121, 61-3-301, 61-3-507, 61-3-520
  false, misleading, or deceptive — nonapplicability of consumer protection provisions, 30-14-105
  salespersons, minimum wage and overtime compensation exclusions, 39-3-406
Cable
  cooperatives, Title 35, chapter 18
  tax classification of systems, 15-6-138
  television districts, within, 7-13-2502, 7-13-2511, 7-13-2529
  theft of services, 45-6-305 — 45-6-307
  underground facilities, excavations near, Title 69, chapter 4, part 5
Commercials
  filming, property used for, 15-6-215, 15-24-305, 61-3-301, 61-3-507, 61-3-520
  funding for in-state production, 15-65-121
Comprehensive health association plan, information regarding existence and enrollment, 33-22-1515
Defamation on, See **DEFAMATION**
Dentists, advertising, 37-4-502

TELEVISION (Continued)

Districts, Title 7, chapter 13, part 25
Election materials not to be anonymous, 13-35-225, See also **Notices**
Emergencies or disasters, public service messages, 10-3-102
Fire protection and safety regulations in studios, 50-61-103
Freedom of press and expression, Const., II, 7
Health service corporations, false or deceptive advertising prohibited, 33-30-305
Insurance
  entertainments, See **INSURANCE, CASUALTY**
  equipment, See **INSURANCE, MARINE**
Insurers
  advertising, false or deceptive — prohibited, 33-18-203
  domestic stock and mutual, advertising in other states, 33-3-502
Legislative proceedings, fee exemption when, 5-11-213
Libel on, See **DEFAMATION**
Medicare supplement insurance advertising, 33-22-910
Notices
  corporations, communication, 35-1-116
  counties, publication by, 7-1-2121, See also **COUNTIES**
  election notices
    constitutional amendments, proposal, 13-27-311
    local elections, of, 13-1-401
    political subdivisions, of, 13-1-401
    polling places, location, 13-3-105
    school elections, 20-20-108, 20-20-204
    special elections, 13-1-108
    voter registration, close or cancellation, 13-2-301, 13-2-401
    voting machine information, 13-17-203
  governmental, 2-3-105 — 2-3-107, 7-1-4128
  nonprofit corporations, communication, 35-2-115
Open meeting provisions, applicability, 2-3-211
Piracy of sound recordings, 30-13-141 — 30-13-147
Privileged information, 26-1-901 — 26-1-903, See also **EVIDENCE**, **Privileges**
Public participation in government, notice for, 2-3-105 — 2-3-107
Real estate broker and salesman provisions, nonapplicability, 37-51-103
Recordings, unauthorized use provisions, 30-13-141 — 30-13-147
Rural cooperatives, Title 35, chapter 18
School election notices, 20-20-108, 20-20-204
Securities, offer to sell or to buy not made when, 30-10-110
Sexual abuse of children, 45-1-205, 45-5-620, 45-5-625
Slander on, See **DEFAMATION**
Tax classification of systems and equipment, 15-6-138
Timeshare offerings, advertisement, 37-53-214
Underground communication lines, Title 69, chapter 4, part 3

TELEVISION DISTRICTS
Abandonment of district, 7-13-2542
Administration, 7-13-2521, 7-13-2528
Affidavit for exemption from tax levy, 7-13-2529
Annexation of contiguous areas, 7-13-2541
Attorneys, employed by, 7-13-2510
Audits, Title 2, chapter 7, part 5
Bequests, acceptance, 7-13-2510
Board of trustees, See **Trustees, board of**
Borrowing, 7-13-2510

TELEVISION DISTRICTS (Continued)

Boundaries
    alteration, 7-13-2541
    creation
        petition, description, 7-13-2503
        resolution, description, 7-13-2509
Budget, 7-13-2528
Cable TV systems
    prohibited, 7-13-2502, 7-13-2511
    taxpayers receiving, exemption from levy, 7-13-2529
Charges and rates, 7-13-2510
Cities and towns
    contracts with, 7-13-2510
    inclusion, 7-13-2501
Community antenna systems
    prohibited, 7-13-2502, 7-13-2511
    taxpayers receiving, exemption from levy, 7-13-2529
Contracts, 7-13-2510
Creation
    authorization, 7-13-2501
    order for, 7-13-2509
        delivery to county assessor, 7-13-2527
        trustees, board of — appointments to, 7-13-2521
    petition
        contents, 7-13-2503
        denial, 7-13-2508
        deposit required, 7-13-2504
        filing, 7-13-2504
        hearing, 7-13-2506, 7-13-2507
        notice, 7-13-2506
        processing, 7-13-2505
        publication, 7-13-2506
        signers, 7-13-2503 — 7-13-2505
    resolution for, 7-13-2508, 7-13-2509
Devises, acceptance, 7-13-2510
Discontinuance of service, 7-13-2510
Employees, 7-13-2510
Engineers, employed by, 7-13-2510
Exemption from tax levy, 7-13-2528, 7-13-2529
Federal government, contracts with, 7-13-2510
Financial administration, 7-13-2528
Financial reports, Title 2, chapter 7, part 5
FM translator services
    authorization, 7-13-2510, 7-13-2512
    budget, 7-13-2528
    exemption for nonbenefited taxpayers, 7-13-2529
Gifts, 7-13-2510
Hearings
    annexation of contiguous areas, petition for, 7-13-2541
    creation, petition for, 7-13-2506, 7-13-2507
    fm translator services, petitions for, 7-13-2512
Indebtedness, 7-13-2510, 7-13-2542
Laboratory personnel, employed by, 7-13-2510
Licenses and permits, 7-13-2510, 49-3-204
Name, 7-13-2509

TELEVISION DISTRICTS (Continued)

Notices
    annexation of contiguous areas, petition and hearing, 7-13-2541
    creation, petition and hearing, 7-13-2506
    deposit required for publication, 7-13-2504
    fm translator services, petition and hearing, 7-13-2512
    trustees' meetings, change in time and place, 7-13-2526
Obligations, 7-13-2504, 7-13-2510, 7-13-2542
Order for creation, See **Creation**
Permits and licenses, 7-13-2510
Petitions
    abandonment of district, 7-13-2542
    annexation of contiguous areas, 7-13-2541
    creation, See **Creation**
    fm translator services, 7-13-2512
Pickup stations, 7-13-2510
Powers generally, 7-13-2510
Property, 7-13-2510, 7-13-2542
Property owners, list of, 7-13-2527, 7-13-2528
    exemption from tax levy, 7-13-2528, 7-13-2529
Protests against creation, 7-13-2507
Purposes, 7-13-2502
Rates and charges, 7-13-2510
Relay stations, 7-13-2510
Resolutions
    abandonment of district, 7-13-2542
    annexation of contiguous areas, approval or denial of petition, 7-13-2541
    creation of district, 7-13-2508, 7-13-2509
        petition, denial, 7-13-2508
    fm translator services, approval or denial of petition, 7-13-2512
Revenue bonds, issuance, 7-13-2510
State government, contracts with, 7-13-2510
Stations, 7-13-2510
Tax levy, 7-13-2510, 7-13-2528
Taxpayers, exemption from tax levy, 7-13-2528, 7-13-2529
Technical or professional assistants, employed by, 7-13-2510
Transition, 7-1-202
Treasurer, 7-13-2528
Trustees, board of
    abandonment of districts, petition filed with, 7-13-2542
    appointment, 7-13-2521, 7-13-2524
    budget, preparation, 7-13-2528
    compensation, 7-13-2525
    exemption from tax levy
        affidavit, filing, 7-13-2529
        claim for, 7-13-2528
    expenses, 7-13-2525
    list of property owners to, 7-13-2527, 7-13-2528
    meetings, 7-13-2526
    powers, 7-13-2510
    qualifications, 7-13-2522
    term of office, 7-13-2523
    vacancies, 7-13-2524
    warrants, interest rate prescribed by, 7-13-2510
Violations, 7-13-2529
Warrants, 7-13-2510, 7-13-2528

TERMINALLY ILL ACT, RIGHTS OF THE, Title 50, chapter 9, parts 1 and 2
  See **LIVING WILLS**

TERRITORIAL INTEGRITY ACT OF 1971, Title 69, chapter 5, part 1
  See **UTILITIES, Territorial integrity for electric suppliers**

TESTAMENTARY ADDITIONS TO TRUSTS ACT, UNIFORM, 72-2-531

THEATERS
Arts organizations, nonprofit — special beer and table wine license, 16-4-303, 16-4-501
Blank cartridges, use, 50-37-102
Cities and towns, licensing and regulation, 7-5-4104, 7-21-4201, 49-3-204
Destructive device, possession — offense of, 45-8-334, 45-8-337
Discriminatory practices, See **DISCRIMINATION, Public accommodations**
Equipment, tax classification, 15-6-138
Fire protection and safety regulations, 50-3-103, 50-61-103
Hats or bonnets, regulation or prohibition of wearing at, 7-5-4104
Health inspections, 50-1-203
Insurance, entertainments, See **INSURANCE, CASUALTY**, generally
Montana Arts Council, duties, 22-2-106
Motion picture theater
  employees, criminal liability for obscenity, 45-8-203
  fair trade practices act, Title 30, chapter 14, part 3
Obscenity
  children, use in — unlawful, 45-1-205, 45-5-620, 45-5-625
  display or dissemination unlawful when, 45-8-201, 45-8-203, 45-8-205 — 45-8-208
University system, 20-25-302

TIMBER AND TIMBERLAND
  See **FORESTS AND FORESTRY**, generally

TIME
Actions, See **APPELLATE PROCEDURE, Time; CIVIL PROCEDURE, Time; STATUTES OF LIMITATIONS**
Act required by law, postponement, 1-1-307
Appeals, See **APPELLATE PROCEDURE**
Computation
  day
    fractions disregarded when, 1-1-305
    postponement when, 1-1-307
  days counted, 1-1-306
  gregorian style, basis for, 1-1-302
  year, fractions of, 1-1-304
Day(s)
  action in law, 1-1-306
  defined, 1-1-301
  fractions of, 1-1-305
  postponement when, 1-1-307
Daytime, 1-1-301
Definitions, 1-1-301
Fiscal year, See **FISCAL YEAR**
Leap year, 1-1-303
Limitations, See **STATUTES OF LIMITATIONS**
Minority, calculation, 41-1-102
Month, 1-1-301
Nighttime, 1-1-301

TIME (Continued)

Week, 1-1-301
Year
    defined, 1-1-301
    fiscal, See **FISCAL YEAR**
    fractions of, 1-1-304
    leap, 1-1-303

TIMESHARES
Actions
    board, by or against, 37-53-504
    injunction, for, 37-53-505
    judgment, costs and fees, 37-53-505
    jurisdiction or venue outside state void when, 37-53-306
    purchasers, recovery of consideration, 37-53-308
    violations, criminal proceedings, 37-53-506
Advertisements, 37-53-102
    offerings, registration required prior to, 37-53-201
    project budgets, inclusion of expenses for, 37-53-202
    promotional offers, prize and gift
        contents, 37-53-402, 37-53-403
        distribution, 37-53-401
    publication, filing required prior to, 37-53-214
Agreements, See **Purchasers**
Board of Realty Regulation, 2-15-1867; Title 37, chapter 51, part 2
Brokers or salespersons
    cancellation of purchase agreements, 37-53-304
    civil liability, 37-53-308
    continuing education, 37-53-104
    definitions, 37-53-102
    disclosure document to purchaser, 37-53-303, 37-53-304
    disclosure statements, personal, 37-53-301, 37-53-302
    false statements, 37-53-302, 37-53-307
    injunction prohibiting conduct or practice, effect, 37-53-302
    licenses and licensing, 37-53-301
        denial, suspension, or revocation, 37-53-302
        education requirements, 37-53-104, 37-53-301
        examinations, 37-53-104, 37-53-301
        personal disclosure statements, 37-53-301, 37-53-302
        renewal fee, 37-53-103
    real estate broker and salesman provisions, applicability, 37-53-301, 37-53-302, 37-53-307
    violations, 37-53-302, 37-53-307
Cancellation of purchaser agreements, 37-53-303, 37-53-304
Cease and desist orders, 37-53-505
Citation of Montana Timeshare Act, 37-53-101
Conservator appointed when, 37-53-505
Contracts, See **Purchasers**
Criminal proceedings, 37-53-506
Damages, 37-53-308
Description of property, 37-53-303
Developers and affiliates, 37-53-102
    background information required, 37-53-202, 37-53-203, 37-53-303
    cancellation of purchase agreement, time and delivery to, 37-53-303
    disclosure document, 37-53-303, 37-53-304
    financial statements, 37-53-202, 37-53-203, 37-53-303
    illegal activities, 37-53-211

TIMESHARES (Continued)
Developers and affiliates (Continued)

- managing entity, change, 37-53-303
- prohibitions, 37-53-306
- promotional offers, See **Promotional offers, prize and gift**
- registration of offerings, See **Registration of offerings**
- transfer of interest, 37-53-305

Disclosure documents, 37-53-303
- cancellation of agreements, 37-53-303
- false statements, 37-53-307
- information requirements, 37-53-104
- purchaser, to, 37-53-304
- registration of offering, 37-53-202, 37-53-204

Disclosure statements
- brokers and salespersons, 37-53-301
- developers or affiliates, previous sales, 37-53-202
- falsification, 37-53-307

Enforcement of provisions, Title 37, chapter 53, part 5
Escrow or trust required when, 37-53-212
Expenses
- defined, 37-53-102
- disclosure document, description in, 37-53-303

False statements, 37-53-211, 37-53-302, 37-53-307
Fraud, 37-53-211, 37-53-302, 37-53-307
Gift promotional offers, See **Promotional offers, prize and gift**
Good faith
- advertisements, 37-53-214
- agreements, parties to, 37-53-306

Injunction, 37-53-302, 37-53-505
Instruments, 37-53-102
- disclosure document, copies with, 37-53-303
- jurisdiction or venue, provisions designating — void when, 37-53-306
- registration of offerings, contents of application, 37-53-202

Interval or interest, 37-53-102
- promotional offers, See **Promotional offers, prize and gift**
- transfers exempt from registration, 37-53-205

Leases, 37-53-303, 37-53-305
- illegal practices, 37-53-307

Liability
- civil, 37-53-308
- waiver, 37-53-213

Liens, defects, or encumbrances on title to units — statement of, 37-53-202, 37-53-303
Location of property, 37-53-303
Managing entity, 37-53-102
- disclosure document, contents, 37-53-303
- insurance coverage provided by, 37-53-303

Mandamus, writ of, 37-53-505
Offerings, 37-53-102
- "advertisement" defined, 37-53-102, See **Advertisements**
- disclosure document, 37-53-303
- fraudulent, 37-53-211
- illegal practices, 37-53-307
- liability, civil, 37-53-308
- registration
  - exemptions, 37-53-205
  - required, 37-53-201, See **Registration of offerings**

TIMESHARES (Continued)

Owners, See also **Purchasers**
  insurance coverage and property rights, 37-53-303
  owners association, 37-53-102
  transfer of interest, 37-53-205
Penalty, civil, 37-53-505
Prize and gift promotional offers, See **Promotional offers, prize and gift**
Projects, 37-53-102
  budgets, 37-53-202
  developer's interest, transfer, 37-53-305
  sale exempt from registration when, 37-53-205
Promoters, 37-53-102
  cancellation, notice to, 37-53-304
  disclosure document, contents, 37-53-303
Promotional offers, prize and gift, 37-53-102; Title 37, chapter 53, part 4
  advertising material, content, 37-53-402, 37-53-403
  awarding, 37-53-402, 37-53-403
  filing and contents, 37-53-401
Purchasers, 37-53-102
  agreements, 37-53-303, 37-53-304
  conditions, 37-53-212
  damages, 37-53-308
  developers
    prohibitions, 37-53-306
    transfer of interest, transferee's duties, 37-53-305
  disclosure document to, 37-53-303, 37-53-304
  fees, excess — statement of, 37-53-202
  fraud, offerings creating, 37-53-211
  good faith dealings, 37-53-306
  project or all units, sale to one purchaser — exemption from registration, 37-53-205
  promotional offers, See **Promotional offers, prize and gift**
  quiet enjoyment of unit, 37-53-212
  refunds, 37-53-304
Receiver appointed when, 37-53-505
Registration of offerings, Title 37, chapter 53, part 2
  application, 37-53-202, 37-53-203
  approval or disapproval, 37-53-212
  conditions placed on, 37-53-104, 37-53-212
  denial, suspension, or revocation, 37-53-211, 37-53-401
  documents in lieu of application, 37-53-104, 37-53-204
  exemptions, 37-53-205
  expiration and renewal, 37-53-203
  fees, 37-53-103, 37-53-202, 37-53-203
  liability, waiver, 37-53-213
  required, 37-53-201
Restraining orders, 37-53-505
Sales, 37-53-102
  court orders, under, 37-53-205
  developers, See **Developers and affiliates**
  disclosure document, 37-53-303
  exemptions from registration, 37-53-205
  illegal practices, 37-53-307
  liability, civil, 37-53-308
  offerings for, See **Offerings**; **Registration of offerings**
Salespersons, See **Brokers or salespersons**
Service of process, 37-53-202, 37-53-401

TIMESHARES (Continued)

Transfer of interest
  developer's, 37-53-305
  exemptions from registration, 37-53-205
  gratuitous, 37-53-205
  restrictions set forth in disclosure document, 37-53-303
Trust or escrow required when, 37-53-212
Units, 37-53-102
  conditions for quiet enjoyment, 37-53-212
  disclosure document, contents, 37-53-303
  sale of all units exempt from registration when, 37-53-205
  title to — statement of liens, defects, or encumbrances, 37-53-202, 37-53-303
Violations
  advertising, 37-53-214
  brokers or salespersons, 37-53-302
  criminal proceedings, 37-53-306
  evidence, 37-53-306
  injunction to restrain and violation of, 37-53-505
  liability, civil, 37-53-308
  offerings, sales, or leases — false statements or fraud, 37-53-307
  penalty, civil, 37-53-505
  real estate broker and salesman provisions, 37-53-302, 37-53-307
  rules or orders, 37-53-211, 37-53-302, 37-53-307

TISSUE AND TISSUE BANKS, 50-33-102, 50-33-104; Title 72, chapter 17
  See **BLOOD, TISSUE, ORGANS, AND BONES**

TITLE INSURANCE ACT, Title 33, chapter 25
  See **INSURANCE, TITLE**

TOBACCO
  See **CIGARETTES**; **PUBLIC ACCOMMODATIONS, Smoking areas**; **SMOKING**

TORTS, Const., II, 16; II, 18; II, 27
  See also **DAMAGES**; **REMEDIES**; specific subject heading; Annotations to Title 27, chapter 1, part 7
Abolition of causes of action, 27-1-601 — 27-1-605
Acquiescence, effect, 1-3-207
"Act of God", 1-3-217
Agricultural loan authority program, claims against, 80-12-308
Arbitration agreements, validity — exceptions, 27-5-114
Arises how, 27-1-104
Arrest
  aiding peace officer, no liability, 46-6-402
  prejudgment, arrest of defendant, 27-16-102
Assumption of risk, Title 25, chapter 20, M.R.Civ.P., Rule 8(c)
Basic principles, 1-3-203, 1-3-206, 1-3-207, 1-3-210 — 1-3-212, 1-3-214, 1-3-217, 1-3-234
Blind persons, violation of duty to, 49-4-216
Care, duty of
  employee, See **LABOR AND EMPLOYMENT**, **Care**, duty of employee
  employer, 39-2-701
  liability, 27-1-701
  obligation, 28-1-201
  presumption, 26-1-602
  property, See **PROPERTY, GENERALLY**, **Care, duty of**
  ski area operators, to skiers, 23-2-733
Collateral source reductions, 27-1-307, 27-1-308
Comparative negligence, See **NEGLIGENCE**

TORTS (Continued)

Compensatory damages, 27-1-107, 27-1-202, See also **DAMAGES**
Consent to act, 1-3-206, 1-3-207
Consequential injury, 27-1-203
Contribution from joint tortfeasors, 27-1-703
Conversion, See **CONVERSION**
Criminal provisions, effect on relief, 27-1-103, 45-1-104
Damages, 27-1-107, 27-1-202, 27-1-210, 27-1-307, 27-1-308, See **DAMAGES**
Deceit, 27-1-712
Defamation, See **DEFAMATION**
Defenses, Title 25, chapter 20, M.R.Civ.P., Rule 8(c)
Dogs, owners of vicious dogs, 27-1-715
Dueling, damages, 27-1-223, 27-1-301
Duty of care, See **Care, duty of**
Duty to not infringe upon another's rights, 1-3-205
Estates of decedents and protected persons, "claims" defined, 72-1-103
Exemplary damages, See **DAMAGES, Punitive**
False imprisonment, See **FALSE IMPRISONMENT**
Food, donated — when unfit for human consumption, 27-1-716
Forbidding, failure, 1-3-210
Force, justifiable use in defense of property, 45-3-104
Fraudulent dispossession, 1-3-209
Future damages, periodic payment, 25-9-401 — 25-9-406, 25-9-412
Future injury, 27-1-203
Health Facility Authorities, validity of pledges, 90-7-312
Housing, Board of
  loans, liens to secure, 90-6-108
  pledges, validity, 90-6-113
Indemnity, See **INDEMNITY**
"Injury" defined, 27-1-106
Insurers, tortious conduct detrimental to — rehabilitator's powers, 33-2-1333
Interest on damages when, 27-1-210
Interspousal immunity, abolishment, 40-2-109
Investments, Board of — claims against, 17-5-1528, 17-5-1622
Joinder of claims or remedies, Title 25, chapter 20, M.R.Civ.P., Rule 18(b)
Joinder of parties, 27-1-703
Joint and several liability
  city officers and boards, 7-7-121, 15-1-301
  condominiums, common expenses, 70-23-611
  conservator's bond, sureties on, 72-5-412
  cooperative associations, stockholders and association, 35-15-403
  corporations
    creditors' and stockholders' trustees, 27-28-505
    officers, 39-51-1105
    unauthorized corporate power, persons assuming, 35-1-119, 35-2-215, 35-3-204
  county officers and boards, 7-7-121
  deceased persons, cost of interment — decedent's kin, 35-21-301
  dog owners, for damage to livestock or poultry, 81-7-402
  estates, decedent's debts — when, 72-16-308
  hazardous or deleterious substance, release, 75-10-715, 75-10-724
  income tax returns, 15-30-142
  indemnity, person indemnifying, 28-11-311
  infectious disease, unprotected exposure to — notification of precautions, 50-16-704
  insurers
    domestic stock and mutual, directors, 33-3-424
    liquidation or rehabilitation — affiliates, for recovery of dividends, 33-2-1125

TORTS (Continued)
Joint and several liability (Continued)
  insurers (Continued)
    policies, underwriters' — insurers issuing, 33-15-307 .
  irrigation district officers or board and persons misappropriating bond funds, 85-7-2142, 85-7-2143
  minors, damages caused by when driving — cosigners of license or permit applications, 61-5-108, 61-5-109
  multiple defendants, 27-1-703
  negotiable instruments, 30-3-130, 30-3-607
  official bonds, sureties on, 2-9-511, 2-9-525
  outdoor advertising, removal costs, 75-15-131
  partnerships, partners, 35-10-307
  personal representative's bond, sureties on, 72-3-516
  public accountants, board of — rules relating to professional services, 37-50-203
  school bond payment fund, persons misappropriating, 20-9-445
  school trustees, 20-9-444, 20-9-445
  securities, sellers, 30-10-307
  subdividers, 76-4-1248
  title insurance business violators, 33-25-402
  unemployment insurance taxes, penalties, and interest — corporate officers, liability, 39-51-1105
  workers' compensation
    self-insured employers, 39-71-2103
    state fund — members of board, executive director, and employees, 39-71-2318
Joint liability, 27-1-703
Jurisdiction of courts, 3-10-301; Title 25, chapter 20, M.R.Civ.P., Rule 4B
Legal duties, 1-3-205
Liability, See also specific subject headings
  abortion, refusal by health care facility to participate in, 50-20-111
  alcoholic beverages
    parent, guardian, or other person — for damages involving sale or provision to minor when, 16-6-305
    purveyors, for injuries involving consumption, 27-1-710
  arrest, aiding peace officer, 46-6-402
  autopsies — medical examiner, mortuary, or physician exempt, 44-3-401, 46-4-104
  business improvement districts, 7-12-1143
  care, duty of, 27-1-701
  civil defense personnel, immunity, 10-3-111
  consent, effect, 1-3-206
  conservator, 72-5-436
  contract to exempt unlawful, 28-2-702
  defined, 33-11-102, See **INSURANCE, CASUALTY, Risk retention groups and purchasing groups**
  disaster and emergency services personnel, effect, 10-3-111
  emergency medical technicians, 50-6-206
  employee, 39-2-702
  employer, 39-2-701
  equine activities, 27-1-725 — 27-1-728
  exculpatory contracts unlawful, 28-2-702, 39-2-705
  fellow employee, 39-71-413, 39-72-402, See also **LABOR AND EMPLOYMENT, Fellow servant**
  fire suppression — immunity of rural fire chiefs, counties, fire districts, fire companies, or fire service areas, 7-33-2208
  good samaritan law, 27-1-714, 50-6-206
  governmental entities, See **GOVERNMENT LIABILITY, Actions** entries; **Claims**
  hospital districts and officers and employees, 7-34-2122
  intentional torts, 27-1-701
  joint and several, See **Joint and several liability**
  law enforcement entities, mutual assistance, 44-11-102
  limited liability company members, 35-8-304
  limited liability partnerships, partners, 35-10-307

TORTS (Continued)
Liability (Continued)

- medical care, emergency, 27-1-714, 50-6-206
- mental incapacity, 27-1-711
- minors, See **Minors**
- negligence, See **NEGLIGENCE**
- notaries public, 1-5-406, 1-5-419
- official bonds, See **SURETY BONDS**
- payment of claim voluntarily, effect, See **EVIDENCE, Voluntary payment of claim**
- personal representative, 72-3-612
- principles of, 1-3-211, 1-3-212, 1-3-214
- professional corporations, 35-4-403 — 35-4-405
- purpose, change, 1-3-203
- recreationists, to, 70-16-301, 70-16-302, 77-1-805
- risk retention groups, See **INSURANCE, CASUALTY, Risk retention groups and purchasing groups**
- school trustees, 20-3-332, 20-9-444, 20-9-445
- spouses, 40-2-109
- sterilization, refusal by health care facility to participate in, 50-5-501 — 50-5-505
- surety bonds, See **SURETY BONDS**
- telephone company, local exchange — emergency communications systems provided by, 27-1-735
- third parties, 1-3-234
- water users' associations, 85-6-107
- weather modification and control activities, nonliability of state, 85-3-104
- willful acts, 27-1-701

Libel, See **DEFAMATION**, generally
Local government, See **GOVERNMENT LIABILITY, Actions** entries; **Claims**
Malicious prosecution, jurisdiction in justices' courts excluded, 3-10-301
Malpractice, Title 27, chapters 6 and 12, See also **MALPRACTICE**
Mens rea, 27-1-701
Mental state, definition of terms denoting, 1-1-204
Merger of civil and criminal remedies, right not merged, 27-1-103, 45-1-104
Minors

- liability, 27-1-711, 41-1-201, 61-5-108
  - vicarious liability of parent, 20-5-201, 40-6-237, 40-6-238, 45-8-345
- ritual abuse, 27-2-217
- sexual abuse, childhood, 27-2-216
- transfers to, commission during custodianship, 72-26-706

Negligence, See **NEGLIGENCE**
"Notice, actual and constructive" defined, 1-1-217
Nuisances, See **NUISANCES**
Personal injury, See **PERSONAL INJURY**
Privacy, See **PRIVACY**
Products liability, See **CONSUMER PROTECTION, Product safety**; **HAZARDOUS SUBSTANCES**, generally; **PRODUCTS LIABILITY**; **SALES, Warranties**
Property, See **CONVERSION**; **PROPERTY, Damage or destruction**; **PROPERTY, PERSONAL, Actions**; **Damage or destruction**; **PROPERTY, REAL, Actions**; **Damage or destruction**; **TRESPASS**
Punitive damages, See **DAMAGES**
Purpose, change, 1-3-203
Remedies, See **REMEDIES**
Res ipsa loquitur, 27-1-701
Restoration, duty, 27-1-713
Secured transactions, 30-9-104, 30-9-317
Several liability, 27-1-703
Sexual abuse, childhood, 27-2-216
Ski accidents and injuries, 23-2-736

TORTS (Continued)

Slander, See **DEFAMATION**, generally
Sovereign immunity, See **SOVEREIGN IMMUNITY**
Spouses' right to sue, 40-2-109
State government, Title 2, chapter 9, See **GOVERNMENT LIABILITY**, **Actions** entries; **Claims**
State of mind, definition of terms denoting, 1-1-204
Statutes of limitations, See **STATUTES OF LIMITATIONS**
Subsequent injury, 27-1-203
Trade secrets, misappropriation — effect of uniform law, 30-14-408
Trespass, See **TRESPASS**
Trusts, liability of trustee, 72-36-103, 72-36-105
Venue, 25-2-122
Voluntary payment of claim, Title 26, chapter 1, part 7
Wrongful death, See **WRONGFUL DEATH**
Wrongful discharge from employment provisions, preemption of tort claims, 39-2-913

TOURISM
Advisory Council, 2-15-1816, 15-65-101, 15-65-122
Alcoholic beverages, resort all-beverages licenses, 16-3-310, 16-4-210
Camps, See **CAMPING AND CAMPGROUNDS**
Capital companies, qualified investments, 90-8-104
Commerce, Department of — duties, 90-1-104, 90-1-105
Development, See generally **BONDS AND BOND ISSUES**, **Economic development bonds**; **CAPITAL COMPANIES**; **ECONOMIC DEVELOPMENT**, generally; **INDUSTRIES AND INDUSTRIAL DEVELOPMENT**, **Development projects**
Fishing access improvement or development, 23-1-110
Flathead Lake, ombudsman for management and regulation of level, 90-1-104
Gambling, public policy, 23-5-110
Highway revenues, for, Const., VIII, 6
Highways, scenic loop — signs for, 60-2-217
Indian activities, promotion, 2-15-1816, 90-1-104, 90-1-105
Landowner's liability, 70-16-301, 70-16-302
Lodging establishments, See **HOTELS AND LODGING ESTABLISHMENTS**
Lodging facility use tax proceeds for, 15-65-121, 15-65-122
Motor club services, 61-12-301
Motorist information signs, Title 60, chapter 5, part 5
Nonprofit convention and visitors bureaus, 15-65-101, 15-65-121, 15-65-122
Outdoor recreational resources, 23-2-101 — 23-2-103
Port authorities, purpose, 7-14-1104
Recreation, 90-1-104, 90-1-105
Regional nonprofit tourism corporations, 2-15-1816, 15-65-101, 15-65-121, 15-65-122
Regions, establishment, 2-15-1816, 15-65-101
Resort tax, 7-6-4461 — 7-6-4469
Roadside history of Montana, purpose, 22-3-107
State park improvement or development, 23-1-110
Travel research programs, 2-15-1816, 15-65-121

TOWN MEETING FORM OF GOVERNMENT
See also **LOCAL GOVERNMENT**, **Alteration of existing form**; **Alternative forms**
Administration, 7-3-606
Administrative assistant, 7-3-613
Adoption, 7-3-102, 7-3-601
Bonds, 7-3-606
Chairman, See **Town chairman**
"Chief executive" defined, 7-1-4121, 7-5-101
Committees, 7-3-607
Composition, 7-3-601

TOWN MEETING FORM OF GOVERNMENT (Continued)

Contracts, 7-3-606
Elections
  chairman, 7-3-606
  officials, 7-3-603
  presiding officer, 7-3-605
  town meeting moderator, 7-3-612
Employees, 7-3-606
Local study commission, agenda for initial meeting established by, 7-3-605
Meetings, 7-3-603 — 7-3-606, 7-3-612
Moderator, 7-3-601, 7-3-612
Obligations, written, 7-3-606
Officers, 7-3-603, 7-3-604
Ordinances and resolutions
  committees, establishment, 7-3-607
  enactment, 7-3-601
  enforcement, 7-3-606
Petitions, 7-3-603, 7-3-604
Plan of government, 7-3-602, 7-3-611
Policies, establishment, 7-3-606
Powers, 7-3-601, 7-3-602, 7-3-613
Presiding officer of meetings, 7-3-605, 7-3-612
Resolutions, See **Ordinances and resolutions**
Structural suboptions, 7-3-611
Town chairman, 7-3-601
  administrative assistant, appointment, 7-3-613
  agenda, preparation, 7-3-604
  "chief executive" defined, 7-1-4121, 7-5-101
  committees, establishment, 7-3-607
  duties, 7-3-606
  offices to be filled, preparation of list, 7-3-604
  presiding officer, designation as, 7-3-612
  special meetings called by, 7-3-603
  term of office, 7-3-606

TOWNS
  See also **CITIES AND TOWNS**
Clerk, See **CITY OR TOWN CLERK**
Councils, See **CITY OR TOWN COUNCILS**
Courts, See **CITY COURTS; MUNICIPAL COURTS**

TRADE REGULATION AND COMPETITION
  See also **BANK DEPOSITS AND COLLECTIONS; DOCUMENTS OF TITLE; FUNDS TRANSFERS; LETTERS OF CREDIT; NEGOTIABLE INSTRUMENTS; SALES; SECURED TRANSACTIONS; SECURITIES AND SECURITIES REGULATION; UNIFORM COMMERCIAL CODE, GENERAL PROVISIONS**
Actions
  consumer protection, 30-14-133
  deceptive trade practices, 30-14-133
  motor fuel marketing, retail — below-cost sale violations, 30-14-806
  price discrimination, commodities — injunction to restrain violations or recovery of damages, 30-14-906
  unfair trade practices, 30-14-133, 30-14-207, 30-14-220, 30-14-222, 30-14-223, 30-14-806
Adulterated goods
  cigarettes, 16-10-103, 16-11-102
  commercial feeds, prohibited, 80-9-204, 80-9-205, 80-9-301
  commercial fertilizers, prohibited, 80-10-205
  cosmetics, 50-31-109, 50-31-401, 50-31-501, 50-31-507, 50-31-509

TRADE REGULATION AND COMPETITION (Continued)
Adulterated goods (Continued)

- dairy products, 81-22-101, 81-22-105, 81-22-401, 81-22-404, 81-22-409
- drugs, 50-31-109, 50-31-305, 50-31-501, 50-31-506, 50-31-507, 50-31-509, 80-9-204
- eggs, when defined as unfit for human food, 81-20-204, 81-20-205
- food, 50-31-109, 50-31-202, 50-31-203, 50-31-501, 50-31-507, 50-31-509
- meat and meat products, 50-31-202, 81-9-220, 81-9-231, 81-9-234
- pesticides, prohibited, 80-8-102, 80-8-202, 80-8-303
- petroleum products, 82-15-110
- sale or offering for sale, 45-6-318, 50-31-501, 50-31-506

Advertising
- cost of doing business, as, 30-14-202
- false, 30-13-333, 30-14-103, 30-14-105, 45-6-318, See also **Unfair practices**
- motor fuel marketing, retail, 30-14-803, 30-14-804
- packaging, 30-12-305, 30-12-307, 30-12-504
- price, 30-12-305, 30-12-307, 30-12-504
- sound recordings, 30-13-143, 30-13-144
- trademarks and service marks, 30-13-333
- unfair practices, 30-14-102, 30-14-105, 30-14-207, 30-14-209, 30-14-224, 30-14-225
- weights, measures, and grades — statement of, inclusion, 30-12-305, 30-12-307, 30-12-504

Antitrust
- agricultural marketing agreements, exemption, 35-17-402
- barber schools or colleges, operating requirements, 37-30-407
- motor carrier agreements, exemption, 69-12-605
- oil and gas, applicability of laws, 82-11-203, 82-11-215

Assumed business name, Title 30, chapter 13, part 2
Authorship, See **Invention, rights to**
Beer sales, 16-3-217
Bottled water, 50-31-103, 50-31-236 — 50-31-238
Business inventories, taxation, 15-6-202
Chain distributor schemes unlawful, 45-6-319
Consumer protection, Const., XIII, 1, See **Unfair practices**; **CONSUMER PROTECTION**
Contracts, See **CONTRACTS**; **SALES, Contract for sale**
Cooperative associations for development of, See **COOPERATIVE ASSOCIATIONS**
Copyright, 30-13-134, 30-13-135, 72-34-404, 72-34-412
Course of business, presumption, 26-1-602
Covenants not to compete, 28-2-703 — 28-2-705
Credit, See **CREDIT TRANSACTIONS**
Debt adjustment, 31-3-203
Deceptive practices, See **Unfair practices**
Door-to-door sales, Title 30, chapter 14, part 5
Easement to transact, 70-17-101, See **PROPERTY, REAL, Easements**
Economic development, See **ECONOMIC DEVELOPMENT**, generally
Embargoes, See **EMBARGOES**
Emergency controls, 10-3-505

Evidence
- duplicates or copies of entries in regular course of business; admissibility, Title 26, chapter 10, M.R.Ev., Rule 1003
- hearsay exception, records of business regularly conducted, Title 26, chapter 10, M.R.Ev., Rule 803
- inference, course of business, 26-1-502
- motor fuel marketing
  - below-cost sale violations, 30-14-806
  - retail, prima facie evidence of intent to injure competitors or destroy or lessen competition, 30-14-804
- paint, laboratory analysis, 30-12-1003
- presumption, course of business, 26-1-602

TRADE REGULATION AND COMPETITION (Continued)
Evidence (Continued)

- price discrimination, commodities
  - prima facie case, burden of rebutting, 30-14-904
  - production of evidence, 30-14-906
- process or system, authentication, Title 26, chapter 10, M.R.Ev., Rule 901
- routine practice, Title 26, chapter 10, M.R.Ev., Rule 406
- sound recordings, presumption from possession of copies without consent of owner, 30-13-143
- trademarks and service marks
  - certificate of registration, 30-13-312
  - self-authentication, Title 26, chapter 10, M.R.Ev., Rule 902
- unfair competition, 30-14-208
- unfair trade practices
  - access by department of commerce, 30-14-114, 30-14-221
  - cost of doing business, presumption, 30-14-211
  - cost survey, 30-14-210
  - documentary material, examination of, 30-14-102
  - introduction by reference, 30-14-222
  - investigative demand, 30-14-113
  - private action, 30-14-133
  - written findings, 30-14-220
- usage of trade, 30-1-205
- weights, measures, and grades
  - existence of device, presumption, 30-12-506
  - offenses, 30-12-210, 30-12-506

Farm name, registration, 30-13-112
Fictitious names, Title 30, chapter 13, part 2
Fire protection and safety regulations in places of business, 50-61-103
Fireworks, See **FIREWORKS**
Foreign trade zones, 30-15-101 — 30-15-104
Freeport merchandise, tax exemption, 15-6-202
Goodwill, 30-13-121, 30-13-122
- corporations, sale of assets — inclusion, 35-1-823
- covenants not to compete, 28-2-703 — 28-2-705
- nonprofit corporations, 35-2-609, 35-2-617
- ownership, 30-13-122, 70-1-104
- partnerships, 35-10-202
- personal representative's authority to preserve, 72-3-613
- property, as, 30-13-122
- restrictive covenants, 28-2-703 — 28-2-705
- sale, 28-2-703, 28-2-704, 30-11-221, 35-10-202
- securities, consideration for, 30-10-205
- trademark, assignment with, 30-13-315
- transfer, 30-13-122
- warranty, 30-11-221

Grades, See **Weights, measures, and grades**
Hazardous substances, See **HAZARDOUS SUBSTANCES**, generally
Home solicitation sales, Title 30, chapter 14, part 5
Indian articles, 30-14-601 — 30-14-604
Insurance companies, deceptive practices, See **INSURERS ORGANIZATION AND REGULATION GENERALLY, Prohibited practices**
Invention, rights to, 22-2-407, 30-13-131 — 30-13-136, 70-1-104, See also **Patents**; **Trademarks and service marks**
- agricultural development project loan agreements, contents, 90-9-316
- science and technology development projects, 90-3-522

Labels, See also **Trademarks and service marks**
- agricultural chemicals, 80-15-104, 80-15-203, 80-15-401

TRADE REGULATION AND COMPETITION (Continued)
Labels (Continued)

- agricultural seeds, 80-5-102 — 80-5-105, 80-5-120, 80-5-205, 80-5-207, 80-5-403, 80-5-404
- beef patty mix, 50-31-208
- blood, 50-33-101
- bottled water, 50-31-236 — 50-31-238
- commercial feeds, 80-9-101, 80-9-202 — 80-9-204, 80-9-301, 80-9-302
- commercial fertilizers, 80-10-102, 80-10-201, 80-10-204, 80-10-205, 80-10-302
- cosmetics, 50-31-103, 50-31-107, 50-31-111, 50-31-402, 50-31-403, 50-31-501, 50-31-509
- dairy products, See **DAIRIES AND DAIRY PRODUCTS**
- defined, 50-31-103
- drugs, See **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES**
- evidence, self-authentication, Title 26, chapter 10, M.R.Ev., Rule 902
- fish and wildlife, packages for shipment, 87-3-114
- flower seeds, 80-5-104
- food, See **FOOD AND FOOD PRODUCTS**
- hamburger, 50-31-208
- hazardous chemicals, 50-78-102, 50-78-103, 50-78-206, 50-78-305
- hazardous or deleterious substances, 75-10-707
- hazardous substances, See **HAZARDOUS SUBSTANCES**
- hazardous wastes and regulated substances, 75-10-410, 75-10-418
- honey, 50-31-204
- indian articles, 30-14-603
- infectious waste, 75-10-1005
- meat and meat products, 50-31-208, 81-9-217, 81-9-220, 81-9-227, 81-9-228, 81-9-234
- metric packaging, on, 30-12-105
- milk products, See **DAIRIES AND DAIRY PRODUCTS**
- Montana quality, Title 81, chapter 8, part 7
- paints, 30-12-1001 — 30-12-1006
- pesticides, 80-8-102, 80-8-201, 80-8-202, 80-8-303
- petroleum products, 82-15-101, 82-15-110
- pharmacy, board of — regulation of labeling for drugs, medicines, chemicals, and poisons, 37-7-201
- vegetable seeds, 80-5-104
- warranty, 30-2-314, 30-2A-212

Laetrile, 50-41-102
Language in Contracts Act, Plain, Title 30, chapter 14, part 11
Letters patent, See **Patents**
Loans, merchant lenders — interest exemption, 31-1-112
Marketing, See also **Weights, measures, and grades**

- agricultural associations, Title 35, chapter 16
- agricultural products, Title 80, chapter 11
- livestock and livestock products, Title 81, chapter 8
- motor fuel, 30-14-801 — 30-14-806
- wheat and barley, Title 80, chapter 11

Measures, See **Weights, measures, and grades**
Metric sizing, 30-12-102, 30-12-105
Milk price control, Title 81, chapter 23
Money of account, 30-12-601, 30-12-602
Monopolies, See also **Unfair practices**

- agricultural marketing agreements, exemption, 35-17-402
- alcoholic beverages, 16-1-101, 16-1-103, 16-1-104
- dairy products, applicability, 81-22-108
- insurance, 33-18-303, 33-18-304
  - rates, inadequate — effect, 33-16-201
- motor carrier agreements, exemption, 69-12-605
- motor vehicles, financing sale of, Title 61, chapter 4, part 4
- oil and gas, applicability of laws, 82-11-203, 82-11-215

TRADE REGULATION AND COMPETITION (Continued)
Monopolies (Continued)

- price fixing or discrimination, See **Price**
- purchasing to create, unlawful, 30-14-208, 30-14-224
- purpose of provisions, 30-14-201
- unlawful, 30-14-205, 30-14-208, 30-14-224

Motion pictures, fair trade practices, See also **Sound recordings**; **THEATERS**
- bids, 30-14-303, 30-14-304, 30-14-306, 30-14-307
- blind bidding prohibited, 30-14-303, 30-14-304
- citation of motion picture fair trade practices act, 30-14-301
- definitions, 30-14-303
- license agreements, 30-14-302, 30-14-303, 30-14-305, 30-14-307
- purpose of provisions, 30-14-302
- trade screenings, 30-14-302, 30-14-303
- violations, 30-14-308
- void acts, 30-14-307

Motor carriers, See **MOTOR CARRIERS**
Motor fuel marketing
- below-cost sale prohibited, 30-14-804
- citation of Montana retail motor fuel marketing act, 30-14-801
- contracts, existing — voidance, 30-14-805
- definitions, 30-14-803
- injunction, 30-14-806
- purpose of provisions, 30-14-802
- violations, 30-14-805, 30-14-806

Oil and gas unit operations, Title 82, chapter 11, part 2
Packaging, See also **Labels**
- advertising, 30-12-305, 30-12-307, 30-12-504
- definitions, 30-12-101, 50-31-103
- inspection, 30-12-207
- misleading, 30-12-304
- price, 30-12-303, 30-12-307
- rulemaking authority, 30-12-302
- standardized containers, 30-12-301
- warranty, 30-2A-212
- weights and measures information, inclusion, 30-12-302

Paints, labeling, 30-12-1001
- enforcement, 30-12-1002
- evidence, 30-12-1003 — 30-12-1005
- laboratory for analysis, 30-12-1003
- violations, 30-12-1003 — 30-12-1006

Patents, See also **Invention, rights to**
- land, 60-4-207, 70-19-303, 70-19-304, 70-21-207, 70-22-103
- mining claims, 82-2-101, 82-2-103, 82-2-201
- principal and income determinations, 72-34-404, 72-34-412
- prosecution by judicial officer prohibited, 3-1-601
- securities, as consideration for, 30-10-205
- state lands, for, See **STATE LANDS**
- trade secrets, See **Trade secrets**

Pawnbrokers and junk dealers, 7-21-4201, 7-21-4207, 7-21-4208
Personal solicitation sales, Title 30, chapter 14, part 5
Petroleum products, manufacture and distribution, See **PETROLEUM PRODUCTS**
Port authorities, purpose, 7-14-1104
Postattack emergency regulation, 10-3-505
Price, See also **SALES**
- advertising, 30-12-305, 30-12-307, 30-12-504
- cigarettes, 16-10-201, 16-10-203, 16-10-204, 16-10-301

TRADE REGULATION AND COMPETITION (Continued)
Price (Continued)

commodities, discrimination, 30-14-901 — 30-14-906
cost, less than, 30-14-209
emergency regulation, 10-3-505
fixing, 15-31-505, 27-19-202, 30-14-205, 30-14-216, 30-14-224, 69-12-605
grain, fixing price unlawful, 30-14-216, 30-14-224
institutional industries goods and services, 53-1-301
measuring unit, declaration by, 30-12-303
milk price control, Title 81, chapter 23
misrepresentation of price, 30-12-307
motion pictures, 30-14-302
petroleum products, See **PETROLEUM PRODUCTS**
postattack emergency regulation, 10-3-505
securities, price amendment, 30-10-204
Production, limitation as unfair competition, 30-14-205
Product safety, See **CONSUMER PROTECTION**; **HAZARDOUS SUBSTANCES**, generally
Products of the mind, See **Invention, rights to**
Product standards, See also **Weights, measures, and grades**
cosmetics, See **COSMETICS**, generally
drugs, 37-7-201, 50-31-305, 50-31-306
food, See **FOOD AND FOOD PRODUCTS**, generally
petroleum products, 82-15-103, 82-15-110
Ranch name, registration, 30-13-112
Receivers, See **RECEIVERS**
Restraint of trade, See **Unfair practices**
Restrictive covenants, 28-2-703 — 28-2-705
Royalties, mineral, See **MINES AND MINING**; **OIL AND GAS**
Sales, See **SALES**
Slanderous statements respecting, 27-1-803
Small business licensing coordination
applicability of laws, 30-16-103
board of review, 30-16-103, 30-16-301, 30-16-302
citation of Montana small business licensing coordination act, 30-16-101
definitions, 30-16-103
information availability, 30-16-202
licenses, permits, or modifications, 30-16-103, 30-16-203, 30-16-204
licensing coordination center, 30-16-201 — 30-16-203
plan for business registration and licensing system, 30-16-103, 30-16-301, 30-16-303
purpose of provisions, 30-16-102
Sound recordings
civil litigation, how affected, 30-13-147
definitions, 30-13-141
exceptions, 30-13-146
forfeiture, 30-13-145
manufacture, unauthorized, 30-13-142
sale
name of manufacturer or performer, without, 30-13-144
unauthorized recordings, 30-13-142, 30-13-143
Textbook dealers, restriction of competition — penalty, 20-7-607
Trademarks and service marks, See also **Invention, rights to**
application for registration, 30-13-311, 30-13-312, 30-13-319
assignment, 30-13-301, 30-13-315, 30-13-316, 30-13-318
beverage containers, 30-13-331
bottled water, 50-31-238
cancellation, 30-13-318
certificate of registration, 30-13-312

TRADE REGULATION AND COMPETITION (Continued)
Trademarks and service marks (Continued)

- certificate of renewal, 30-13-314
- classification of goods and services, 30-13-331
- coal invoices and bills, inclusion, 82-3-201, 82-3-202
- common-law rights, 30-13-336
- counterfeiting, 30-13-333, 30-13-335, 50-31-501
- definitions, 30-13-301
- dilution of mark, 30-13-334
- drugs, on, 50-31-103, 50-31-306, 50-32-101
- effective period, 30-13-313
- evidence, 30-13-312; Title 26, chapter 10, M.R.Ev., Rule 902
- exclusivity, 30-13-202, 30-13-303, 35-1-308, 35-1-1031, 35-2-305, 35-2-826, 35-4-206
- expiration, notice, 30-13-314
- facsimile copies of documents, 30-13-341
- falsification of documents, 30-13-319, 30-13-341
- fees, 30-13-311, 30-13-313, 30-13-315, 30-13-318, 30-13-320
- filing, 30-13-311
- forgery, 30-13-319, 30-13-333, 30-13-335, 50-31-103, 50-31-306, 50-31-501, 50-32-101
- fraudulent registration, 30-13-319, 30-13-332
- good faith acquisition of rights, 30-13-336
- indian articles, 30-13-331, 30-14-603
- infringement, 30-13-333, 30-13-335
- injunction, 30-13-334, 30-13-335
- injury to business, 30-13-334
- motorist information signs, businesses, 60-5-502, 60-5-513, 60-5-521
- ownership, 30-13-311, 70-1-104
- petroleum products, 82-15-115
- preexisting marks, 30-13-314, 30-13-318
- public record, 30-13-317
- ranch names, 30-13-112
- recording, 2-15-401, 30-13-317
- registrability, 30-13-303
- renewal, 30-13-313, 30-13-314
- right to, 30-13-336
- transfer, 30-13-315, 30-13-316
- unlawful use, 30-13-333, 30-13-335
- use, what constitutes, 30-13-302, 30-13-303
- warranty, 30-11-218

Trade secrets, See also **Invention, rights to**; **Patents**

- citation of uniform trade secrets act, 30-14-401
- commercial feeds, disclosure, 80-9-205, 80-9-304
- definitions, 30-14-402
- disclosure in discovery, protective orders, Title 25, chapter 20, M.R.Civ.P., Rule 26(c)
- effect on other law, 30-14-408
- energy supply emergencies, confidentiality, 90-4-305
- food, drug, and cosmetic act — proceeding under, 50-31-501
- hazardous chemicals, confidentiality and claims, 50-78-102, 50-78-205, 50-78-206
- hazardous or deleterious substances, 75-10-707
- hazardous substances hearings, 50-30-301
- health maintenance organizations, confidentiality, 33-31-112
- injunction, 30-14-403, 30-14-405
- misappropriation, 30-14-402 — 30-14-405, 30-14-407, 30-14-408
- occupational health reports and records, confidential, 50-70-109
- oil and gas owners and operators, confidentiality, 82-11-117
- preservation, 30-14-406
- public service commission, protective orders — issuance when, 69-3-105

TRADE REGULATION AND COMPETITION (Continued)
Trade secrets (Continued)

- small employer health insurance carriers, rating and renewal underwriting practices, 33-22-1809
- statute of limitations, 30-14-407
- uniformity of application and construction, 30-14-409

Unfair practices, Const., XIII, 1
- accountability, 30-14-203
- acknowledgment when, 30-14-102
- admission of violation, voluntary compliance not, 30-14-112
- advertising, 30-14-102, 30-14-105, 30-14-207, 30-14-209, 30-14-224, 30-14-225
- agricultural products, 30-14-214, 30-14-216, 30-14-224
- alcoholic beverages, refilling bottles, 16-3-308
- applicability of laws, 30-14-104, 30-14-114
  - oil and gas, 82-11-203, 82-11-215
- assignment, power of receiver, 30-14-132
- bid violations, 30-14-205
- calendar precedence, 30-14-220
- cigarettes, 16-10-102, 16-10-301
- citation of Montana unfair trade practices and consumer protection act of 1973, 30-14-101
- collusion, bidders, 30-14-205
- commercial feeds, 80-9-205, 80-9-304
- commercial fertilizers, 80-10-205, 80-10-208, 80-10-211
- complaint, service on violator, 30-14-220
- compliance, voluntary, 30-14-112
- confidentiality of information, 30-14-114
- construction of provisions, 30-14-201
- contempt, 30-14-134, 30-14-221
- contracts, recovery when illegal, 28-2-703, 30-14-219
- corporate dissolution or franchise forfeiture, remedy, 30-14-134, 30-14-141, 30-14-223
- cost, 30-14-202, 30-14-209 — 30-14-212, 30-14-214, 30-14-224, 30-14-806
- criminal charges, 30-14-103, 30-14-142, 30-14-224, 37-51-104, 45-6-317, 45-6-318
- damages, 30-14-131 — 30-14-133, 30-14-222, 30-14-806, 30-14-1111, 30-14-1112
- deception, 30-14-103, 30-14-142, 37-51-104, 45-6-317, 45-6-318
- definitions, 30-14-102, 30-14-142, 30-14-202
- evidence
  - access to, 30-14-221
  - cost of doing business, presumption, 30-14-211
  - cost survey, 30-14-210
  - investigative demand for, 30-14-113
  - motor fuel marketing, below-cost sales, 30-14-806
  - private action, in, 30-14-133, 30-14-222
  - purchasing, unfair competition, 30-14-208
  - reference, incorporation by, 30-14-222
  - self-incriminating, 30-14-114, 30-14-221
- exemptions, 30-14-105, 30-14-202, 30-14-206, 30-14-213
- federal rules, applicability, 30-14-104
- findings, written, 30-14-220
- fines, 30-14-142, 30-14-224
- food, destruction unlawful, 30-14-217, 30-14-224
- foreign corporations, 30-14-134
- forms, 30-14-114
- fraud, 30-14-103, 30-14-142
- geographic area of business, restriction, 28-2-703 — 28-2-705
- grain, pooling unlawful, 30-14-216, 30-14-224
- hearings, 30-14-114, 30-14-134, 30-14-211, 30-14-214, 30-14-220, 30-14-221
- immunity from prosecution, 30-14-221

TRADE REGULATION AND COMPETITION (Continued)
Unfair practices (Continued)

- injunction
    - grounds, 27-19-202, 30-14-111, 30-14-134, 30-14-204, 30-14-223, 30-14-806
    - private action, 30-14-133, 30-14-222
    - violation of terms, 30-14-142
- insurance companies, See **INSURERS ORGANIZATION AND REGULATION GENERALLY, Prohibited practices**
- intent, proof, 30-14-204
- investigation, 30-14-113, 30-14-114, 30-14-122, 30-14-134, 30-14-220, 30-14-221
- invoices, alteration, 30-14-218, 30-14-224
- judgment, 30-14-131 — 30-14-133, 30-14-224, 30-14-806
- labor, exemption, 30-14-206
- milk industry, elimination, Title 81, chapter 23
- monopolies, 30-14-205
- motion pictures, 30-14-301 — 30-14-308
- motor carrier agreements, exemption, 69-12-605
- motor fuel marketing, below-cost sales, 30-14-806
- motor vehicles
    - glass repair shops, 30-14-225, 33-18-221, 33-18-223
    - odometer disclosure requirements, 61-3-201, 61-3-206, 61-3-607
    - warranty provisions, violation, 61-4-533
- newspapers, exemption, 30-14-105
- penalties, 30-14-134, 30-14-141, 30-14-142, 30-14-220, 30-14-221, 30-14-224, 30-14-806
- pesticides, prohibited acts, 80-8-202
- price control unlawful, 27-19-202, 30-14-205, 30-14-224
- private action, 30-14-133, 30-14-222
- probable cause, 30-14-220
- production, unlawful regulation, 30-14-205, 30-14-224
- prosecution, 30-14-121, 30-14-204, 30-14-222
- purchasing, unfair competition, 30-14-208, 30-14-224
- purposes of provisions, 30-14-201
- quo warranto, 30-14-223
- radio, exemption, 30-14-105
- real estate broker and salesmen provisions supplemental to deceptive practices law, 37-51-104
- rebates unlawful, 30-14-215, 30-14-224, 30-14-225
- receivers, 30-14-131, 30-14-132
- refunds unlawful, 30-14-205, 30-14-215, 30-14-224
- remedies, 30-14-111, 30-14-131, 30-14-133, 30-14-134, 30-14-142, 30-14-220, 30-14-1111, 30-14-1112
- residence
    - compliance assurance, filing, 30-14-112
    - investigative demands, filing of petition for extension of time, 30-14-113
    - order to produce evidence, issuance, 30-14-221
    - venue, 30-14-111, 30-14-133
- responsibility, 30-14-203
- restraint of trade unlawful, 28-2-703 — 28-2-705, 30-14-205, 30-14-224
- review of orders, 30-14-220
- rules, 30-14-104, 30-14-114, 30-14-211
- sales, 30-14-207 — 30-14-213, 30-14-218, 30-14-804, 30-14-806
- service of process, 30-14-115
- show cause, 30-14-220
- stop order, 30-14-220
- subpoena, 30-14-114, 30-14-134, 30-14-221
- telecommunications services, no preemption of laws, 69-3-824
- television, exemptions, 30-14-105
- temporary restraining order, 30-14-111, 30-14-142
- textbook dealers, penalty, 20-7-607

TRADE REGULATION AND COMPETITION (Continued)
Unfair practices (Continued)

- unlawful, 30-14-103, 30-14-142, 30-14-204, 30-14-224, 61-4-533
- utilities, exemption, 30-14-202
- venue, 30-14-111, 30-14-133, 30-14-806
- violations, 30-14-142, 30-14-223, 30-14-224, 61-4-533
- voluntary compliance, 30-14-112
- wages, exemption, 30-14-206
- witnesses, 30-14-221

Vending and vendors, See **VENDING AND VENDORS**
Violations

- agricultural products, sale below fair price, 30-14-214, 30-14-224
- chain distributor schemes, 45-6-319
- cost, sales less than, 30-14-209, 30-14-224
- deception, 30-14-103, 30-14-142, 37-51-104, 45-6-317, 45-6-318
- food, destruction, 30-14-217, 30-14-224
- grades, See **Weights, measures, and grades**
- grain, pooling, 30-14-216, 30-14-224
- hazardous chemical trade secrets, disclosure or unauthorized use, 50-78-205
- invoices, alteration, 30-14-218, 30-14-224
- measures, See **Weights, measures, and grades**
- monopolies, 30-14-205, 30-14-208, 30-14-224
- motion picture fair trade violations, 30-14-308
- paints, labeling, 30-12-1003 — 30-12-1006
- price discrimination, commodities, 30-14-901
  - information obtained in actions for violations, use for prosecution not permitted, 30-14-906
- price fixing, 30-14-205, 30-14-216, 30-14-224
- purchasing, unfair competition, 30-14-208, 30-14-224
- rebates, secret, 30-14-215, 30-14-224
- restraint of trade, 30-14-205, 30-14-224
- sound recordings, sale, 30-13-142 — 30-13-144
- trademarks, falsification of documents, 30-13-319
- unfair practices generally, 30-14-103, 30-14-142, 30-14-224
- weights, See **Weights, measures, and grades**

Weights, measures, and grades

- advertising to include statement of, 30-12-305, 30-12-307, 30-12-504
- agricultural commodities, Title 80, chapter 4, parts 5 — 7
- apples, grading, 80-3-201 — 80-3-204
- berries, 30-12-302, 30-12-408
- bread, 30-12-302, 30-12-402
- bulk deliveries, 30-12-406
- butter, 30-12-403
- city council, election of commissioner for, 7-3-4254
- city provisions, 7-21-4203
- coal, 7-21-4203
- commercial fertilizers, 30-12-301
- concrete, 30-12-301
- consumption, immediate, 30-12-301, 30-12-401
- corn, 7-21-4203
- cornmeal, 30-12-405
- correct devices, 30-12-202, 30-12-209
- customer, right to observe, 30-12-504
- dairy products, 30-12-403, 30-12-404
- deceptive business practices, 45-6-318
- definitions, 30-12-101, 30-12-106, 30-12-202
- delivery tickets, 30-12-406, 30-12-407
- eggs, See **POULTRY AND EGGS**

TRADE REGULATION AND COMPETITION (Continued)
Weights, measures, and grades (Continued)

- enforcement, 30-12-210, 30-12-502 — 30-12-507
- evidence, 30-12-506
- existence of measuring device, proof, 30-12-506
- falsification, 30-12-504, 45-6-318
- farm products, standard grades and brands, Title 80, chapters 3 and 4, See **AGRICULTURAL COMMODITIES**, **Grades**; **Grain**; **PRODUCE**
- fees, 30-12-202, 30-12-203, 30-12-212
- fertilizers, 30-12-301
- field standards, 30-12-104
- fill standards, 30-12-304
- flour, 30-12-405
- fractional parts, 30-12-106
- fruit, 30-12-302, 30-12-408
- fuel oil, 30-12-407
- grain, 7-21-4203
- gravel, 30-12-301
- gross weights, 30-12-406
- hay, 7-21-4203
- hominy grits, 30-12-405
- impersonation of department of commerce officer, 30-12-503
- incorrect devices, 30-12-202, 30-12-209 — 30-12-211, 30-12-504
- injunction, 30-12-505
- inspections, 30-12-207, 30-12-212
- licensing of devices, 30-12-203, 49-3-204
- liquid commodities, 30-12-101, 30-12-301
- margarine, 30-12-403
- marking of devices, 30-12-202, 30-12-209, 30-12-210, 30-12-504
- meat, 30-12-401, 81-9-217, 81-9-220
- medical prescriptions, 30-12-504
- metric system, 30-12-102, 30-12-105
- milk products, 30-12-404
- money, 30-12-601
- motor vehicle weights, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, **Gross vehicle weight**; **Size, weight, and load**
- municipal commission government, commissioner for, 7-3-4254
- municipal commission-manager government, enforcement of provisions by director of public safety, 7-3-4464
- mustard seed, grades and weights, Title 80, chapter 4, part 3
- net weight, 30-12-306
- noncommercial devices, inspection, 30-12-212
- obstruction of department of commerce officers, 30-12-502
- offenses
  - evidence, 30-12-506
  - falsification, 30-12-207, 30-12-504, 45-6-318
  - fines, 30-12-502 — 30-12-504
  - impersonation of department of commerce officer, 30-12-503
  - injunction, 30-12-505
  - investigations, 30-12-206
  - license, operation of weighing device without, 30-12-203
  - obstruction of department of commerce, 30-12-502
  - police powers of department of commerce, 30-12-210
  - prosecution, 30-12-507
  - seal and mark, use of device without, 30-12-504
  - unlawful use, 30-12-504
- off-sale orders, 30-12-207

TRADE REGULATION AND COMPETITION (Continued)
Weights, measures, and grades (Continued)

- packaging, information to be included, 30-12-302, 30-12-303
- petroleum products, 30-12-407, 30-12-409, 82-15-108 — 82-15-110
- poultry, 30-12-401
- prescriptions, 30-12-504
- price, 30-12-303, 30-12-307
- prosecution, 30-12-507
- public scales and weighers, Title 7, chapter 21, part 31
- removal orders, 30-12-208
- renewal of license, fees, 30-12-203
- report on devices to department of commerce, 30-12-504
- rulemaking authority, 30-12-105, 30-12-202, 30-12-207, 30-12-209, 30-12-211, 30-12-301, 30-12-302
- sale of weights and measures, supervision, 30-12-201
- seafood, 30-12-401
- sealing, 30-12-202, 30-12-209, 30-12-210, 30-12-504
- servicemen and service agencies, registration, 30-12-202, 30-12-211
- soil, 30-12-301
- solid commodities, 30-12-301
- standardized containers, 30-12-301
- state standards, 30-12-103, 30-12-201
- stone, 7-21-4203, 30-12-301
- stop-removal orders, 30-12-208
- stop use orders, 30-12-208
- systems accepted, 30-12-102, 30-12-105
- tare weights, 30-12-406
- testing of devices, 30-12-202, 30-12-204, 30-12-205, 30-12-211, 30-12-504
- vegetables, 30-12-301
- wood, 7-21-4203, 30-12-101

TRADE SECRETS ACT, UNIFORM, Title 30, chapter 14, part 4
See **TRADE REGULATION AND COMPETITION, Trade secrets**

TRAMWAYS
Assessment on receipts, 23-2-715 — 23-2-718
Board of Passenger Tramway Safety, 2-15-1896; Title 23, chapter 2, part 7
Carriers, common — tramways excluded as, 23-2-703
Contracts and contractors, 23-2-705
Damage of equipment unlawful, 23-2-704
Dangerous use unlawful, 23-2-704, 23-2-735, 23-2-736
Definitions, 23-2-702, 23-2-732
Discrimination, 23-2-721, 49-3-204, See also **DISCRIMINATION, Public accommodations**
Eminent domain, public uses, 70-30-102
Fees and assessments, 23-2-714 — 23-2-718, 50-60-104
Injunctions, 23-2-721, 23-2-724
Inspections and investigations, 23-2-701, 23-2-713, 23-2-722, 23-2-723, 50-60-104
Liability, limitations, 23-2-705, 23-2-736
Order for compliance and corrective action, 23-2-721, 23-2-723 — 23-2-725
Passengers, duties, 23-2-735
Policy of state, 23-2-701
Registration, 23-2-701, 23-2-711 — 23-2-714, 23-2-721, 23-2-724, 49-3-204
Rules, 23-2-701, 23-2-712 — 23-2-714, 23-2-721 — 23-2-724, 23-2-734
Safety provisions, 23-2-704, 23-2-712, 23-2-713, 23-2-721 — 23-2-723, 23-2-735, 23-2-736
Standards for, 23-2-701, 23-2-721 — 23-2-723, 23-2-734
Subpoenas, 23-2-721
Taxation, 23-2-715 — 23-2-718
Utility, public — tramways excluded as, 23-2-703
Violations, 23-2-704, 23-2-721 — 23-2-725

TRANSBOUNDARY POLLUTION RECIPROCAL ACCESS ACT, UNIFORM, Title 75, chapter 16, part 1
    See **POLLUTION**

TRANSFERS TO MINORS ACT, MONTANA UNIFORM, Title 72, chapter 26
    See **TRUSTS, Minors, transfers to**

TRANSIENT RETAIL MERCHANTS
Affidavit of intention to become permanent merchant, 7-21-2407
Bond, 7-21-2407 — 7-21-2409
Definitions, 7-21-2401, 7-21-2402
Licenses, 7-21-2404 — 7-21-2407, 7-21-2409 — 7-21-2411, 49-3-204
Purchasers, aggrieved — rights, 7-21-2408
Scope of provisions, 7-21-2403
Violations, 7-21-2410, 7-21-2411

TRANSPLANTS, 33-22-1521, 50-33-102, 50-33-104; Title 72, chapter 17
    See **BLOOD, TISSUE, ORGANS, AND BONES**

TRANSPORTATION
Aging and aged persons, services for, 7-14-111, 52-3-504, 69-11-208, 69-12-102
Agricultural chemicals, "use" defined, 80-15-102, See **AGRICULTURAL CHEMICAL GROUND WATER PROTECTION, Use of chemicals**
Air, See **AERONAUTICS**
Asbestos-containing debris, 50-64-104, See also **ASBESTOS, Projects**, generally
Bicycles, See **BICYCLES**
Blind or visually handicapped persons, rights as passengers, See **BLIND OR VISUALLY DISABLED PERSONS**, generally
Buses, See **BUSES; CARRIERS, Passenger carriers; SCHOOL TRANSPORTATION**
Capital companies, qualified investments, 90-8-104
Carriers, See **AERONAUTICS, Air carriers; CARRIERS; MOTOR CARRIERS; PIPELINES; RAILROADS**
Coal and coal products, See **PIPELINES**, generally
Commission, See **HIGHWAYS**
Community service corps and volunteer projects, 90-14-105
County roads, Title 7, chapter 14, parts 21, 23 — 27, and 29, See **COUNTY ROAD IMPROVEMENT DISTRICTS; COUNTY ROADS AND BRIDGES**
Dairy products, standards, See **DAIRIES AND DAIRY PRODUCTS, Transportation**
Dead bodies, 50-1-202, 50-15-114, 50-15-407, 50-21-102, 69-11-208
Deaf persons as passengers, See **DEAF PERSONS**, generally
Department of, See **TRANSPORTATION, DEPARTMENT OF**
Disabled persons, 69-12-102
Discriminatory practices, See **DISCRIMINATION, Public accommodations**
Districts, Title 7, chapter 14, part 2, See **TRANSPORTATION DISTRICTS, URBAN**
Emergencies
    energy supply, 90-4-304
    housing for disaster victims, temporary — suspension of laws or regulations to provide, 10-3-313
    postattack regulation, 10-3-505
Energy policy, state, 90-4-1010
Explosives, See **EXPLOSIONS AND EXPLOSIVES, Vehicles carrying**
Ferries, Title 7, chapter 14, part 28, See **FERRIES AND WHARVES**
Firearms, local government prohibitions not applicable, 45-8-351
Fireworks, 50-37-103
    signals, use for — applicability of laws, 50-37-102
Freight, See **CARRIERS, Freight carriers; MOTOR CARRIERS**, generally; **RAILROADS**

TRANSPORTATION (Continued)

Grain, See **AGRICULTURAL COMMODITIES, Grain**, grain cars and trucks; **RAILROADS, Boxcars**
Handicapped persons, services for, 7-14-111, 69-11-208
Hazardous chemicals, nonapplicability of provisions when, 50-78-103
Hazardous wastes or substances, See **HAZARDOUS WASTES**
Highways, See **HIGHWAYS**
Highway Transportation Agreement, Multistate, 5-11-210, 61-10-1101
Human skeletal remains or burial materials, prohibited when, 22-3-808
Infectious waste, 75-10-1003 — 75-10-1006
Insurance
    blanket disability, See **INSURANCE, DISABILITY**
    generally, See **INSURANCE, MARINE**, generally
    ticket agents, 33-17-212
    vending machines, licensing, 33-2-708, 33-17-221
Livestock, See **LIVESTOCK, Transportation permits; Transporting and transporters**
Meat and meat products, 81-3-203, 81-9-234
Megalandfill siting application, evaluation — considerations, 75-10-920
Montana Rural Technical Assistance Transportation Program, 15-70-101
Motor carriers, See **MOTOR CARRIERS**
Motorcycles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Motor fuel marketing, retail — cost, 30-14-803
Motor vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Off-highway vehicles, Title 23, chapter 2, part 8
Overtime compensation exclusions for personnel, 39-3-406
Personal care facilities, provision by, 50-5-225
Petroleum and petroleum products, See **PIPELINES**, generally
Port authorities, Title 7, chapter 14, part 11, See **PORT AUTHORITIES**
Postattack emergency regulation, 10-3-505
Public
    services, interruption or impairment unlawful, 45-6-101
    state funds, allocation, 7-14-102
    state, representation on public issues, 60-21-101
Rail or transit intermodal transportation programs, 60-2-110, 60-2-129
Railroads, See **RAILROADS**
Rivers and streams, recreational use — "class I waters" defined, 23-2-301
Roads, See **COUNTY ROADS AND BRIDGES; HIGHWAYS**
Schools, See **SCHOOL TRANSPORTATION**
Smoking in public vehicles, See **PUBLIC ACCOMMODATIONS, Smoking areas**
Solid waste, Title 75, chapter 10, See **SOLID WASTE MANAGEMENT, Transporting of wastes**
Streets, See **STREETS AND ALLEYS**
Suspension of laws, emergency, 10-3-313
Tactical incident assistance by national guard, 10-3-705
Tramways, Title 23, chapter 2, part 7
Transloading facility, demonstration truck/train, 7-14-120
Urban renewal property or interest for, 7-15-4262
Waters, navigable, 85-1-111, See **WATER USE, Navigable waters**

TRANSPORTATION, DEPARTMENT OF, Title 2, chapter 15, part 25
    See also **EXECUTIVE BRANCH**
Advertising along highways, Title 75, chapter 15, part 1
Aeronautics and airports, supervision and powers, Title 67
Aeronautics, Board of, 2-15-2506, 67-1-103, 67-1-301, 67-1-302, 67-1-304
Agricultural transportation and related needs, 60-2-110
Bicycle trails, duties, 60-3-303, 60-3-304
Bridges, duties, 60-2-201, 61-8-313
Building bonds, Title 17, chapter 5, part 5

TRANSPORTATION, DEPARTMENT OF (Continued)

Buildings, See **CAPITOL AND OTHER STATE BUILDINGS**
Bus stops, review and approval, 61-8-354
County roads and bridges, responsibilities, 7-14-2105, 7-14-2109, 7-14-2132
Director, 2-15-2501, 61-12-201; Const., VI, 8
Divisions, 2-15-2501, 2-15-2506
Employees
  grievance procedures, 2-18-1001 — 2-18-1003
  motor carriers, enforcement authority, 61-10-141
  motor vehicles, duties, 61-3-322, 61-10-141 — 61-10-143, 61-10-231, 61-12-205, 61-12-206
  peace officers, as, 61-10-141; Title 61, chapter 12, part 2
Equipment
  sale and disposition of proceeds, 18-6-103
  secured transactions, 30-9-103
Facility siting, responsibilities, 75-20-211, 75-20-216, 75-20-221, 75-20-225, 75-20-226, 75-20-501
Flood control project contracts, 76-5-1109
Footpaths, duties, 60-3-303, 60-3-304
Garbage dumps, acquisition of land for, 75-15-223
Gasoline and vehicle fuels, duties
  agreements with governmental entities relating to, 15-70-124
  alcohol production incentives, 15-70-503, 15-70-511 — 15-70-514, 15-70-522, 15-70-523, 15-70-527
  cardtrol or keylock devices for delivery of special fuels, 15-70-223
  compressed natural gas tax, 15-70-104, 15-71-102; Title 15, chapter 70, part 7
  delinquent taxes, collection, 15-70-110
  gasoline license tax, 15-1-205, 15-30-303, 15-70-101, 15-70-104, 15-70-105, 15-70-111, 15-70-202 — 15-70-211, 15-70-221 — 15-70-223, 15-70-225, 15-70-226, 15-70-232
    warrant for distraint for collection, 15-1-701 — 15-1-709
  indian tribes, cooperative agreements for motor fuels taxes, 15-70-234 — 15-70-236
  international fuel tax agreement, 15-70-104, 15-70-121, 15-70-122
  local option motor fuel excise tax, duties, 7-14-301 — 7-14-303
  payment by negotiable instrument, 15-70-108
  propane powered vehicles, 15-71-101, 15-71-102
  report by unlicensed petroleum dealer, 15-70-123
  special fuel license tax, 15-70-341 — 15-70-345, 15-70-348, 15-70-349, 15-70-351 — 15-70-356, 15-70-361 — 15-70-366
  special fuel use tax, 15-70-104, 15-70-105, 15-70-111, 15-70-301 — 15-70-307, 15-70-311 — 15-70-314, 15-70-321, 15-70-323 — 15-70-325, 15-70-328 — 15-70-334
Gravel on state lands, permits for use, 77-3-208
Headquarters building, Title 17, chapter 5, part 5
Highway revenue bonds, Title 17, chapter 5, part 9
Highways, duties, Title 60
Highway traffic safety program, administration, 2-15-2007, 61-2-102
Junkyards, duties, Title 75, chapter 15, part 2
Long-range building program, See **CAPITOL AND OTHER STATE BUILDINGS**
Megalandfill siting, 75-10-913, 75-10-918, 75-10-927
Military Affairs, Department of — cooperation with in emergency, 10-3-107
Motor carriers, authority, 44-1-1005, 61-10-141, 69-12-321, 69-12-408
Motor pool, Helena-based, 2-17-411
Motor vehicles
  axle loads, maximum — reduction, 61-10-108
  controlled-access highways, use restrictions, 61-8-332
  custom combiners, special permits and rules, 61-10-130
  farm tractors or equipment, permits for highway use, 61-9-406
  fees, bilateral agreements for collection, 60-2-311
  flag persons or vehicles, equipping, 61-1-411, 61-1-412
  fleet registration, 61-3-324, 61-3-325

TRANSPORTATION, DEPARTMENT OF (Continued)
Motor vehicles (Continued)

- fleet vehicles, authority, 15-70-122, 61-3-711 — 61-3-733
- graveyards and wrecking facilities, acquisition of land for, 75-15-223
- gross vehicle weight
  - custom combiners, 61-10-130
  - excess
    - fee, 61-10-233
    - permitted when, 61-10-109, 61-10-110
  - forms, 61-10-225, 61-10-227
  - maximum gross weight permits, 61-10-107
  - nonresidents, temporary trip permits and fees, 61-10-212, 61-10-213
  - rules, 61-10-155, 61-10-209
- junkyards, screening or fencing, 75-15-222
- liquefied petroleum gas, propelled by — license tax, Title 15, chapter 71, part 1
- new vehicle taxes, rules, 61-3-506
- no-passing zones, determination and signs, 61-8-326
- one-way roadways, designation and signs, 61-8-327
- parking regulations and signs, 61-8-355
- railroad grade crossings, designation and signing, 61-8-348
- size, weight, and load
  - cranes, configuration, 61-10-124
  - excess size and weight permits, 61-10-113, 61-10-121, 61-10-122, 61-10-124, 61-10-125, 61-10-144
  - rules, 61-10-129, 61-10-155
  - single trip permits, 61-10-144
  - special vehicle combinations, 61-10-124, 61-10-129, 61-10-146
- speed limitations, imposition, 61-8-313, 61-10-128
- speed zones, special — signs for, 61-8-309
- state, duties, Title 2, chapter 17, part 4
- stop intersections, designation and signing, 61-8-344
- stopping or standing regulations and signs, 61-8-355
- taxes, bilateral agreements for collection, 60-2-311
- through highways, designation and signing, 61-8-344
- tires, chains, or traction equipment — recommendations or requirements for use, 61-9-406
- tow trucks
  - equipment, noncommercially manufactured or modified — classification disputes, 61-8-905
  - inspections, 61-8-908
- traffic-control devices, authority, 60-2-204, 61-8-202, 61-8-203, 61-8-205, 61-8-706, 61-9-406
- transporters, driveaway or towaway, 61-4-303, 61-4-308
- turnouts, designation and signs, 61-8-311
- weigh station agreements, joint, 61-12-201
- weigh stations, 61-10-141
- weight, 61-10-128, 61-10-141
- “yield” intersections, designation, 61-8-342

Multistate Highway Transportation Agreement, 5-11-210, 61-10-1101
Natural resource information system data source agency, 90-15-102
Outdoor advertising, duties, Title 75, chapter 15, part 1
Petroleum storage tank cleanup fee, 75-11-314, 75-11-318, 75-11-319
Property
- acquisition, Title 60, chapter 4, part 1
- sale and disposition of proceeds, 18-6-103; Title 60, chapter 4, part 2

Public issues, representation of state, 60-21-101
Public transportation, distribution of funds for, 7-14-102
Rail planning, administration, 60-11-101
Railroads, duties, 60-11-111, 60-11-123, 61-8-348; Title 60, chapter 11, parts 11 and 12
Rural technical assistance transportation program, 15-70-101
Rural transportation and related needs, 60-2-110

TRANSPORTATION, DEPARTMENT OF (Continued)

Sand or stone on state lands, permits for use, 77-3-208
Sanitary landfills, acquisition of land for, 75-15-223
Signs, duties, Title 60, chapter 2, part 2; Title 60, chapter 5, part 5; Title 75, chapter 15, part 1
State aircraft, 67-3-201
State airports, 67-1-104, 67-1-303, 67-2-301, 67-2-302, 67-3-212
State parks, control or jurisdiction, 23-1-102, 23-1-104
Streets and alleys, cooperation and contracts, 60-2-201
Supervision, Const., VI, 8
Transloading facility, demonstration truck/train — issuance of grant for, 7-14-120
Transportation Commission, allocation, 2-15-2502, See **HIGHWAYS**
Transportation districts, urban — allocation of state funds, 7-14-102
Water conservation project contracts, 76-5-1109

TRANSPORTATION DISTRICTS, URBAN
Administrative officer, 7-14-220
Aging and aged persons, services for, 7-14-111
Architectural services contracts, Title 18, chapter 8, part 2
Area of service, 7-14-221
Audits, Title 2, chapter 7, part 5
Board
  administrative officer, employment, 7-14-220
  budget, 7-14-231
  compensation, 7-14-218
  composition, 7-14-214
  dissolution of district, certification of payment of debts, 7-14-245
  election, 7-14-214
  election or appointment, determination, 7-14-212
  enlargement of district, approval, 7-14-241
  expenses, 7-14-218
  powers, 7-14-219
  removal of areas, petition submitted to, 7-14-241
  warrants, issuance and signing, 7-14-234
Bond issues
  authorization, 7-14-235
  limitation, 7-14-236
Boundaries, 7-14-208
  area of service, 7-14-221
  enlargement, 7-14-241
Budget, 7-14-231
County merger, effect, 7-3-144
Creation
  election, 7-14-210
    conduct, 7-14-211
  hearing, 7-14-207, 7-14-209
    notice, 7-14-208
  petition, 7-14-203
    certificate, 7-14-205
    details, 7-14-204
    filing, 7-14-205
    presentation, 7-14-207
    signatures, effect of insufficient number, 7-14-206
Definitions, 7-14-202
Dissolution of district
  assets, distribution following, 7-14-246

TRANSPORTATION DISTRICTS, URBAN (Continued)
Dissolution of district (Continued)

- hearing, 7-14-243, 7-14-245
  - notice, 7-14-244
- order for, 7-14-245
- petition, 7-14-242
  - examination, 7-14-243

Elderly persons, services for, 7-14-111
Elections
- board members, 7-14-214
- campaign practices exceptions, 13-37-206
- creation of district, 7-14-210, 7-14-211

Engineering services contracts, Title 18, chapter 8, part 2
Enlargement of district, 7-14-241
Financial reports, Title 2, chapter 7, part 5
Governance, 7-14-212, See **Board**
Handicapped persons, services for, 7-14-111
Hearings
- creation, 7-14-207 — 7-14-209
- dissolution, 7-14-243 — 7-14-245

Indebtedness
- dissolution of district, 7-14-245, 7-14-246
- enlargement of district, 7-14-241
- limitation, 7-14-236
- removal of areas, property not subject to — when 7-14-241

Land surveying services contracts, Title 18, chapter 8, part 2
Land used for, annexation restricted when, 7-2-4503, 7-2-4608
Merger of counties, effect, 7-3-144
Motor carrier laws, exemption from, 69-12-102
Motor vehicles
- license plates, 61-3-332, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, License plates**
- new vehicle sales tax, exemption, 61-3-502
- registration fees, exemption, 61-3-321
- weed control fee, exemption, 61-3-510

Notices
- board, administrative officer — solicitation of applications for, 7-14-220
- creation, hearing, 7-14-208
- dissolution, hearing, 7-14-244

Obligations, 7-14-245, 7-14-246
Petitions
- creation, for, See **Creation**
- dissolution of district, 7-14-242, 7-14-243
- enlargement of district, 7-14-241
- removal of areas, 7-14-241

Purpose of provisions, 7-14-201
Removal of previously added areas, 7-14-241
Revenue for, 7-14-102, 7-14-232
Senior citizens, services for, 7-14-111
Service area, 7-14-221
State funds, allocation, 7-14-102
Taxation
- collection of tax, 7-14-233
- levy
  - authorization and limitation, 7-14-232
  - services for senior citizens and handicapped persons, for, 7-14-111

Transportation board, See **Board**

TRANSPORTATION DISTRICTS, URBAN (Continued)

Treasurer, 7-14-233
Warrants, 7-14-234

TRAPPING AND TRAPPERS, Title 87, chapter 2
  See **FISH AND WILDLIFE**

TREASURE STATE ENDOWMENT PROGRAM, 17-5-703; Title 90, chapter 6, part 7

TREASURY FUNDS AND ACCOUNTS
Abolishment, 17-2-106
Accountability for funds, Const., VIII, 12
Account groups, 17-2-102
Additional, establishment, 17-2-104, 17-2-106
Agency functions, transfer — effect, 2-15-132
Agency fund type, 17-2-102, 17-2-202
Appropriation requirements, 17-1-504, 17-1-505, 17-1-507, 17-2-106, 17-2-108, 17-8-101, 17-8-105
Balances, cash and invested, 17-2-105, 17-2-107
Budget, information required, 17-7-111, 17-7-123
Capital projects fund type, 17-2-102, 17-8-101, 17-8-105
Citation of Treasury Fund Structure Act, 17-2-101
Clearance accounts, establishment, 17-2-104
Coal severance tax trust funds, 17-5-703; Const., IX, 5, See **COAL TRUST FUNDS**
Consolidation, 17-2-106
Contingent revolving accounts, 17-2-201, 17-2-202, 17-8-301
Creation, 17-2-104 — 17-2-106
Debt service fund type, 17-2-102, 17-8-101
Definitions, 17-1-502, 17-2-102, 17-8-105
  previous, superseded, 17-2-103
Disbursements, 17-8-101; Const., VIII, 14
  nongeneral fund money, 17-2-108
  records, 17-2-105, 17-2-107
  warrant or appropriation required for, Const., VIII, 9
Encumbrance, 17-7-302, 17-7-303
Enterprise fund type, 17-2-102, 17-7-402, 17-8-101
Enumeration, 17-2-102
Examination, 17-2-106, 17-2-109
Expendable trust fund type, 17-2-102, 17-8-101
Federal grants or money, identification, 17-2-103
Federal money, deposit, 17-2-102, 17-3-106
Federal special revenue fund, 17-2-102
Fiduciary fund category, 17-2-102, 17-2-103
Fixed assets account group, 17-2-102
Future provisions, 17-2-103
General fund, 17-2-102
  appropriation, 17-1-504, 17-1-507, 17-2-108, 17-8-101, 17-8-105
  deficiencies, 17-1-204, 17-2-105
  insurance, commissioner of — fees, fines, and penalties, 17-2-121, 33-1-318, 33-2-708
  loans from, 17-2-107
  special revenue account balances transferred to, 17-1-503
  spending reductions, 17-7-140
  terminated agencies, unexpended funds, 2-8-121
Gifts, 17-6-202, 17-6-203
Governmental fund category, 17-2-102
Higher education funds, 17-2-102, 17-2-107, 17-6-203; Const., X, 10
  genetic engineering technology research and development account, 17-2-131
Identification, See **Segregation of money**

TREASURY FUNDS AND ACCOUNTS (Continued)

Inactive, 17-2-106
Internal service fund type, 17-2-102, 17-7-402, 17-8-101
Investment funds, 17-2-104, 17-6-201 — 17-6-204; Const., VIII, 13, See also **COAL TRUST FUNDS**
Loans
    interentity, 17-2-107
    interfund, 17-1-204, 17-2-105
Long-term debt account group, 17-2-102
Nonexpendable trust fund type, 17-2-102, 17-6-203, 17-8-101
Pension trust fund type, 17-1-204, 17-2-102, 17-2-105, 17-8-101
Property of state agency, as, 2-15-132
Proprietary fund category, 17-2-102, 17-7-102
Public officers and employees, reports by, 17-2-109
Purpose of Treasury Fund Structure Act, 17-2-101
Receipts, record, 17-2-105, 17-2-107
Records, 17-2-105, 17-2-107, 17-6-201, 17-6-202, 17-6-204
Refunds, 17-8-101, 17-8-203
Retirement system funds, investment, 17-6-201
Reversion of unexpended funds, 2-8-121, 2-17-105, 17-7-302, 17-7-304
Revolving accounts, contingent, 17-2-201, 17-2-202, 17-8-301
Segregation of money, 17-2-103, 17-2-105, 17-2-106, 17-6-202
Special accounts, 17-2-201, 17-2-202
Special revenue fund type, 17-2-102, 17-7-102, 17-8-101, 17-8-105
State special revenue fund, 17-1-502 — 17-1-505, 17-2-102, 17-2-111, 17-7-402, 17-7-403, 17-8-101
Structure, 17-2-102
Subfunds, 17-2-102, 17-2-103, 17-2-105, 17-7-102, 20-25-427
Suspense accounts, 17-2-104
Taxes collected by state, accounting for, 17-2-103
Treasury cash account, 17-6-202
Unnecessary, 17-2-106

TREES
Airports and landing fields, See generally **AIRPORTS AND LANDING FIELDS, Height of buildings and structures; Influence areas; Zoning and hazard regulations**
Arbor Day, official day of observance, 1-1-225
Arboretum, state — designation, 1-1-513
Boundaries
    mining claims, location — marking, 81-4-219, 82-2-101
    national forest, marking land and mining claims in, 81-4-219
    property, ownership on, 70-16-204
Christmas trees
    cultivated christmas trees, 15-44-102
    farms or harvesting not forest practices, 76-13-102
Cities and towns, planting and protection, 7-12-4102, 7-12-4136, 7-16-4102, 7-16-4221
City or town councils, powers and duties, 7-12-4136, 7-16-4102
Coniferous trees and boughs, unlawful transportation, 76-13-601
Conservation districts, land use regulations, 76-15-101, 76-15-706
Conservation easements, tree-cutting provisions, 76-6-203, 77-2-319
Corner, property — accessory to a corner, 70-22-103, See **PROPERTY, REAL, Corner records**
Counties, land for production, 7-8-2401
Criminal mischief, destruction or injury as, 35-21-704
Cutting of trees
    conservation easements, 77-2-319
    damages, 70-16-107, 70-16-108
    forest owners or operators, not forest practices when, 76-13-102
    mausoleums and columbariums, criminal mischief, 35-21-704

TREES (Continued)

Diseases, See **FORESTS AND FORESTRY**, **Disease and insect pest control**; See also **PRODUCE**
Eminent domain, rights in land subject to, 70-30-104
"Fixture" defined, 70-15-103, See **PROPERTY, REAL**, **Fixtures**
Floodplain and floodway obstructions, 76-5-103, 76-5-206, See also **FLOODPLAINS AND FLOODWAYS**
Forest and forest products, See **FORESTS AND FORESTRY**
Fruit trees, Title 80, chapter 3, part 3, See **PRODUCE**
Highways, property acquired for, 60-4-103
Inheritance tax, alternate valuation, 72-16-331, See **TAXATION, ESTATES**
Injury to
  criminal mischief, 35-21-704
  damages, 70-16-107, 70-16-108, 81-4-216
Livestock, trespassing
  damage by, 81-4-216
  national forest, marking boundaries of land and mining claims, 81-4-219
Mausoleums and columbariums, 35-21-622, 35-21-704
Mining
  location of claim, marking, 81-4-219, 82-2-101
  metal mines reclamation, "vegetative cover" defined, 82-4-303
  strip and underground mine reclamation
    permit application, enumeration of existing vegetation, 82-4-222
    planting of vegetation, 82-4-233
      ownership, 82-4-236
    waste disposal, 82-4-231
Nurseries, Title 80, chapter 7, part 1, See **PRODUCE**
Off-highway vehicle use, inherent risks, 23-2-822
Oil and gas surface owner, damage to property — "agricultural production" defined, 82-10-502
Overtime compensation exclusion for employees employed in planting or tending, 39-3-406
Park Commissioners
  county board of — duty, 7-16-2328
  municipal board of — powers and duties, 7-16-4221, 7-16-4222, 7-16-4225
Pedestrian malls, 7-14-4704
Pesticide dealers, 80-8-102
Professional land surveyors, clearing — approval, 70-16-111
Snowmobiling, inherent risks, 23-2-654
Special improvement districts, 7-12-4102, 7-12-4136
Spiking as criminal endangerment, 45-5-207
Streets, along, 7-12-4102, 7-16-4221, 7-16-4222
Youth conservation corps work projects, 76-21-201

TRESPASS
  See also **PROPERTY, REAL**, **Damage or destruction**; **TORTS**, generally
Criminal, See **CRIMES**, **Criminal trespass**
Drainage district commissioners, right of entry protects from liability, 85-8-363
Duress, as, 28-2-402
Fire danger areas, closure to, 87-3-106
Firewardens, liability, 77-5-105
Force, justifiable use of — right to, 45-3-104, 49-1-103
Hunting, nonresident reserved licenses — resident landowner sponsors' duty concerning applicants, 87-2-511
Livestock, by, Title 76, chapter 16; Title 81, chapter 4, See **GRAZING DISTRICTS**, **Trespassing livestock**; **LIVESTOCK**, **Herd districts**; **Running at large**
Menace, as, 28-2-403
Mining lands, entry for reclamation by department of environmental quality excluded, 82-4-239
Motor vehicles damaged by, 61-3-202, 61-3-210 — 61-3-212

TRESPASS (Continued)

Personal property, See **CONVERSION**; **PROPERTY, PERSONAL, Damage or destruction**
Posting of land, requirements, 45-6-201, 77-1-806
Railroad personnel, authority, 69-14-1003
Restoration, duty, 27-1-713
School lands, trespass on — disposition of money recovered from, 20-9-601
Security guards, Title 37, chapter 60
State lands, on, 77-1-111, 77-1-116, 77-1-806
Statutes of limitations, 27-2-207, 27-2-303
Timber, for taking, 70-16-107, 70-16-108
Water, See **WATER USE, Entry on land**, generally

TRUST COMPANIES
    See **BANKS AND TRUST COMPANIES**; **TRUSTS**

TRUST DEEDS, 71-1-321
    See **MORTGAGES**; **TRUST INDENTURES**

TRUST INDENTURES
    See also **MORTGAGES**, generally
Acknowledgments
    notice of sale, 71-1-313
        copies, requests for, 71-1-314
        recorded, cancellation, 71-1-312
    trustee, substitution — by beneficiaries, 71-1-306
Affidavits, 71-1-315, 71-1-318
Agricultural loan authority program, 80-12-216, 80-12-302, 80-12-303, 80-12-308, 80-12-312, 80-12-313
Attorneys' fees, 71-1-312, 71-1-316, 71-1-320
Authorization, 71-1-304
Breach, 71-1-304, 71-1-312, 71-1-313, 71-1-318
Citation of Small Tract Financing Act of Montana, 71-1-301
Cities and towns, refunding revenue bonds, 7-7-4622
Coal severance tax bonds, 17-5-711, 17-5-712
Condominiums, common expenses, 70-23-607, 70-23-610
Conflict of laws, 71-1-305
Consumer loan businesses, open-end loans — security, 32-5-505
Counties
    health care facilities, bonds, 7-34-2411
    name change, effect, 7-2-2509
Default, 71-1-312, 71-1-313, 71-1-318
Definitions, 71-1-303, 71-1-305
Development corporations, 32-4-208
Discharge, 71-1-307
Economic development bonds, 17-5-1511, 17-5-1517
Foreclosure, 71-1-304, 71-1-313, 71-1-315
    advertisement and sale, by, 71-1-304, 71-1-311, 71-1-313, 71-1-315, 71-1-317, 71-1-320
    assignment, 71-1-312, 71-1-313
    cancellation, 71-1-312
    deficiency judgment not allowed, 71-1-317
    possession, 71-1-319
    sale, 71-1-304, 71-1-311, 71-1-313, 71-1-315, 71-1-317
        attorneys' fees, 71-1-320
        deed to purchaser, 71-1-315, 71-1-318
        notice, 71-1-312 — 71-1-315, 71-1-318
        power of sale, 71-1-304, 71-1-312, 71-1-316, 71-1-318
        proceeds, 71-1-316

TRUST INDENTURES (Continued)
Foreclosure (Continued)

  service of process by publication, Title 25, chapter 20, M.R.Civ.P., Rule 4D
  time for, 71-1-311
  water conservation revenue bonds, 85-1-307, 85-1-308
Health Facility Authority bonds, 90-7-307
Highway revenue bonds, 17-5-923 — 17-5-925
Housing authorities, municipal, See **HOUSING AUTHORITIES, MUNICIPAL**
Housing development, lower income — revenue bonds, security for, 90-6-116
Irrigation district undertakings, security interest, 85-7-1434
Mortgage law, applicability
  deeds of trust and trust deeds, 71-1-321
  exclusions, 71-1-224, 71-1-228, 71-1-234
  foreclosure, 71-1-304, 71-1-311
  reverse annuity mortgage loans, termination provisions, 90-6-506
  trust indenture as mortgage, 71-1-305
Municipal finance consolidation bonds and notes, 17-5-1610, 17-5-1624
Parking commissions, See **PARKING COMMISSIONS**, **Revenue bonds**, indentures
Policy of state, 71-1-302
Port authority bonds secured by, 7-14-1133
Public fund deposits, security for, 17-6-103
Railroad rehabilitation or rolling stock revenue bonds, to secure, 60-11-1106, 60-11-1107, 60-11-1206, 60-11-1207
Reconveyance, 71-1-307
Recordation, 71-1-313
  deed, trustee's, 71-1-318
  notice of sale, 71-1-312 — 71-1-315
  trustee, appointment of successor, 71-1-306
Redemption, 71-1-228, 71-1-318
Regents of Higher Education, Board of — to secure bonds, 20-25-402
Reinstatement after correction of default, 71-1-312, 71-1-320
Reserve funds for taxes and insurance, 71-1-113 — 71-1-115
Sale, See **Foreclosure**
Satisfaction, 71-1-307
Secured transactions, secured party, 30-9-105
Securities registration, evidence of appointment, 30-8-402
Subdivisions, land division created as security — exemption, 76-3-201
Tenants at will, 71-1-319
Title to property, 71-1-303, 71-1-314, 71-1-318
Trustee, 71-1-303
  evidence of trustee's deed, 71-1-318
  fees, 71-1-312, 71-1-316, 71-1-320
  notice of sale after default, 71-1-313, 71-1-315
  power of sale, 71-1-304
  qualifications, 71-1-306
  reconveyance, 71-1-307
  successor trustee, 71-1-306, 71-1-313
Urban renewal bonds, 7-15-4322
Wastewater treatment works revolving loan program bonds, security, 75-5-1106, 75-5-1121
Water conservation revenue bonds, as security for, 85-1-206, 85-1-303, 85-1-305 — 85-1-309, 85-1-323

TRUSTS
  See also **BANKS AND TRUST COMPANIES**
Abatement, applicability of provisions, 72-33-106
Acceptance of trust by trustee, 72-33-601, 72-33-602, 72-34-101, 72-35-104
  transfer of trust or trust property
    from another jurisdiction, 72-35-504

TRUSTS (Continued)
Acceptance of trust by trustee (Continued)
  transfer of trust or trust property (Continued)
    to another jurisdiction, 72-35-403
Accounting
  breach of trust, disclosure of existence by, 72-34-128, 72-34-511
  minors, transfers to — custodian, 72-26-802
  permissive accounts, contents, 72-34-128
  settlement of accounts, proceedings for, 72-35-301
  transfer of trust or trust property to another jurisdiction, contents of petition, 72-35-403
  trustee, by, 72-34-128, 72-35-301, 72-35-312
Acknowledgments
  instrument of trust, 72-36-206
  minors, transfers to
    instrument creating custodial property and effecting transfer, 72-26-603
    receipt for delivery of custodial property, 72-26-608
Actions and proceedings
  administration of trust, intermittent judicial intervention, 72-35-314
  appeal of orders, 72-35-312
  appearance, notice of, 72-35-308
  application of trust code, 72-33-102
  appointment of trustee, 72-35-106, 72-35-301
  attorney's fees, 25-10-301
  breach of trust
    claims against trustee, limitations, 72-34-511
    remedies, 72-34-506, 72-35-301
  capacity of trustees, Title 25, chapter 20, M.R.Civ.P., Rule 17(a); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10A
  charitable trusts
    commencement, 72-34-206, 72-35-301
    enforcement, 72-33-503, 72-35-315
  commencement, 72-35-302
  construction of trust, expenses charged against principal and income, 72-34-416
  contract actions, counterclaim, 25-4-403
  costs, 25-10-108, 25-10-301, 72-34-416
  cotrustees, dissenting — liability to third persons, 72-36-104
  counterclaim, 25-4-403
  creditors or debtors of trust, by or against, 72-35-101
  declaratory judgment, 27-8-204
  defense, 72-34-112, 72-34-343
  deposits in court, 25-8-101
  execution, 25-13-306
  existence of trusts, 72-35-101, 72-35-301
  future interest of beneficiary, notice requirements, 72-33-705
  hearings on petitions, 72-35-302, 72-35-306
  injunctions, 27-19-102, 72-34-506
  internal affairs of trust
    jurisdiction, 72-35-101, 72-35-102
    jury trial, no right to, 72-35-107
    petitions concerning, 72-35-301
  jurisdiction, 72-34-206, 72-35-101, 72-35-102, 72-35-104, 72-35-105, See also **Court**, jurisdiction
  jury trial, no right to, 72-35-107
  liability between trustee and trust estate, determination, 72-36-106
  minors, transfers to
    accounting, 72-26-802
    claims against custodial property, 72-26-706, 72-26-802
    successor custodian, to enforce delivery of custodial property and records, 72-26-801
  modification or termination of trust, consent of beneficiary by guardian ad litem, 72-33-408

TRUSTS (Continued)
Actions and proceedings (Continued)

- notice, See **Notice**
- orders, See **Orders**
- parties, 72-34-206, 72-35-105; Title 25, chapter 20, M.R.Civ.P., Rule 17(a); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10A
- petitions, See **Petitions**
- pleadings, 72-1-303
- private foundations, commencement, 72-34-206
- prosecution, power of trustee, 72-34-343
- real party in interest, Title 25, chapter 20, M.R.Civ.P., Rule 17(a); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10A
- real property, involving — by third persons, 72-36-206
- service of process, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 4A, 4D
  - judgment creditor seeking to reach beneficiary's interest, by, 72-33-304
- split-interest trusts, commencement, 72-34-206
- subject matter
  - conflict of interest, notice requirements, 72-33-705
  - jurisdiction, 72-34-206, 72-35-101
- transfer of trust or trust property, 72-35-301, 72-35-402, 72-35-502
  - pending litigation, effect, 72-35-403, 72-35-406
- trustees, against
  - barred when, 72-34-128, 72-34-511
  - claims, 72-34-511, 72-36-105
- trustees and third persons, 72-35-101
- venue, 72-35-106, 72-35-301

Acts of trustee generally
- delegation, 72-34-113
- information, duty of trustee to report, 72-34-125, 72-35-312
- proceedings concerning, 72-35-301
- resignation of trustee, liability, 72-33-617
- review by court, 72-34-128
- set aside, remedy for breach of trust, 72-34-506
- unauthorized or forbidden, court order concerning modification or termination of trust, 72-33-413

Additional trustees, 72-1-103, 72-33-108, 72-34-402

Additions
- acceptance, power of trustee, 72-34-307
- testamentary, 72-2-531

Administration of trust
- care, diligence, and skill of trustee, 72-34-114, 72-34-118
- combination of similar trusts, 72-33-415
- compensation of trustee, order for — prospective application, 72-33-626
- contracts, liability of trustee to third persons, 72-36-101, 72-36-105
- cotrustees, 72-34-116, 72-34-503
- delegation of duties by trustee, 72-34-113, 72-34-503
- duties of trustee, 72-34-101, 72-34-103, 72-34-116
- expenses, See **Expenses**
- information to beneficiary, 72-34-124, 72-34-125
- judgment or decree, trust created or determined by, 72-1-103, 72-33-108
- judicial intervention, 72-35-314
- jurisdiction, 72-35-103, 72-35-104, 72-35-314
- lien of trustee for expenses, losses, and liabilities, 72-33-632
- mineral trusts for unlocatable owners, 82-1-304
- modification, 72-33-413
- place of, 72-35-103, 72-35-104, 72-35-106
  - transfer, 72-35-401 — 72-35-406, 72-35-501 — 72-35-508

TRUSTS (Continued)
Administration of trust (Continued)

- principal and income, allocation of receipts and expenditures, 72-34-403, 72-34-416
- principal, low fair market value — effect, 72-33-412
- receiver, appointment for, 72-34-506
- removal of trustee, 72-33-618, 72-33-620
- resignation of trustee, 72-33-620
- temporary trustee, appointment for, 72-34-506, 72-35-311
- torts, liability of trustee, 72-36-103, 72-36-105
- transferred trust, 72-35-508
- trust property held in form of cash or checking account, 72-34-311

Adverse trust, trustee not to undertake, 72-34-106
Affidavit, successor trustee — real property transactions, 72-36-206
Agents

- authority, exceptions, 28-10-407
- compensation, 72-34-128, 72-34-337
- corporate reorganization, trustee's consent by, 72-34-329
- delegation of trustee's duties to, 72-34-113, 72-34-502
- employment by trustee, 72-34-128, 72-34-341, 72-34-502
- instrument of trust, signature, 72-33-208
- liability of trustee for acts or omissions by, 72-34-502
- supervision, 72-34-113, 72-34-502

Agricultural loan authority program, duties vested in trustee, 80-12-216, 80-12-302
Alien insurers, trusteed assets, See **INSURERS ORGANIZATION AND REGULATION GENERALLY**, **Foreign or alien insurers**
Amendment of trust, See **Modification of trust**
Animal and research facilities protection, Title 81, chapter 30, part 1
Appeals

- orders, from, 72-35-312
- removal of trustee, petition for, 72-33-618

Applicability of law, 72-33-102
Appointment

- guardian ad litem, 72-1-303, 72-33-705, 72-35-313
- receiver, 7-7-4630, 72-33-616, 72-33-619, 72-34-506
- trustee
  - certificate of, issuance, 72-33-604
  - conservator or guardian, for — effect, 72-33-619
  - court, by, 72-1-103, 72-33-108, 72-33-412, 72-33-621, 72-35-301, 72-35-506, 72-35-507, 82-1-302
  - temporary trustee, 72-33-616, 72-34-506, 72-35-311
  - transfer of trust or trust property from another jurisdiction, 72-35-503, 72-35-506, 72-35-507
  - vacancy in office, 72-33-620, 72-33-621
  - venue, 72-35-106, 72-35-503

Arts, facilities for — trustees, 7-16-2203, 7-16-2204
Assets of trust, information to beneficiaries, 72-34-125, 72-34-128
Assignment

- beneficiary, owner of interest by, 72-33-108
- property, for benefit of creditors, Title 31, chapter 2, part 2
- transfers to minor, creation of custodial property, 72-26-603

Attorneys at law

- appearance, notice — service, 72-35-308
- employment by trustee, 72-34-341
- fees, 25-10-301, 72-34-416, 72-35-313
- petitions
  - copy, request for, 72-35-308
  - special notice of filing, request, 72-35-307

Banks

- deposits in, 72-34-311

TRUSTS (Continued)
Banks (Continued)

- minors, transfers to — custodian, 72-26-502, 72-26-603
- trustee, as, See **BANKS AND TRUST COMPANIES, Trusts**

Beneficiaries, 72-1-103, 72-33-108
- accounts to, 72-34-128, 72-34-511, 72-35-301, 72-35-312
- acts of trustee, petition for court review, 72-34-128, 72-35-301
- adverse trust, trustee not to undertake, 72-34-106
- annual statements to, 72-34-126, 72-34-127
- appearance, notice — service and filing, 72-35-308
- ascertainment, proceedings for, 72-35-301
- bond, trustee's — to protect interests, 72-33-603
- breach of trust by trustee, 72-34-501
  - agent's acts or omissions, 72-34-502
  - claims, 72-34-128, 72-34-511
  - consent by beneficiary to relieve liability, 72-34-514
  - cotrustees, acts of, 72-34-503
  - discharge of liability
    - release or contract, 72-34-515
    - subsequent affirmance of transactions, 72-34-516
  - predecessor trustee, 72-34-504
  - remedies, 72-34-506, 72-34-507
- charitable trusts, enforcement of rights, 72-35-315, See also **Charitable trusts**
- combination of similar trusts, petition for, 72-33-415, 72-35-301
- compensation of trustee, agreement, 72-34-105
- cotrustee
  - beneficiary as, 72-34-130
  - breach of trust, liability of trustee, 72-34-503
- creation of trust, prerequisite, 72-33-206
- creditors or transferees
  - payments to, trustee's discretion and liability, 72-33-304, 72-33-305
  - transfer of interest, restraint — invalid when, 72-33-305
- designation, 19-2-801, 72-33-203, 72-33-206, 72-33-207
- devisee as, 72-33-106
- disability, legal — distribution under, 72-34-339
- division of trusts, petition for, 72-33-416, 72-35-301
- existence of trust, petitions concerning, 72-35-301
- fertility, rebuttable presumption, 72-33-409
- future interest, 72-33-108
  - notice in actions involving, 72-33-705
- guardian ad litem, 72-33-408, 72-34-511
- hearings, notice, 72-35-306
- hiring of trustee, agreement, 72-34-105
- impartiality by trustee, 72-34-104
- incapacitated, 72-34-511, 72-34-514 — 72-34-516
- income, See also **Income beneficiaries**
  - payment, discretion and liability of trustee, 72-33-304
  - power to take or distribute, standard governing, 72-34-130
  - transfer of interest, restraint, 72-33-301, 72-33-303 — 72-33-306
- information to, duty of trustee, 72-34-124, 72-34-125, 72-34-127, 72-35-301, 72-35-312
- internal affairs of trust, petitions concerning, 72-35-301
- judgments, money — enforcement, 72-33-301 — 72-33-303
- jurisdiction of court, 72-35-104
- liability of trustee to
  - agent's acts or omissions, 72-34-502
  - cotrustees, acts of, 72-34-503
  - predecessor trustee, acts of, 72-34-504

TRUSTS (Continued)
Beneficiaries (Continued)

- lien of trustee, 72-33-632
- loans to, 72-34-338
- loyalty of trustee, 72-34-103
- minors, 72-34-511, See also **Minors, transfers to**
- modification of trust, 72-33-406 — 72-33-409, 72-33-413, 72-35-301
- notice to, 72-33-703, 72-33-705, 72-34-103, 72-35-306, 72-35-307
- parties to proceedings, 72-34-206
- petitions, See **Petitions**
- principal
  - fair market value, low, 72-33-412
  - payment, discretion and liability of trustee, 72-33-304
  - perpetuities, statutory rule against — exclusions, 72-2-1005
  - power to take or distribute, standard governing, 72-34-130
  - transfer of interest, restraint, 72-33-302 — 72-33-306, 72-33-412
- public employees' retirement benefits, trust as, 19-2-801
- real property transactions, effect, 72-36-206
- rejection of trust or trust modification, delivery to, 72-33-601
- remainder beneficiaries, principal and income determination
  - administration of trust, manner, 72-34-403
  - definitions, 72-34-402
  - principal, determination generally, 72-34-404
- removal of trustee, 72-33-618, 72-34-506, 72-35-301
- reports by trustee, 72-34-125, 72-34-511, 72-35-301, 72-35-312
- resignation of trustee, consent, 72-33-616
- revocable trusts
  - consent, 72-33-702
  - notice to, 72-33-703
  - rights, limits, 72-33-701, 72-34-127
  - written direction to trustee, nonliability for following, 72-34-513
- split-interest trusts, exceptions, 72-34-204
- standard of care, diligence, and skill of trustee, 72-34-114
- successor, 72-33-210
- termination of trust, 72-33-406 — 72-33-409, 72-33-412 — 72-33-414, 72-35-301
- transfer of interest, restraint
  - disclaimer or renunciation not transfer, 72-33-306
  - income or principal, 72-33-301 — 72-33-305
    - fair market value of principal, low — effect, 72-33-412
  - invalid when, 72-33-305
  - modification of trust subject to, 72-33-412, 72-33-413
  - termination of trust subject to, 72-33-406, 72-33-412, 72-33-413
- transfer of trust or trust property
  - from another jurisdiction, petition
    - contents, 72-35-504
    - filing, venue, 72-35-503
    - opposition, filing, 72-35-505
  - to another jurisdiction, petition
    - contents, 72-35-403
    - opposition, filing, 72-35-404
- trust, designation as, 19-2-801, 72-33-203, 72-33-207
- trustee
  - as, 72-33-203, 72-33-207, 72-33-622, 72-34-130
  - selection of beneficiary, 72-33-206
- trustor as, 72-33-210, 72-33-305
- trust property
  - disposition on termination of trust, 72-33-414

TRUSTS (Continued)
Beneficiaries (Continued)
  trust property (Continued)
    sale or exchange, duties of trustee, 72-34-103
    surrender, petition for, 72-33-618
  vacancy in office of trustee, petition for appointment to fill, 72-33-621
Boat certificate of ownership, transfer of interest by trustee, 23-2-510
Bond issues
  economic development, Title 17, chapter 5, part 15
  highway revenue, Title 17, chapter 5, part 9
  municipal finance consolidation, Title 17, chapter 5, part 16
Bonds, official, See also **SURETY BONDS**, **Official bonds**
  custodian of transfer to minor, 72-26-704, 72-26-801
  trustee, 2-9-505, 72-33-603, 72-33-617, 72-35-403, 72-35-504, 72-35-506
Borrowing money, power of trustee, 72-34-332
Breach of trust, 72-34-501
  cotrustees, 72-34-116, 72-34-503
  minors, transfers to — custodian, 72-26-701
  redress, 72-34-116, 72-34-502 — 72-34-504, 72-34-506, 72-35-301
  trustee
    agent's acts or omissions, liability for, 72-34-502
    claims against, 72-34-128, 72-34-511
    consent by beneficiary to relieve trustee of liability, 72-34-514
    cotrustees, liability for, 72-34-503
    discharge of liability
      release or contract by beneficiary, 72-34-515
      subsequent affirmance of transactions, 72-34-516
    exculpation, 72-34-512
    measure of liability, 72-34-508, 72-34-509
    predecessor's acts or omissions, liability of successor, 72-34-504
    remedies, 72-34-506, 72-34-507, 72-35-301
    removal, grounds for, 72-33-618, 72-34-506
Building and loan associations
  deposits in, power of trustee, 72-34-311
  minors, transfers to — custodian, 72-26-502, 72-26-603
  shares and savings accounts held in trust, 32-2-417
Burial plans, prearranged, See **Funeral plans, prearranged**
Business
  business trusts, applicability of laws, 72-1-103, 72-33-108, See **CORPORATIONS**
  continuation by trustee, 72-34-308
  fraudulent transfers, Title 31, chapter 2, part 3
  reorganization, consent — power of trustee, 72-34-329
Capacity of trustee, 72-33-622; Title 25, chapter 20, M.R.Civ.P., Rule 17(a); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10A
Capital companies, tax credits for investment in, 90-8-202
Care, diligence, and skill of trustee, See also **Standard of care**
  agents, selection or retention, 72-34-502
  compensation, effect, 72-34-118
  discretion of trustee, 72-33-304
  duty to use, 72-34-114, 72-34-115
  institutional funds, governing board, 72-30-206
  investments, 72-34-121
  minors, transfers to — custodian, 72-26-702
  prudent man standard, 72-26-702, 72-30-206, 72-34-114, 72-34-121
  special skills, duty to use, 72-26-702, 72-34-115
Cemetery association trustees, See **CEMETERY ASSOCIATIONS**
Cemetery district permanent care and improvement fund trustees, See **CEMETERY DISTRICTS, Permanent care and improvement fund**

TRUSTS (Continued)

Cemetery district trustees, See **CEMETERY DISTRICTS**
Cemetery trustees, 7-3-4254
Certificate of trustee, 72-33-604
Charitable trusts, 72-34-201
    application of trust code, 72-33-105
    beneficiary, applicability, 72-1-103, 72-33-108, 72-33-206, 72-35-315
    cy pres doctrine, 72-33-504
    distribution of income and principal, duty of trustee, 72-34-202
    duties of trustee, 72-33-501, 72-34-202
    enforcement, 72-1-103, 72-33-108, 72-33-503, 72-35-315
    instrument of trust, incorporation of provisions, 72-34-205, 72-35-301
    jurisdiction of attorney general, 72-33-105, 72-35-306, 72-35-315
    proceedings, 72-34-206, 72-35-301
    purposes, 72-33-501, 72-33-502, 72-33-504
    restrictions on trustees, 72-34-203
    "trust" defined, 72-1-103, 72-33-108
Children, See **Minors**; **Minors, transfers to**
Child support obligation
    medical support reform, trustee as payor of income, 40-5-804, 40-5-807, 40-5-810, 40-5-812 — 40-5-814
    sale or transfer of property includes reservation of trust, contempt when, 40-5-601
Citations
    Montana uniform transfers to minors act, 72-26-501
    revised uniform principal and income act, 72-34-401
    trust code, 72-33-101
    uniform management of institutional funds act, 72-30-101
Cities and towns
    cemeteries, jurisdiction and control by trustees, 7-35-4108
    charitable trusts for, 72-33-502, See **Charitable trusts**
    "person" defined as trust or trustee, 7-1-4121
    property held in trust, sale or lease, 7-8-4201
    public money, deposit security, 7-6-207
        substitution, 7-6-208
    refunding revenue bonds
        enforcement of covenants by trustees, 7-7-4622
        receiver, trustee to apply for appointment of, 7-7-4630
        remedies of trustees, 7-7-4633
        revenues pledged for payment, 7-7-4628
    revenue bonds, 7-7-4428
    tax sales, property acquired by, 15-17-317, 15-17-318
Claims
    breach of trust, limitations, 72-34-128, 72-34-511
    contracts, 72-36-105
    minors, transfers to — against custodial property, 72-26-706, 72-26-802
    payment, settlement, or release, 72-34-336
    prosecution or defense, power of trustee, 72-34-343
    revocable trusts, creditor's rights, 72-36-301, 72-36-302
    torts, 72-36-105
    trust property, 72-34-105, 72-34-111, 72-36-105
Close corporations
    shareholders, number, 35-1-550
    share transfers, 35-9-202
Combination of similar trusts, 72-33-415, 72-35-301
Common law, applicability, 72-33-103, 72-34-506
Common trust funds, applicability of laws, 72-1-103, 72-33-108, See **BANKS AND TRUST COMPANIES**

TRUSTS (Continued)

Compensation
    agent, 72-34-128, 72-34-337
    custodian of transfer to minor, 72-26-704
    employees, 72-34-337
    guardian ad litem, 72-35-313
    institutional funds, investment advisory services, 72-30-205
    trustee
        accounts to beneficiary, 72-34-128
        agreement between trustee and beneficiary, 72-34-105
        breach of trust, remedies, 72-34-506
        cotrustees, 72-33-630
        devise in lieu of, 72-16-305
        instrument of trust, provision in, 72-33-626
        investments, temporary — services rendered in making, 72-33-628
        payment, 72-34-337, 72-35-301
        principal and income determination, charge against, 72-34-416
        prospective compensation, determination, 72-33-629
        reimbursement for expenditures, 72-33-631, 72-34-105
        silent trust, effect, 72-33-627
        standard of care not affected by, 72-34-118
Confidential employment, applicability of laws, 39-2-103
Conflict of interest
    adverse trust, trustee not to undertake, 72-34-106
    duty of trustee to avoid, 72-34-105, 72-34-106
    guardian ad litem, appointment, 72-35-313
    parent of minor beneficiary, receipt of account or report, 72-34-511
Conservatorships and conservators
    applicability of laws, 72-1-103, 72-5-423, 72-33-108
    appointment for individual trustee, effect, 72-33-619
    court, creation by when acting as conservator, 72-5-421, 72-5-422
    minors, transfers to, 72-26-502, 72-26-606, 72-26-801, See also **Minors, transfers to**
    preservation by conservator, 72-5-431
    title, conservator holds as trustee, 72-5-425
Construction
    institutional funds
        gift instrument, 72-30-203
        management provisions, 72-30-103
    minors, transfers to, 72-26-506
    trust
        actions and proceedings relating to, 72-34-416, 72-35-301
        wills, laws affecting — applicability, 72-33-106
Constructive trusts, 72-33-219, 72-33-220
    breach of trust, imposition as remedy, 72-34-506
    effect of trust code, 72-33-104
    "trust" defined, 72-1-103, 72-33-108
Continuance of trust
    impairment caused by, 72-33-412, 72-33-413
    perpetuities, statutory rule against — exclusions, 72-2-1005
    purpose of trust, necessary for, 72-33-406
Contracts
    breach of trust, discharge of trustee's liability by, 72-34-515
    claims, assertion, 72-36-105
    counterclaim, 25-4-403
    funeral plans, prearranged, 72-37-101
    institutional funds, investment advisory services, 72-30-205

TRUSTS (Continued)
Contracts (Continued)

- liability of trustee to third persons, 72-36-101, 72-36-105
- minors, transfers to
  - claims against custodial property, 72-26-706
  - nomination of custodian, 72-26-601
  - transfer effected by, 72-26-603
- perpetuities, statutory rule against — exclusions, 72-2-1005
- promise to create trust, enforceability, 72-33-209

Conveyances, See **Transfer** entries
Corporations
- business trusts, See **CORPORATIONS**
- conflicting interest transactions, 35-1-461 — 35-1-464
- continuation of business by, 72-34-308
- dissolution, creation for property at, 27-28-504, 35-6-104, See also **CORPORATIONS**, **Dissolution**, receiver; **Liquidation**, receiver
- distributions, principal and income determination, 72-34-404, 72-34-405, 72-34-407
- documents, execution, 35-1-217
- "entity" defined, 35-1-113
- indemnification, 35-1-451 — 35-1-459
- oath of, 72-31-101
- powers of
  - corporation, 35-1-115
  - trustee, 35-1-217, 35-1-316, 35-1-527, 35-1-532, 72-34-308, 72-34-326
- reorganization, consent — power of trustee, 72-34-329
- service of process, trustees for, 35-1-316
- services provided by, not violation of trustee's fiduciary duties, 72-34-117
- shares, membership, or property — power of trustee, 72-34-326
- trustee, as, 35-1-115, 72-31-101, 72-33-622, 72-34-117
- ultra vires, challenges, 35-1-117
- vote, consent, proxy appointment, or waiver — signatures, acceptance, 35-1-527
- voting trusts, 35-1-532, 35-1-541, 35-1-826, 35-1-1107

Costs, See **Compensation**; **Expenses**
Cotrustees
- administration of trust, 72-34-116, 72-34-503, 72-35-103
- breach of trust, 72-34-116, 72-34-503
  - remedies, 72-34-506
- charitable trusts, enforcement, 72-33-503
- compensation, 72-33-630
- delegation of duties to, 72-34-113, 72-34-503
- dissenting, liability to third persons, 72-36-104
- duties generally, 72-34-116, 72-36-104
- incapacity, temporary, 72-33-613
- powers, how exercised, 72-33-611, 72-34-130
- removal of trustee, 72-33-618, 72-34-506
- surrender of trust property, petition for, 72-33-618
- vacancy in office, 72-33-612, 72-33-621

Counties
- abandonment and consolidation, special funding bond district trustees, 7-2-2747, 7-2-2748
- bonds, warrants, or coupons — replacement of lost, 7-7-2104
- public money, deposit security, 7-6-207
  - substitution, 7-6-208
- water and/or sewer districts, duties performed by trustees when, 7-13-2260

Court, See also **DISTRICT COURT JURISDICTION**
- accounts, review, 72-34-128, 72-35-301
- acts of trustee, review, 72-34-128, 72-35-301
- administration of trust, intervention, 72-35-314

TRUSTS (Continued)
Court (Continued)

- application of trust code, 72-33-102
- appointment
  - receiver, 72-33-616
  - trustees, 72-1-103, 72-33-108, 72-33-412, 72-33-616, 72-33-621, 72-35-301, 72-35-311, 72-35-506, 72-35-507, 82-1-302
- bond or security of trustee, 72-33-603, 72-35-506
- breach of trust, measure of liability — trustee excused when, 72-34-508
- certificate of trustee, issuance, 72-33-604
- charitable trusts, application of property to charitable purpose, 72-33-504
- combination of similar trusts, 72-33-415, 72-35-301
- compensation of trustee, determination, 72-33-626, 72-33-629, 72-35-301
- confirmation of trustees, 72-1-103, 72-33-108
- division of trusts, 72-33-416, 72-35-301
- existence of trusts, 72-35-301
- full-power court, 72-35-102
- guardian ad litem, appointment, 72-33-705, 72-35-313
- hearings, notice of continuance or postponement, 72-35-209
- institutional funds gift instrument restrictions, order for release, 72-30-207
- internal affairs of trusts, 72-35-301
- judgment creditor, petition, 72-33-302
- judgments, orders for satisfaction, 72-33-302
- jurisdiction, 72-35-101, 72-35-102, 72-35-104, 72-35-105, See also **Actions and proceedings,** jurisdiction
  - administration of trust, 72-35-314
  - testamentary trust, transfer or removal, 72-35-301, 72-35-312
- minors, transfers to, See **Minors, transfers to**
- modification of trust, 72-33-406, 72-33-407, 72-33-412, 72-33-413, 72-35-301
  - guardian ad litem, consent, 72-33-408
- notice
  - additional — requirement, form, and method, 72-35-207
  - hearings, continuance or postponement, 72-35-209
  - proof of giving or waiver, conclusiveness of order, 72-35-206
  - time for giving, shortening, 72-35-208
- petitions
  - dismissal, 72-35-303
  - grounds for, 72-35-301
  - orders concerning, 72-35-311
- powers of trustee
  - authorization not required when, 72-34-301
  - grant of power, effect, 72-34-303
  - restrictions, relief, 72-34-302
  - suspension, 72-33-618
- principal and income determination, charges against, 72-34-416
- principal, low fair market value — petition and orders relating to, 72-33-412
- real property actions, designation of beneficiary, 72-36-206
- receiver, appointment, 72-33-616
- removal of trustee, 72-33-618, 72-35-301
- resignation of trustee, order for or acceptance, 72-33-616, 72-35-301
- termination of trust, 72-33-406, 72-33-407, 72-33-412, 72-33-413, 72-35-301
  - disposition of trust property, 72-33-414
  - guardian ad litem, consent, 72-33-408

TRUSTS (Continued)
Court (Continued)

- transfer of trust or trust property
  - from another jurisdiction
    - acceptance of trust, filing, 72-35-504
    - appointment and bond of trustee, 72-35-506, 72-35-507
    - order for acceptance, 72-35-502, 72-35-506
      - conditional, 72-35-507
    - petition, filing — venue, 72-35-503
  - to another jurisdiction
    - acceptance of trust, filing, 72-35-403
    - manner of transfer, 72-35-406
    - order for, 72-35-402, 72-35-405
- trust property
  - claims, reimbursement of trustee, 72-34-105
  - disposition on termination of trust, 72-33-414
  - jurisdiction, basis of, 72-35-105
  - preservation, order for, 72-33-616
  - surrender compelled when, 72-33-618
  - vacancy in office of trustee, appointment of person to receive, 72-33-620
- vacancy in office of trustee
  - appointment of person to fill, 72-33-621
  - trust property, appointment of person to receive, 72-33-620

Creation of trust
- application of trust code, 72-33-102
- beneficiary, prerequisite, 72-33-206
- consideration, 72-33-209
- intention to create, 72-33-202
- judgment or decree, by, 72-1-103, 72-33-108
- methods, 72-33-201
- mineral trusts for unlocatable owners, 82-1-302, 82-1-303, 82-1-305
- operation of law, by, 70-20-102, 72-33-208, 72-33-220
- promise to create, enforceability, 72-33-201, 72-33-209
- property, prerequisite, 72-33-203
- purpose, 72-33-204, 72-33-205, See also **Purpose for which trust created**
- real property transactions, effect, 72-36-206
- revocability of trust, domicile of trustor, 72-33-401
- statute of frauds, 70-20-102, 72-33-208
- "trustor" defined, 72-33-108

Creditors
- actions and proceedings by or against, 72-35-101
- beneficiary, creditors or transferees of
  - payments to or for beneficiary, trustee's discretion and liability, 72-33-304, 72-33-305
  - transfer of interest, restraint — invalid when, 72-33-305
- revocable trusts, rights, 72-36-301, 72-36-302

Credit unions
- deposits in, power of trustee, 72-34-311
- minors, transfers to — custodian, 72-26-502, 72-26-603
- trust accounts, 32-3-506

Cy pres doctrine, 72-30-207, 72-33-504

Damages, holding over without consent, 27-1-319

Death
- funeral plans, prearranged, 37-19-101, 72-37-101 — 72-37-103
- institutional funds donor, 72-30-207
- minors, transfers to
  - custodian, 72-26-601, 72-26-605, 72-26-607, 72-26-609, 72-26-801
  - minor, 72-26-803

TRUSTS (Continued)
Death (Continued)

- trustee, 72-33-619
- trustor, 72-33-210, 72-33-601, 72-36-302

Debtors of trust, actions and proceedings by or against, 72-35-101
Decedent's estate
- charitable trusts, qualification, 72-35-301
- income earned during administration, principal and income determination, 72-34-404, 72-34-406, See also **ESTATES AND PROBATE**
- revocable trusts, creditor's rights, 72-36-302

Declaratory judgments, availability, 27-8-204
Definitions, 72-1-103, 72-26-502, 72-30-102, 72-33-108
- affiliate, 72-34-117, 72-34-311
- breach of trust, 72-34-501
- charitable trust, private foundation, and split-interest trust, 72-34-201
- person, 7-1-4121, 72-26-502, 72-33-108
- principal and income, determination, 72-34-402, 72-34-404
- trust company, 72-26-502, 72-33-108
- trustee, 72-1-103, 72-33-108, 72-34-402

Delegation of duties by trustee, 72-34-113, 72-34-502, 72-34-503
Deposits by trustee, 72-34-311, 72-34-329
Depreciation
- breach of trust, resulting value of trust estate — measure of liability, 72-34-508, 72-34-509
- property, depreciation allowance — principal and income determination, 72-34-404, 72-34-416

Developmental disabilities, persons with — self-sufficiency trusts, 53-18-101 — 53-18-105
Devise of property, 72-2-531, 72-33-106, See also **Distribution and payment**
Diligence of trustee, See **Care, diligence, and skill of trustee**
Disbursements of trust
- annual statement, 72-34-126
- information to beneficiaries, 72-34-125, 72-34-128

Discriminatory practices, See **DISCRIMINATION**, generally
Distribution and payment
- breach of trust, trustee compelled to redress by payment of money, 72-34-506
- charitable trusts, 72-34-202
- claims, 72-34-336
- compensation of trustee, agents, and employees, 72-34-337, 72-35-301
- devise as, 72-33-106
- disability, legal — to beneficiary under, 72-34-339
- income, to beneficiary, 72-33-301, 72-33-303 — 72-33-305
  - charitable trusts, 72-34-202
  - discretion and liability of trustee, 72-33-304
  - power of beneficiary to take or distribute, standard governing, 72-34-130
  - private foundations, 72-34-202
- minors, transfers to, 72-26-703
- modification, 72-33-413
- nature of distributions, 72-34-340
- principal and income determination, charges against, 72-34-416
- principal, to beneficiary, 72-33-302 — 72-33-305
  - charitable trusts, 72-34-202
  - discretion and liability of trustee, 72-33-304
  - perpetuities, statutory rule against — exclusion, 72-2-1005
  - power of beneficiary to take or distribute, standard governing, 72-34-130
  - private foundations, 72-34-202
- private foundations, 72-34-202
- value of distributions, 72-34-340

Dividends, trusts for payment — applicability of laws, 72-1-103, 72-33-108

TRUSTS (Continued)

Division
  trust property, 72-34-317
  trusts, 72-33-416, 72-35-301
Drainage district elections, voting rights of trustees, 85-8-305
Duration, See **Term of trust**
Duties of trustee
  cotrustees, generally, 72-34-116, 72-36-104
  performance compelled, 72-34-506
  proceedings concerning, 72-35-301
  real property transactions, 72-36-206
Education
  institutional funds, management, Title 72, chapter 30, See **Institutional funds**
  trusts for, 40-4-202, 72-33-303, 72-33-305, 72-33-502, 72-34-130
Employee benefits
  payment, trusts for — applicability of laws, 72-1-103, 72-33-108
  plans
    insurance producer provisions, exemptions, 33-17-103
    minors, transfers to, 72-26-502, See **Minors, transfers to**
    trust or trustee as beneficiary, 72-33-203, 72-33-207
Endowments, See **Institutional funds**
Enforcement
  charitable trusts, 72-1-103, 72-33-108, 72-33-503, 72-35-315
  claims, 72-34-105, 72-34-111
  money judgments, 72-33-301 — 72-33-303
  promise to create trust, 72-33-201, 72-33-209
  trust, terms of, 72-36-206
Escheated estate funds held in, 72-14-210
Escrow business license applications, contents, 32-7-109
Estates and probate, See **ESTATES AND PROBATE**
Evidence
  advantage from beneficiary, trustee obtaining — presumption of violation of fiduciary duties, 72-34-105
  fertility, beneficiary — rebuttable presumption, 72-33-409
  institutional funds, historic dollar value, 72-30-202
  revocability, presumption, 72-33-401
  validity, 72-33-208
Exchange
  land, 72-34-320
  property, 72-34-316
  trust property, 7-8-4201, 72-34-103, 72-34-114, 72-34-317
Exculpation of trustee, 72-34-512
Execution against, 25-13-306
Existence of trust
  actions and proceedings to determine, 72-35-101, 72-35-301
  beneficiary, designation — effect, 72-33-207
Expenses
  actions, 25-10-108, 25-10-301
  attorney's fees, 25-10-301
  bond, trustee's — cost, 72-33-603
  guardian ad litem, 72-35-313
  lien of trustee, 72-33-632
  minors, transfers to
    custodial property, 72-26-703
    custodian, 72-26-704
  payment, 72-34-337

TRUSTS (Continued)
Expenses (Continued)

  principal and income, determination
    allocation, 72-34-403
    charges against, 72-34-404, 72-34-406
  reimbursement
    custodian of transfer to minor, 72-26-704
    trustee, 72-33-631, 72-34-105
Express trusts
  "trust" defined, 72-1-103, 72-33-108
  united states, indebtedness of district to — exclusion of lands, 85-7-1826
Failure of trust
  charitable purposes, property for — cy pres doctrine, 72-33-504
  resulting trust upon, 72-33-216
Farm animal and research facilities protection, Title 81, chapter 30, part 1
Federal liens, certificates and notices — filing, 71-3-204
Fiduciary
  financial institution or affiliate, services provided by — not violation of trustee's fiduciary duty, 72-34-117
  institutional funds, investments, 72-30-204, See **Institutional funds**
  minors, transfers to, See **Minors, transfers to**
  personal representative, breach of duty — applicability, 72-3-616
  theft involving breach of fiduciary obligation, 45-1-205
  trustee, 72-1-103
    "absolute", "sole", or "uncontrolled" discretion — standard governing, 72-34-130
    contracts entered into, 72-36-101
    grant of power subject to fiduciary duties, 72-34-303
    violation of duties, 72-34-105
Financial institution or affiliate
  deposits in, power of trustee, 72-34-311
  funeral plans, prearranged — deposit of money, 72-37-102, 72-37-103
  minors, transfers to — custodian, 72-26-502, 72-26-603
  services provided by, not violation of trustee's fiduciary duty, 72-34-117
Fine art, sale by art dealer — works of art as trust property, 22-2-503, 22-2-504
Fire department relief association trustees, 7-33-4109
Fire districts, rural — trustees, Title 7, chapter 33, part 21, See **FIRES AND FIRE PROTECTION, Rural fire districts**
Firefighters' retirement fund trustees, 7-3-4464
First Special Service Force Memorial Monument permanent trust fund and corporate trustee, duties, 35-21-901 — 35-21-903
Fish, Wildlife, and Parks — Department of, as trustee, 87-1-613
Foreign corporations, transacting business exclusion, 35-1-1026, 35-2-820
Foreign-money claims, Title 25, chapter 9, part 7
Foreign trust company as trustee, guardian, or conservator, 32-1-1001 — 32-1-1007
Former trustee
  acts or omissions, liability of successor trustee, 72-34-504
  third person dealing with, protection, 72-36-203
Fraternal benefit societies, advance premiums held in, 33-7-208
Fraudulent transfers, Title 31, chapter 2, part 3
Funds, deposit by trustee, 72-34-311
Funeral plans, prearranged
  contract, 72-37-101
  deposit of money, 72-37-102, 72-37-103
  "funeral directing" defined, 37-19-101, See also **MORTICIANS AND FUNERAL DIRECTORS**
Guardian
  minor beneficiary, receipt of account or report, 72-34-511
  minors, transfers to — petitions concerning custodian, 72-26-801, 72-26-802

TRUSTS (Continued)
Guardian (Continued)

- trustee, appointment for — effect, 72-33-619

Guardian ad litem
- account or report, receipt, 72-34-511
- appointment, 72-1-303, 72-33-705, 72-35-313
- trust modification or termination, consent for beneficiary, 72-33-408

Handicapped persons, self-sufficiency trusts, 53-18-101 — 53-18-105
Hazardous or deleterious substances, remedial action upon release, Title 75, chapter 10, part 7
Hazardous wastes, See **HAZARDOUS WASTES**
Health care information, See **HEALTH CARE INFORMATION**
Health maintenance organization, trust as, See **HEALTH MAINTENANCE ORGANIZATIONS**, generally
Hearings
- clerk of the district court, set by, 72-35-302
- continuance or postponement, 72-35-209
- institutional funds gift instrument restrictions, release, 72-30-207
- notice, 72-35-206, 72-35-209, 72-35-306, 72-35-404, 72-35-505
- petitions, on, 72-35-302, 72-35-306, 72-35-404, 72-35-505
- transfer of trust or trust property
  - from another jurisdiction, petition, 72-35-505, 72-35-506
  - to another jurisdiction, petition, 72-35-404, 72-35-405

Hiring
- by trustee, persons to advise or assist, 72-34-341
- of trustee, agreement between trustee and beneficiary, 72-34-105

Historical Society, acquisitions trust, 22-3-107, 22-3-113, 22-3-114
Holding
- minors, transfers to — custodial property, by custodian, 72-26-702
- securities, trustee holding in name of nominee, 72-34-330
- trust property
  - holding over without consent, damages, 27-1-319

Hospital district trustees, See **HOSPITAL DISTRICTS**, **Board of trustees**
Housing authorities, municipal
- bond trustees, 7-15-4528
- investments by trustees, 7-15-4505
- mortgages
  - defined, 7-15-4402
  - trustees' rights, 7-15-4526
- "obligee" defined, 7-15-4402

Housing development sponsor, as, 90-6-103
Illegality
- intended trust, failure, 72-33-216
- purpose of trust, 72-33-204, 72-33-411, 72-33-504
- transfer of property, 72-33-218

Impairment
- beneficiaries
  - creditor's or transferee's rights, 72-33-304
  - interest, 72-33-407, 72-33-415, 72-33-416
- trust, 72-33-412, 72-33-413, 72-33-415, 72-33-416

Impartiality of trustee, 72-34-104
Impossibility
- institutional funds gift instrument restrictions, release — identification of donor, 72-30-207
- trust purpose, fulfillment, 72-33-411, 72-33-504

Improvements
- principal and income determination, charges against, 72-34-416
- trust property, 72-34-317, 72-34-319

TRUSTS (Continued)

Incapacitated
    beneficiaries, 72-33-408, 72-34-511, 72-34-514 — 72-34-516
    cotrustee, 72-33-613
    guardian ad litem appointed for incapacitated persons, 72-35-313
Income
    account to beneficiary, 72-34-128
    annual statement, 72-34-126
    charitable trusts, distribution, 72-34-202
    determination and allocation, See **Principal and income, determination**
    distribution, See **Distribution and payment**
    interest of beneficiary, transfer, 72-33-301, 72-33-303 — 72-33-306
    minors, transfers to — custodial property, 72-26-502, 72-26-703
    payment to beneficiary, discretion and liability of trustee, 72-33-304, See also **Income beneficiaries**
    power of beneficiary to take or distribute, standard governing, 72-34-130
    private foundations, distribution, 72-34-202
    spendthrift trusts, 72-33-301 — 72-33-306
Income beneficiaries
    annual statement to, 72-34-126, 72-34-127
    principal and income, determination, 72-34-404, 72-34-405
        administration of trust, manner, 72-34-403
        charges against principal and income, 72-34-416
        definitions, 72-34-402
    split-interest trusts, exceptions, 72-34-204
Information to beneficiaries, duty of trustee, 72-34-124, 72-34-125, 72-34-127, 72-34-128, 72-35-301, 72-35-312
Injunction, 27-19-102, 72-34-506
Institutional funds
    advisory services, 72-30-205
    appropriation, 72-30-201
    citation of uniform management of institutional funds act, 72-30-101
    construction of gift instrument, 72-30-203
    cy pres doctrine, 72-30-207
    definitions, 72-30-102
    endowment funds, 72-30-102, 72-30-201
    expenditure, 72-30-201, 72-30-203
    historic dollar value, 72-30-102, 72-30-201, 72-30-202
    investments, 72-30-204 — 72-30-207
    net appreciation, 72-30-201, 72-30-203
    restrictions, 72-30-203, 72-30-207
    retention of property, 72-30-204
    standard of care in management, 72-30-206
    state, gifts to, 17-3-1001, 72-30-102
    uniformity of construction, 72-30-103
Instrument of trust
    acceptance of trust, 72-33-601
    acknowledgment, 72-36-206
    acts of trustee not authorized or forbidden by, 72-33-413
    modification, 72-33-601, 72-35-301, 72-36-206
    provisions included
        administration of trust, duties of trustee, 72-34-101, 72-34-114
        beneficiaries, designation, 72-33-206
        bond, trustee's, 72-33-603
        breach of trust, relief from liability, 72-34-512
        charitable trusts, 72-34-205, 72-35-301
        compensation of trustee, 72-33-626, 72-33-627, 72-33-630

TRUSTS (Continued)

Instrument of trust (Continued)
- provisions included (Continued)
  - cotrustees
    - compensation, 72-33-630
    - incapacity, temporary, 72-33-613
    - powers, how exercised, 72-33-611
    - vacancy in office, 72-33-612
  - discretionary powers of trustee, 72-34-130
  - duties of trustees, 72-33-601
  - investments
    - duties of trustee, 72-34-114
    - powers of trustee, 72-34-121, 72-34-310
  - irrevocable trust, creation, 72-33-401
  - modification of trust, 72-33-403
  - powers of trustees, 72-33-601, 72-33-611, 72-34-130, 72-34-301 — 72-34-304, 72-36-206
  - principal and income
    - determination, 72-34-404, 72-34-416
      - allocation of receipts and expenditures, 72-34-403
      - income beneficiary, entitlement to income, 72-34-405
    - payment, 72-33-302, 72-33-304, 72-33-305
  - private foundations, 72-34-205
  - removal of trustee, 72-33-618
  - resignation of trustee, 72-33-616
  - resulting trusts, 72-33-216 — 72-33-218
  - revocable trust
    - person holding power to revoke, determination of incompetence, 72-34-517
    - rights of beneficiary, 72-33-701
  - revocation of trusts, 72-33-401 — 72-33-403
  - split-interest trusts, 72-34-205
  - standard for exercise of trustee's discretion, 72-33-304
  - standard of care by trustee, 72-34-114
  - termination of trust, disposal of property, 72-35-301
  - transfer of beneficiary's interest, voluntary or involuntary, 72-33-301 — 72-33-303
  - trust property
    - disposition on termination of trust, 72-33-414
    - retention, 72-34-109
  - vacancy in office of trustee
    - appointment of trustee to fill, 72-33-621
    - cotrustees, 72-33-612
  - waiver of report or annual statement, 72-34-127
- real property transactions, 72-36-206
- recording, 72-34-206, 72-36-206
- statute of frauds, 70-20-102, 72-33-208
- transfer of trust or trust property
  - from another jurisdiction, 72-35-504, 72-35-506
  - to another jurisdiction, 72-35-401, 72-35-405
- writing required, 72-33-208

Instruments
- execution and delivery, power of trustee, 72-34-342
- gift, 72-30-102, See **Institutional funds**
- minors, transfers to, See **Minors, transfers to**
- recording when trustee is a party, 7-4-2620

Insurance
- administrator provisions, exclusion, 33-17-102
- contracts, trust or trustee as beneficiary, 72-33-203, 72-33-207
- group disability insurance, trustee as policyholder, 33-22-501, 33-22-803

TRUSTS (Continued)
Insurance (Continued)
  group life
    funds, for, 33-20-1002, 33-20-1103
    policyholders, trustees as, 33-20-1101, 33-20-1103
  liability insurance for trustee, 72-34-331
  minors, transfers to, 72-26-603, 72-26-702, See **Minors, transfers to**
  policies issued to trustees, trust agreements regarding, 33-17-602
  principal and income determination, 72-34-404, 72-34-416
  trust property, against damage or loss, 72-34-331
Insurers, alien — trusteed assets, See **INSURERS ORGANIZATION AND REGULATION GENERALLY, Foreign or alien insurers**
Interest
  advances, on — lien of trustee, 72-33-632
  breach of trust, measure of liability, 72-34-509
  principal and income, determination, 72-34-404, 72-34-405, 72-34-416
  trusts for payment, applicability of laws, 72-1-103, 72-33-108
Interested persons, 72-1-103
  charitable trusts, enforcement, 72-33-503
  future interest of beneficiary, notice in actions involving, 72-33-705
  guardian ad litem, request for appointment, 72-35-313
  minors, transfers to
    custodial property, petition for delivery or payment from, 72-26-703
    successor custodian, petition for designation, 72-26-801
  notice, 72-1-303, 72-33-705, 72-35-207
  real property actions or proceedings, judgments — effect, 72-36-206
  rights, application of trust code, 72-33-102
  transfer of trust or trust property
    from another jurisdiction, opposition to petition — filing, 72-35-505
    to another jurisdiction, opposition to petition — filing, 72-35-404
Inter vivos trusts, venue of proceedings, 72-35-106
Invalidity
  doctrine of merger, exception to, 72-33-210
  purpose of trust, 72-33-205
  restraint on transfer, when, 72-33-305
Investments
  charitable trusts, 72-34-203
  compensation of trustee, temporary investments, 72-33-628
  disposal by trustee, 72-34-109
  economic development bonds, 17-5-1525
  health facility authority bonds as legal investment, 90-7-113
  home owners' loan corporation bonds, in, 72-31-102
  housing authorities, municipal — by trustees, 7-15-4505
  income, determination, See **Principal and income, determination**
  institutional funds, 72-30-204 — 72-30-207
  mineral trusts for unlocatable owners, 82-1-304
  minors, transfers to — authority of custodian, 72-26-702
  municipal finance consolidation bonds or notes, 17-5-1628
  obligations of united states government, 72-34-310
  powers of trustee, 72-34-121, 72-34-309, 72-34-310
  principal and income determination, charges against, 72-34-416
  private foundations, 72-34-203
  prudent man standard, 72-26-702, 72-34-114, 72-34-121, 82-1-304
  split-interest trusts, 72-34-203
  standard of care by trustee, 72-34-114, 72-34-121
  terminology concerning powers of trustee, 72-34-121
  urban renewal trustees, by, 7-15-4306

TRUSTS (Continued)

Involuntary transfers, See **Voluntary and involuntary transfer restrictions**
Irrevocable
    minors, transfers to, 72-26-603 — 72-26-607, 72-26-609
        life insurance, beneficiary, 72-26-702
        nomination of custodian, instrument, 72-26-601
    trusts
        instrument of trust, created by, 72-33-401
        modification or termination, 72-33-406
        resignation of trustee, 72-33-616
Irrigation districts
    elections, voting rights of trustees, 85-7-1710
    undertakings, trustee's entitlement to appointment of receiver, 85-7-1419
    united states, indebtedness of district to — exclusion of lands, 85-7-1826
Judgment creditors
    payments to or for beneficiaries, trustee's discretion and liability, 72-33-304
    petition for satisfaction of judgment, 72-33-302
Judgments and decrees
    declaratory judgments, 27-8-204
    enforcement, 72-33-301 — 72-33-303
    interest as measure of liability for breach of trust, applicability, 72-34-509
    real property actions or proceedings, 72-36-206
    recording, 72-34-206
    trust created or determined by, 72-1-103, 72-33-108
Jurisdiction
    actions and proceedings, See **Actions and proceedings**
    charitable trusts, attorney general, 72-33-105, 72-35-306, 72-35-315
    court, See **Court**; **DISTRICT COURT JURISDICTION**
    minors, transfers to, 72-26-503
    transfer of trust or trust property to or from another jurisdiction, See **Transfer of trust or trust property**
Land development, power of trustee, 72-34-320
Leases
    cities and towns, 7-8-4201
    mineral leases, 72-34-322
    power of trustee, 72-34-321
    principal and income determination, 72-34-404, 72-34-410, 72-34-412
Liabilities of trust, information to beneficiaries, 72-34-125, 72-34-128
Liability
    breach of trust
        agent's acts or omissions, liability of trustee, 72-34-502
        consent by beneficiary to relieve trustee from, 72-34-514
        cotrustees, 72-34-503
        discharge by beneficiary
            release or contract, 72-34-515
            subsequent affirmance of transactions, 72-34-516
        measure of liability, 72-34-508, 72-34-509
        minors, transfers to — custodian, 72-26-701
        relief from liability, 72-34-512
    care, diligence, and skill of trustee — nonliability for reliance on, 72-34-114
    claims
        custodian of transfer to minor, of, 72-26-706
        trustee, of, 72-36-105
    contracts
        custodian of transfer to minor, liability to third persons, 72-26-706
        trustee, liability to third persons, 72-36-101, 72-36-105

TRUSTS (Continued)
Liability (Continued)
  cotrustees
    breach of trust, liability of trustee, 72-34-503
    dissenting, liability to third persons, 72-36-104
  creditor or transferee of beneficiary, liability of trustee to, 72-33-304
  insurance, for trustee, 72-34-331
  minors, transfers to
    custodian, 72-26-701, 72-26-702, 72-26-706, 72-26-802
    minor, 72-26-706
    third persons, 72-26-705, 72-26-706
  predecessor trustee's acts or omissions, liability of successor trustee, 72-34-504
  rejected trust or trust modification, nonliability, 72-33-602
  resignation of trustee, upon, 72-33-617
  revocable trust, nonliability of trustee for following written direction, 72-34-513
  securities, trustee holding in name of nominee, 72-34-330
  third persons
    liability of trustee to, 72-36-101 — 72-36-106
    minors, transfers to, 72-26-705, 72-26-706
  torts
    minors, transfers to — liability of custodian or minor, 72-26-706
    trustee, liability of, 72-36-103, 72-36-105
  trustee and trust estate, between — proceedings to determine, 72-36-106
  trust property
    liability of trustee to third persons, 72-36-102, 72-36-105
    retention by trustee, 72-34-109
Library trustees, 7-3-4252, 7-3-4254
Lien
  breach of trust, remedy for, 72-34-506
  federal, certificates and notices — filing, 71-3-204
  trustee, of, 72-33-632
Limited liability companies, Title 35, chapter 8
Liquidation, 27-28-504, 35-6-104, 72-1-103, 72-33-108
Living trusts, venue of proceedings, 72-35-106
Living will provisions, See **LIVING WILLS**
Location, See **Place or location**
Losses
  actions resulting in, duty of trustee to defend, 72-34-112
  breach of trust, resulting from, 72-34-516
    measure of liability, 72-34-508
  lien of trustee, 72-33-632
  trust property, insurance against, 72-34-331
Lottery, state — gaming supplier as trust, See **LOTTERY, STATE, Gaming suppliers**
Loyalty, duty of trustee, 72-34-103
Married person as trustee, 40-2-108
Massachusetts trusts, See **CORPORATIONS, Business trusts**
Mausoleum-columbarium authorities, See **MAUSOLEUMS AND COLUMBARIUMS**
Medicaid benefits, departmental right of recovery, 53-6-169
Medical record information, See **HEALTH CARE INFORMATION**
Mentally ill persons, self-sufficiency trusts, 53-18-101 — 53-18-105
Merger, doctrine of — exception to, 72-33-210
Minerals
  leases, 72-34-322
  principal and income determinations, 72-34-404, 72-34-410
  unlocatable owners, trusts for, Title 82, chapter 1, part 3
Minors
  beneficiaries, receipt of account or report, 72-34-511

TRUSTS (Continued)
Minors (Continued)

- dissolution of marriage or separation of parents, trusts for — upon, 40-4-202
- guardian ad litem, appointment, 72-35-313
- purchase money resulting trust, nonapplicability, 72-33-218
- vacancy in office of trustee, selection of trustee, 72-33-621

Minors, transfers to

- accounting by custodian, 72-26-802
- acknowledgments, 72-26-603, 72-26-608
- applicability of laws, 72-1-103, 72-26-503 — 72-26-506, 72-33-108
- bond of custodian, 72-26-704, 72-26-801
- breach of trust by custodian, 72-26-701
- care of custodial property, 72-26-702
- citation of Montana uniform transfers to minors act, 72-26-501
- claims against custodial property, 72-26-706, 72-26-802
- compensation of custodian, 72-26-704
- construction of provisions, 72-26-506
- contracts
  - claims against custodial property, 72-26-706
  - nomination of custodian, 72-26-601
  - transfer effected by, 72-26-603
- control of custodial property, 72-26-603, 72-26-609, 72-26-702, 72-26-706, 72-26-801
- court, 72-26-502
  - accounting, petition for, 72-26-802
  - authorization, 72-26-606
  - bond of custodian, petition to require, 72-26-801
  - claims against custodial property, determination of responsibility — petition for, 72-26-802
  - delivery or payment from custodial property, order for, 72-26-703, 72-26-802
  - removal of custodian, petition for, 72-26-801
  - successor custodian, petition for designation, 72-26-801
  - third persons, actions — order not required, 72-26-705
- creation of custodial property, 72-26-504, 72-26-601, 72-26-603
- death
  - custodian, 72-26-601, 72-26-605, 72-26-607, 72-26-609, 72-26-801
  - minor, 72-26-803
- definitions, 72-26-502
- delivery of custodial property
  - custodian, to, 72-26-601, 72-26-603, 72-26-608, 72-26-705, 72-26-801, 72-26-802
  - minor, to, 72-26-703, 72-26-803
- designation of custodian, 72-26-503, 72-26-605, 72-26-609, 72-26-705, 72-26-801
- disclaimer of office of custodian, 72-26-609, 72-26-801
- effect of transfer, 72-26-609
- enforcement, 72-26-503, 72-26-601
- execution, 72-26-503
  - instrument of designation of successor custodian, 72-26-801
- existing custodianships, effect on, 72-26-505
- expenditure of custodial property, 72-26-703
- expenses of custodian, 72-26-704
- fiduciary, by, 72-26-606
- form, instrument of transfer, 72-26-603
- gift, by, 72-26-604
- incapacity of custodian, 72-26-609, 72-26-801
- instrument
  - creating custodial property and effecting transfer, 72-26-504, 72-26-603
  - nomination of custodian, 72-26-601

TRUSTS (Continued)
Minors, transfers to (Continued)
  instrument (Continued)
    successor custodian
      designation, of, 72-26-801
      transfer of custodial property to, execution of instruments, 72-26-802
    third persons, liability, 72-26-705
  insurance policies, 72-26-603, 72-26-702
  irrevocable
    life insurance, beneficiary, 72-26-702
    nomination of custodian, instrument, 72-26-601
    transfer, 72-26-603 — 72-26-607, 72-26-609
  jurisdiction, 72-26-503
  liability
    custodian, 72-26-701, 72-26-702, 72-26-706, 72-26-802
    minor, 72-26-706
    third persons, 72-26-705, 72-26-706
  nomination of custodian, 72-26-601, 72-26-605, 72-26-607, 72-26-801
  nonprobate transfers, multiple-party accounts — payment, 72-6-225
  obligor, by, 72-26-607
  out-of-state transfers, 72-26-503
  petitions
    accounting, for, 72-26-802
    bond of custodian, to require, 72-26-801
    claims against custodial property, determination of responsibility, 72-26-802
    delivery or payment from custodial property, 72-26-703
    removal of custodian, 72-26-801
    successor custodian, designation, 72-26-801
  power of appointment, instrument exercising
    nomination of custodian, 72-26-601
    transfer effected by, 72-26-603, 72-26-604
  powers of custodian generally, 72-26-701
  receipt for custodial property, 72-26-608
  recordation of custodial property, 72-26-702
  records, 72-26-702, 72-26-801, 72-26-802
  registration of custodial property, 72-26-702
  removal
    custodial property, 72-26-503
    custodian, 72-26-801, 72-26-802
  renunciation of custodian, 72-26-801
  residence of transferor, minor, or custodian — effect, 72-26-503
  resignation of custodian, 72-26-801
  retention of custodial property, 72-26-702
  scope of provisions, 72-26-503
  short title, 72-26-501
  single custodianship, 72-26-602
  substitute custodian, 72-26-502, 72-26-601, 72-26-801
  successor custodian, 72-26-502, 72-26-801, 72-26-802
  termination of custodianship, 72-26-803
  third persons
    liability, 72-26-705, 72-26-706
    powers, rights, and immunities, 72-26-609
  title
    custodial property, 72-26-702
    personal property, 72-26-603
  uniformity of provisions, 72-26-506
  use of custodial property, 72-26-703

TRUSTS (Continued)
Minors, transfers to (Continued)

- valid
  - designation of custodian, 72-26-705
  - disclaimer of office of custodian, 72-26-801
  - transfers, 72-26-503 — 72-26-505, 72-26-609, 72-26-705

Mint and mint oil production, Title 80, chapter 11, part 4
Modification of trust

- acceptance by trustee, 72-33-601, 72-33-602
- beneficiaries, by, 72-33-406 — 72-33-409, 72-33-413
- devise, validity, 72-2-531
- power to modify included in power to revoke, 72-33-403, See also **Revocation**, trust
- principal with low fair market value, effect, 72-33-412
- proceedings concerning, 72-35-301
- rejection by trustee, 72-33-601, 72-33-602
- revocable trust, written direction to trustee — effect, 72-34-102
- revocation, methods, 72-33-402, 72-33-403, See also **Revocation**, trust
- trustee, by, 72-33-413
- trustor and beneficiaries, by, 72-33-407

Mortgages

- institutional funds, investment in, 72-30-204
- principal and income determination, payments charged against, 72-34-416
- trust property, power of trustee, 72-34-318

Motor carriers, trustees for, 61-9-512, 69-12-101, 69-12-108
Motor vehicle certificate of ownership, transfer of interest by trustee, 61-3-201
Multiple trustees, See **Cotrustees**
Municipal commission government

- cemetery trustees, 7-3-4254
- library trustees, 7-3-4252, 7-3-4254
- waterworks trustees, 7-3-4252

Municipal commission-manager government

- firefighters' retirement fund trustees, 7-3-4464
- police retirement fund trustees, 7-3-4464
- sanitary police retirement fund trustees, 7-3-4464
- sinking fund trustees, 7-3-4436

Museum trustees, 7-16-2203, 7-16-2204
Natural resources

- held in trust, 75-10-701
- principal and income determinations, 72-34-404, 72-34-410, 72-34-411

Negotiable instruments

- fiduciary, trustee as, 30-3-308, See **NEGOTIABLE INSTRUMENTS, Fiduciary**
- payable to, 30-3-126
- restrictive endorsement, trustee, 30-3-205

Nonprofit corporations

- derivative proceedings involving assets held in, 35-2-1302
- directors as trustees, 35-2-416, 35-2-418
- dissolution
  - deposit for unlocatable creditors, claimants, or members, 35-2-732
  - sale of assets, 35-2-730
  - service of process, trustees for, 35-2-314
- documents, execution, 35-2-119
- "entity" defined, 35-2-114
- indemnification, 35-2-446, 35-2-453
- membership, trustee's authority, 72-34-326
- pension trusts, 35-2-118
- power generally, 35-2-118

TRUSTS (Continued)
Nonprofit corporations (Continued)

- property
    - articles of incorporation, amendment — effect, 35-2-228
    - director may not be trustee, 35-2-416
- ultra vires acts, 35-2-132
- vote, consent, waiver, or proxy appointment — acceptance or rejection by trustee, 35-2-542

Nonresident trustees, 72-35-503
Notarial acts, Title 1, chapter 5, part 6, See **NOTARIES PUBLIC**
Notice

- additional, 72-35-207
- appearance, of — service and filing, 72-35-308
- applicability of provisions, 72-35-201
- corporate shares, memberships, or property — meetings concerning, power of trustee, 72-34-326
- future interest of beneficiary, actions involving — to beneficiary or interested person, 72-33-705
- hearings, 72-35-206
    - continuance or postponement, 72-35-209
    - petitions, on, 72-35-306, 72-35-404, 72-35-505
- interested persons, 72-1-303, 72-33-705, 72-35-207, 72-35-404
- mailing
    - manner of, 72-35-202, 72-35-307, 72-35-404, 72-35-505
    - personal delivery in lieu of, 72-35-203
- minors, transfers to — resignation of custodian, 72-26-801
- personal delivery, 72-35-203
- proceedings, pendency, 72-34-206
- proof of giving, 72-35-206
- revocable trust, to person holding power to revoke, 72-33-703
- special, request for, 72-35-307
- time for giving, 72-35-306, 72-35-404, 72-35-505
    - shortening, 72-35-208
- transfer of trust or trust property, hearing on petition
    - from another jurisdiction, 72-35-505
    - to another jurisdiction, 72-35-404
- trust property, sale or exchange — to beneficiary, 72-34-103
- waiver of entitlement, 72-34-326, 72-35-206, 72-35-306

Operation of law, validity or creation of trusts, 70-20-102, 72-33-208, 72-33-220
Options

- leases, purchase or renewal, 72-34-321
- property, acquisition, 72-34-323
- trust property, disposition, 72-34-323

Orders

- appeals from, 72-35-312
- appointment of receiver or temporary trustee, 72-33-616
- binding one binds another, 72-1-303
- bond, trustee's, 72-33-603
- compensation
    - guardian ad litem, 72-35-313
    - trustee, 72-33-626
- institutional funds gift instrument restrictions, release, 72-30-207
- judgments, satisfaction, 72-33-302
- minors, transfers to
    - delivery or payment from custodial property, 72-26-703
    - third persons, actions — order not required, 72-26-705
- notice
    - additional, 72-35-207
    - hearings, continuance or postponement, 72-35-209
    - proof of giving, conclusiveness, 72-35-206

TRUSTS (Continued)
Orders (Continued)
    petitions, concerning, 72-35-311
    preservation of trust property, 72-33-616
    principal, low fair market value — relating to, 72-33-412
    resignation of trustee, 72-33-616
    transfer of trust or trust property
        from another jurisdiction
            acceptance, 72-35-502, 72-35-506
            conditional, 72-35-507
        to another jurisdiction, 72-35-402, 72-35-405
    trustee, unauthorized or forbidden acts, 72-33-413
    unborn or unascertained persons, bound by — extent, 72-35-313
Original trustees, 72-1-103, 72-33-108, 72-33-621, 72-34-402
Ownership of property
    minors, transfers to — custodial property, liability to third person, 72-26-706
    trustee, by — liability to third persons, 72-36-102, 72-36-105
Parents
    transfers to minors, 72-26-502, See **Minors, transfers to**
    trusts, minor beneficiary — receipt of account or report, 72-34-511
Parking commissions
    obligees, 7-14-4602, 7-14-4666
    revenue bonds, 7-14-4650, 7-14-4663
    revenues to constitute trust fund, 7-14-4635, 7-14-4656
Parties, 72-26-802, 72-34-206, 72-35-105; Title 25, chapter 20, M.R.Civ.P., Rule 17(a); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10A
    charitable trusts, agreement for changes or disclaimer of interest, 72-35-301
    rights, application of trust code, 72-33-102
Partner
    trustee, as, 35-10-405
    trustor, as — principal and income determination, 72-34-404, 72-34-409
Partnerships, 35-10-616
Payment and distribution, See **Distribution and payment**
Permissive accounts, 72-34-128
Perpetuities, statutory rule against, 72-2-1001 — 72-2-1007
Personal representative
    applicability of laws, 72-1-103, 72-3-610, 72-3-615, 72-3-616, 72-33-108
    charitable trusts, enforcement prohibited, 72-33-503
    conflict of interest, 72-3-615
    minors, transfers to, 72-26-606
        definitions, 72-26-502
        designation of custodian, 72-26-605
    principal and income determination, fees charged against, 72-34-404, 72-34-406
Petitions
    accounts, court review, 72-34-128, 72-35-301
    acts of trustee, court review, 72-34-128, 72-35-301
    charitable trusts, enforcement of beneficiary's rights, 72-35-315
    combination of similar trusts, 72-33-415, 72-35-301
    copy, request for, 72-35-308
    dismissal, 72-35-303
    division of trusts, 72-33-416, 72-35-301
    existence of trust, concerning, 72-35-301
    filing, 72-35-302
        special notice, 72-35-307
    grounds for, 72-35-301, 72-35-302
    hearings, 72-35-302, 72-35-306
    internal affairs of trust, concerning, 72-35-301

TRUSTS (Continued)
Petitions (Continued)

- judgment creditor, for satisfaction of judgment, 72-33-302
- minors, transfers to
  - accounting, for, 72-26-802
  - bond of custodian, to require, 72-26-801
  - claims against custodial property, determination of responsibility, 72-26-802
  - delivery or payment from custodial property, 72-26-703
  - removal of custodian, 72-26-801
  - successor custodian, designation, 72-26-801
- modification of trust, 72-33-406, 72-33-407, 72-33-413, 72-35-301
- orders concerning, 72-35-311
- principal with low fair market value, 72-33-412
- removal of trustee, 72-33-618, 72-35-301
- resignation of trustee, 72-33-616, 72-35-301
- surrender of trust property, 72-33-618
- termination of trust, 72-33-406, 72-33-407, 72-33-413, 72-35-301
- transfer of trust or trust property
  - from another jurisdiction, 72-35-503 — 72-35-506
  - to another jurisdiction, 72-35-403 — 72-35-405
- vacancy in office of trustee, to fill, 72-33-621

Petroleum storage tank releases, cleanup, Title 75, chapter 11, part 3
Place or location
- administration of trust, 72-35-103, 72-35-104, 72-35-106
  - transfer
    - from another jurisdiction, 72-35-501 — 72-35-508
    - to another jurisdiction, 72-35-401 — 72-35-406
- minors, transfers to — custodial property, 72-26-503

Pleadings, 72-1-303
Police retirement fund trustees, 7-3-1344, 7-3-4464
Power of appointment, See also **ESTATES AND PROBATE**; **PROPERTY**
- exercise of, to another person as trustee — creation of trust, 72-33-201
- minors, transfers to — instrument exercising
  - nomination of custodian, 72-26-601
  - transfer effected by, 72-26-603, 72-26-604
- rights of holder, 72-33-704

Power of attorney
- revocation of trust permitted when, 72-33-402
- statutory, authority, 72-31-201, 72-31-231, 72-31-232

Powers of trustee
- cotrustees, 72-33-611, 72-34-130
- discretionary powers, 72-34-129, 72-34-130, 72-35-301
- fiduciary duties, subject to, 72-34-303
- former Montana trustees' powers act, applicability, 72-34-304
- general, 72-34-301
- grant of, 72-35-301
- proceedings concerning, 72-35-301
- real property transactions, 72-36-206
- restrictions, 72-34-302
- suspension, 72-33-618
- third persons, protection, 72-36-201

Predecessor trustee
- acts or omissions, liability of successor trustee, 72-34-504
- third person dealing with, protection, 72-36-203

Premarital agreement provisions, to carry out, 40-2-605
Principal
- account to beneficiary, 72-34-128

TRUSTS (Continued)
Principal (Continued)

- annual statement, 72-34-126
- charitable trusts, distribution, 72-34-202
- determination and allocation, See **Principal and income, determination**
- distribution, See **Distribution and payment**
- fair market value, low — effect, 72-33-412
- interest of beneficiary, transfer, 72-33-302 — 72-33-306
- judgments, enforcement when, 72-33-304
- modification or termination of trust, consent of beneficiaries — limitation, 72-33-407
- payment, discretion and liability of trustee, 72-33-304
- perpetuities, statutory rule against — exclusion, 72-2-1005
- power of beneficiary to take or distribute, standard governing, 72-34-130
- private foundations, distribution, 72-34-202
- remainder beneficiary, 72-34-402, 72-34-403, See **Principal and income, determination**
- spendthrift trusts, 72-33-301 — 72-33-306

Principal and income, determination
- administration of trust, manner, 72-34-403
- allocation of expenditures and receipts, 72-34-403, 72-34-411
- bond premium and bond discount, 72-34-404, 72-34-408
- business and farming operations, 72-34-404, 72-34-409
- charges against principal and income, 72-34-404, 72-34-416
- citation of revised uniform principal and income act, 72-34-401
- conservator's authority, 72-5-427
- corporate distributions, 72-34-404, 72-34-405, 72-34-407
- decedent's estate, income earned during administration, 72-34-404, 72-34-406
- definitions, 72-34-402, 72-34-404
- depletion, property subject to, 72-34-404, 72-34-407, 72-34-410, 72-34-412
- depreciation allowance, 72-34-404, 72-34-416
- expenses, 72-34-404, 72-34-416
- income, determination generally, 72-34-404, 72-34-405
- natural resources, disposition, 72-34-404, 72-34-410, 72-34-411
- perpetuities, statutory rule against — exclusion, 72-2-1005
- principal, determination generally, 72-34-404, 72-34-405
- timber, 72-34-410, 72-34-411

Prior law, applicability, 72-26-505, 72-33-102, 72-33-402, 72-34-204, 72-34-502 — 72-34-504, 72-34-511, 72-36-101

Private foundations, 72-34-201
- distribution of income and principal, duty of trustee, 72-34-202
- instrument of trust, incorporation of provisions, 72-34-205
- proceedings, 72-34-206
- restrictions on trustees, 72-34-203

Private trust, "trust" defined, 72-1-103, 72-33-108

Probate and estates, See **ESTATES AND PROBATE**, **Trusts**

Proceedings, See **Actions and proceedings**

Profits
- breach of trust, resulting from, 72-34-512
  - measure of liability, 72-34-508
- principal and income determination, 72-34-404, 72-34-409
- trusts for payment, applicability of laws, 72-1-103, 72-33-108

Property, 72-33-108, See also **Real property**; **Trust property**.
- acquisition, power of trustee, 72-34-316, 72-34-323
- disposition, power of trustee, 72-34-316
- investments, power of trustee, 72-34-309
- minors, transfers to, 72-26-502, See **Minors, transfers to**

Protection
- beneficiary's interest, 72-33-603, 72-35-303

TRUSTS (Continued)
Protection (Continued)

- third persons, 72-36-201 — 72-36-203, 72-36-206
- trust
  - advances for, 72-33-632
  - expenses, payment, 72-34-337
- trustee, 72-34-343, 72-35-303
- trust property, 72-34-343, 72-34-416

Prudent man standard, 72-26-702, 72-30-206, 72-34-114, 72-34-121, 82-1-304
Public employees' retirement
- benefits, designation of trust as beneficiary, 19-2-801
- board as trustee, 19-2-503

Public funds, security for deposits, 7-6-207, 7-6-208, 17-6-102
Public Health and Human Services, Department of — as trustee for support payments, 40-5-202
Public land trust, Const., X, 11
Purchase money resulting trust, 72-33-218
Purpose for which trust created, 72-33-204, 72-33-205
- borrowing money for, power of trustee, 72-34-332
- charitable, 72-33-501, 72-33-502, 72-33-504
- combination of similar trusts, 72-33-415
- continuance of trust, 72-33-406, 72-33-412, 72-33-413
- cotrustees, effect of temporary incapacity, 72-33-613
- division of trusts, 72-33-416
- fulfillment, 72-33-411
- illegal, 72-33-204, 72-33-411
- impairment, 72-33-412
- power of trustee, discretionary, 72-34-130
- property, furtherance of purpose
  - productivity, 72-34-108
  - retention, 72-34-109

Railroad corporation stock held by trustee, sale when, 69-14-505
Real estate broker and salesperson provisions, trustee exemption when, 37-51-103
Real property, See also **Property**; **Trust property**
- conveyance to or from trust, 70-20-102, 72-36-206
- institutional funds, investment in real property trusts, 72-30-204
- minors, transfers to, 72-26-603, See **Minors, transfers to**
- transfers, 15-7-303, See **TAXATION, PROPERTY, Transfers of real property**

Receipts
- minors, transfers to — custodial property, 72-26-608
- trust
  - annual statement, 72-34-126
  - information to beneficiaries, 72-34-125, 72-34-128
  - principal and income, determination, 72-34-404, 72-34-405, 72-34-410, 72-34-416
    - allocation, 72-34-403, 72-34-411

Receivers
- appointment, 7-7-4630, 72-33-616, 72-33-619, 72-34-506, 85-7-1419
- trust property, 72-33-618, 72-34-506

Recording, 7-4-2620
- instrument of trust, 72-36-206
- judgments or decrees, 72-34-206
- judicial proceeding, notice of pendency, 72-34-206
- minors, transfers to — custodial property, 72-26-702

Rejection of trust by trustee, 72-33-602
- preservation of property prior to, 72-33-601
- vacancy in office of trustee, creates, 72-33-619

Release
- breach of trust, discharge of trustee's liability by, 72-34-515

TRUSTS (Continued)
Release (Continued)

- claims, 72-34-336
- sureties on trustee's bond, 72-33-603, 72-33-617

Remedies, 27-1-411
- breach of trust, 72-34-506, 72-35-301
  - equity, exclusively in, 72-34-507

Removal of
- minors, transfers to
  - custodial property, 72-26-503
  - custodian, 72-26-801, 72-26-802
- testamentary trust, from court jurisdiction, 72-35-301, 72-35-312
- trustee, 72-33-618, 72-34-506, 72-35-301
  - preservation of trust property, 72-33-620
  - vacancy in office, creates, 72-33-619

Renunciation
- beneficiary, by — not a transfer of interest, 72-33-306
- custodian of transfer to minor, 72-26-801

Reports by trustee, 72-34-125, 72-34-511, 72-35-301, 72-35-312
Research and farm animal facilities protection, Title 81, chapter 30, part 1
Residence
- minors, transfers to, 72-26-503
- transfer of trust or trust property
  - from another jurisdiction, petition
    - contents, 72-35-504
    - filing, venue, 72-35-503
  - to another jurisdiction, contents, 72-35-403
- trustees, place of administration of trust, 72-35-103, 72-35-403
- trustor, effect on revocability of trust, 72-33-401

Resignation
- custodian of transfer to minor, 72-26-801
- trustee, 72-33-616
  - acceptance, 72-35-301, 72-35-312
  - adverse trust undertaken by trustee, 72-34-106
  - liability upon, 72-33-617
  - preservation of trust property, 72-33-620
  - vacancy in office, creates, 72-33-619

Resource indemnity trust, 15-38-102, See **TAXATION, MINERALS**
Resulting trusts, 72-33-220
- effect of trust code, 72-33-104
- failure of trust, upon, 72-33-216
- full performance of trust, upon, 72-33-217
- purchase money, 72-33-218
- surplus as, 72-33-217
- "trust" defined, 72-1-103, 72-33-108

Revocable trusts
- beneficiary
  - consent by, 72-33-702
  - notice to, 72-33-703
  - rights, limits, 72-33-701, 72-34-127
- creditor's rights, 72-36-301, 72-36-302
- devise, validity, 72-2-531
- duties of trustee, 72-34-102
- nonliability for refusing to follow directions under, 72-34-517

TRUSTS (Continued)
Revocable trusts (Continued)

- power to revoke
  - person holding
    - consent by, 72-33-702
    - death of trustor, effect, 72-36-302
    - incompetence, 72-34-517
    - notice to, 72-33-703
    - rights, 72-33-701, 72-34-127
  - power to modify, includes, 72-33-403, See also **Modification of trust**
- resignation of trustee, 72-33-616
- written direction to trustee, 72-34-102, 72-34-513

Revocation
- beneficiary, designation of, 72-33-203
- minor, transfer to — nomination of custodian, 72-26-601
- trust
  - devise, lapse, 72-2-531
  - methods, 72-33-402
  - presumption of revocability, 72-33-401
  - termination of trust upon, 72-33-411
  - trust property, disposition, 72-33-414
  - writing, by, 72-33-402

Rights
- beneficiaries
  - charitable trusts, enforcement, 72-35-315
  - reports or annual statements, waiver, 72-34-127
- corporate shares, memberships, or property — voting rights of trustee, 72-34-326
- creditors or transferees of beneficiaries, 72-33-304
- jury trial, no right to, 72-35-107
- minors, transfers to — custodian or third persons, 72-26-609, 72-26-701
- parties and interested persons, application of trust code, 72-33-102
- power of appointment or withdrawal of property, holder of, 72-33-704
- revocable trust
  - beneficiary, limits, 72-33-701, 72-34-127
  - creditors, 72-36-301, 72-36-302
- third persons, 72-26-609; Title 72, chapter 36

Rural cooperative utility trustees, See **UTILITIES, RURAL COOPERATIVE**
Rural special improvement districts, multicounty district trustees, 7-12-2121 — 7-12-2123, 7-12-2126
Sale or exchange
- principal and income determination, 72-34-404, 72-34-416
- property, 72-34-316
- trust property, 7-8-4201, 72-34-103, 72-34-114

Sanitary police retirement fund trustees, 7-3-4464
School district trustees, See **SCHOOL DISTRICTS AND TRUSTEES**
Secured transactions, applicability of laws, 30-9-102, 30-9-302, 72-1-103
Securities
- calls and assessments, payment — power of trustee, 72-34-327
- deposit, 72-34-329
- holding in name of nominee, power of trustee, 72-34-330
- institutional funds, investment in, 72-30-204
- investment in, 72-34-310
- minors, transfers to, 72-26-603, See **Minors, transfers to**
- principal and income determination, 72-34-404, 72-34-407
- public fund deposits, 7-6-207, 7-6-208, 17-6-102
- railroad stock, sale when, 69-14-505
- subscriptions and conversions, power of trustee, 72-34-328

TRUSTS (Continued)
Securities (Continued)

  transfer, 30-10-402, 72-34-329, See **SECURITIES AND SECURITIES REGULATION, Fiduciary transfers**
  voting trusts, 35-1-532, 35-1-541, 35-1-826, 72-1-103, 72-33-108, 72-34-329
Self-sufficiency trusts, 53-18-101 — 53-18-105
Service of process, Title 25, chapter 20, M.R.Civ.P., Rule 4A
Settlement
  accounts, proceedings for, 72-35-301
  claims, 72-34-336
Silicosis benefits, representative payee as trustee, 39-73-111
Sinking fund trustees, 7-3-4436
Skill of trustee, See **Care, diligence, and skill of trustee**
Small business independent liability funds, to administer principal upon termination, 33-27-119
Small business investment capital companies, tax credits for investment in, 90-8-202
Snowmobile certificate of ownership, transfer of interest by trustee, 23-2-612
Specific performance, availability, 27-1-411
Spendthrift trusts, 72-2-811, 72-33-301 — 72-33-306, 72-33-406, 72-33-412, 72-33-413
Split-interest trusts, 72-34-201
  exceptions applicable to, 72-34-204
  instrument of trust, incorporation of provisions, 72-34-205
  proceedings, 72-34-206
  restrictions on trustees, 72-34-203
Spouse
  future interest of beneficiary, actions involving — notice requirements, 72-33-705
  purchase money resulting trust, nonapplicability, 72-33-218
  trustee, as, 40-2-108
Standard of care, See also **Care, diligence, and skill of trustee**
  compensation, effect on, 72-34-118
  conservators, applicability, 72-5-423
  discretionary powers of trustee, 72-33-304, 72-34-130
  duty of trustee to use, 72-34-114, 72-34-115
  institutional funds, governing board, 72-30-206
  investments, power of trustee, 72-34-121
  minors, transfers to — custodian, 72-26-702
  personal representative, applicability, 72-3-610
  powers of trustee, 72-34-301
  principal and income, allocation of receipts and expenditures, 72-34-403
  special skills, duty to use, 72-26-702, 72-34-115
State as trustee, 17-2-102
State building leases, contract provisions, 18-3-104
State land trust, Const., X, 11
State library trust, 22-1-225, 22-1-226
Statute of frauds, 70-20-102, 72-33-208, 72-33-220
Statutes, reference to — application, 72-33-107
Stock, See **Securities**
Successor
  beneficiaries, 72-33-210
  custodian of transfer to minor, 72-26-502, 72-26-801, 72-26-802
  trustees, 72-1-103, 72-33-108, 72-33-620, 72-34-402, 72-34-504, 72-35-406, 72-36-206
Support
  minors, transfers to — effect of delivery or payment from custodial property, 72-26-703
  trusts for, 40-4-202, 72-33-303, 72-33-305, 72-34-130
Surplus as resulting trust upon full performance, 72-33-217
Taxes
  charitable trusts
    distribution of income and principal, manner of making, 72-34-202

TRUSTS (Continued)
Taxes (Continued)
  charitable trusts (Continued)
    investments or expenditures, restrictions, 72-34-203
    qualification of estate, 72-35-301
  imposition, impairment of trust, 72-33-413
  income tax, duties of trustee, See generally **TAXATION, INDIVIDUAL INCOME**
  payment, power of trustee, 72-34-337
  principal and income determination, charges against, 72-34-416
  private foundations
    distribution of income and principal, manner of making, 72-34-202
    investments or expenditures, restrictions, 72-34-203
  split-interest trusts
    exceptions, 72-34-204
    investments or expenditures, restrictions, 72-34-203
Teachers' Retirement Board as trustee, 19-20-501
Television district trustees, See **TELEVISION DISTRICTS**
Temporary
  incapacity of cotrustee, 72-33-613
  investments, compensation of trustee, 72-33-628
  trustees, 72-33-616, 72-33-618, 72-34-506, 72-35-311
Terminally ill, rights of, See **LIVING WILLS**
Termination of trust, 72-33-411
  account to beneficiary, 72-34-128
  beneficiaries, by, 72-33-406 — 72-33-409, 72-33-413
  devise, lapse, 72-2-531
  doctrine of merger, exception to, 72-33-210
  elective share of surviving spouse, 72-2-223
  holding over without consent, damages, 27-1-319
  mineral trusts for unlocatable owners, 82-1-304
  partial, 72-33-407
  powers of trustee, 72-33-411, 72-33-412
  principal with low fair market value, effect, 72-33-412
  proceedings concerning, 72-35-301
  revocation of trust, See also **Revocation**, trust
    methods, 72-33-402
    termination on, 72-33-411
  statute of frauds, 70-20-102
  trustee, by, 72-33-413, 72-33-414
  trustor and beneficiaries, by, 72-33-407, 72-33-414
  trust property, disposition, 72-33-414
Term of trust
  account to beneficiary, 72-34-128
  expiration, effect, 72-33-411
  leases, term, 72-34-321, 72-34-322
  mineral leases, term, 72-34-322
  property, options for acquisition, 72-34-323
  trust property
    disposition, options, 72-34-323
    encumbrance, 72-34-318
Terms of trust
  enforcement, real property transactions, 72-36-206
  information to beneficiaries, 72-34-125
  transfer, on, 72-35-406
Testamentary additions to trusts, 72-2-531
Testamentary transfer of property, creation of trust, 72-33-201, See also **ESTATES AND PROBATE, Wills**
Testamentary trusts, 72-35-106, 72-35-301, 72-35-312, See **ESTATES AND PROBATE**

TRUSTS (Continued)

Theft involving breach of fiduciary obligation, statute of limitation, 45-1-205
Third persons
  actions and proceedings involving, 72-35-101
  liability of trustee
    claims against trust, 72-36-105
    contracts, 72-36-101, 72-36-105
    cotrustees, dissenting, 72-36-104
    insurance against, 72-34-331
    torts, 72-36-103, 72-36-105
    trust estate and trustee, between — proceedings to determine, 72-36-106
    trust property, obligations arising from ownership or control, 72-36-102, 72-36-105
  minors, transfers to
    liability
      exemption from, 72-26-705
      to, 72-26-706
    powers, rights, and immunities, 72-26-609
  protection
    dealing with trustee, 72-36-201, 72-36-203
    former trustee, dealing with, 72-36-203
    trust property delivered to trustee, 72-36-202
  real property transactions, 72-36-206
Timeshare sales
  registration, establishment of trust as condition of, 37-53-212
  trust, by, 37-53-102
Title
  minors, transfers to
    custodial property, 72-26-702
    personal property, 72-26-603
  property
    actions to assure, costs, 72-34-416
    equitable duty to convey, constructive trust arises, 72-33-219
  securities, transfer, 72-34-329, 72-34-330
  vesting
    conservator, in, 72-5-425
    presumption of conveyance, 26-1-602
    real property transactions, 72-36-206
Transfer of beneficiary's interest, See **Voluntary and involuntary transfer restrictions**
Transfer of office of trustee prohibited, 72-34-113
Transfer of property
  creation of trust by, 72-33-201
  failure of trust, resulting trust, 72-33-216
  fraudulent, Title 31, chapter 2, part 3
  full performance of trust, resulting trust, 72-33-217
  generation-skipping transfers, tax on, 72-16-1001 — 72-16-1007
  gift instrument, 72-30-102, See **Institutional funds**
  purchase money resulting trust, 72-33-218
  real property transactions, 70-20-102, 72-36-206
  testamentary, creation of trust, 72-33-201, See also **ESTATES AND PROBATE, Wills**
Transfer of trust or trust property, See also **Transfer of trust property**
  from another jurisdiction
    administration of transferred trust, 72-35-508
    applicability of provisions, 72-35-501
    appointment and bond of trustee, 72-35-506, 72-35-507
    hearing, 72-35-505, 72-35-506
    notice, 72-35-505

TRUSTS (Continued)
Transfer of trust or trust property (Continued)
  from another jurisdiction (Continued)
    order for acceptance, 72-35-502, 72-35-506
      conditional, 72-35-507
    petition, 72-35-503 — 72-35-506
    proceedings concerning, 72-35-301, 72-35-502
    venue, 72-35-503
  to another jurisdiction
    applicability of provisions, 72-35-401
    discharge of trustee, 72-35-406
    hearing, 72-35-404, 72-35-405
    manner of transfer, 72-35-406
    notice, 72-35-404
    order for, 72-35-402, 72-35-405
    petition for, 72-35-403 — 72-35-405
    proceedings concerning, 72-35-301, 72-35-402
Transfer of trust property, See also **Transfer of trust or trust property**
  boat certificate of ownership, 23-2-510
  capacity of trustee, 72-33-622
  indexes, 7-4-2620
  motor vehicle certificate of ownership, 61-3-201
  principal and income determination, 72-34-404
  snowmobile certificate of ownership, 23-2-612
  validation of sales, 72-31-103
Transfers to minors, Title 72, chapter 26
Trust company, 72-26-502, 72-33-108, See also **BANKS AND TRUST COMPANIES**
  bond requirements, 72-33-603
  certificate of incorporation revoked or powers suspended, effect, 72-33-619
  county bonds, warrants, or coupons — replacement of lost, 7-7-2104
  foreign — as trustee, guardian, or conservator, 32-1-1001 — 32-1-1007
  funds transfers, Title 30, chapter 4A
  hard-rock mining local government facility impact bonds, debt service fund held for, 90-6-310
  minors, transfers to
    custodian, as, 72-26-603, 72-26-606, 72-26-607, 72-26-801
    definitions, 72-26-502
  receiver appointed for, effect, 72-33-619
  trustee, as, 72-33-622
  wastewater treatment works revolving loan program bonds, trust indenture — inspection of books and records, 75-5-1121
Trust indentures, Title 71, chapter 1, part 3
Trust property, 72-33-108, See also **Property**; **Real property**
  additions, power of trustee, 72-34-307
  alterations, 72-34-319, 72-34-416
  borrowed money, repayment from, 72-34-332
  breach of trust, remedies, 72-34-506
  business that is part of, continuation by trustee, 72-34-308
  capacity of trustee, 72-33-622
  care, diligence, and skill of trustee — duty to use, 72-34-114
  charitable purposes, 72-33-501, 72-33-504
  cities and towns, sale or lease, 7-8-4201
  claims against, 72-34-105, 72-34-111, 72-36-301, 72-36-302
  collection, power of trustee, 72-34-306
  conflict of interest, 72-34-105
  control by trustee, 72-34-107, 72-34-317, 72-36-102, 72-36-105
  cotrustees, effect of temporary incapacity, 72-33-613
  creation of trust, prerequisite, 72-33-203
  damage to, 72-33-601, 72-34-331

TRUSTS (Continued)
Trust property (Continued)

- designation, 72-34-110
- discharge of trustee upon transfer of, 72-35-406
- disposition
  - cities and towns, 7-8-4201
  - improper investment, duty of trustee, 72-34-109
  - options, 72-34-323
  - power of trustee, 72-34-306, 72-34-323
  - termination or revocation of trust, 72-33-414
  - wrongful, tracing and recovery, 72-34-506
- encumbrance, 72-34-318, 72-34-338, 72-36-206
- exchange, 7-8-2401, 72-34-103, 72-34-114, 72-34-317
- expenditures
  - guardian ad litem, payment from, 72-35-313
  - reimbursement of trustee, 72-33-631, 72-34-105
- fine art, sale by art dealer — works of art as, 22-2-503, 22-2-504
- holding, power of trustee, 72-34-306, 72-34-311
- insurance against damage or loss, 72-34-331
- investment, See **Investments**
- jurisdiction of court, 72-35-105
- leases
  - cities and towns, 7-8-4201
  - mineral leases, 72-34-322
  - principal and income determination, 72-34-404, 72-34-410, 72-34-412
- liens, 72-33-632, 72-34-506
- loans from, 72-34-338
- location of interest, 72-35-106, 72-35-503
- loss or injury, 72-33-618, 72-34-331
- management, 72-34-114, 72-34-317, 72-34-416
- misuse
  - adverse interest of trustee, 72-34-105
  - holding over without consent, 27-1-319
- ownership by trustee, 72-36-102, 72-36-105
- predecessor trustee, delivery by, 72-34-504
- preservation, 72-33-601, 72-33-616, 72-33-620, 72-34-107, 72-34-416
- principal and income, determination, See **Principal and income, determination**
- productivity, duty of trustee, 72-34-108
- protection, 72-34-343, 72-34-416
- purchase, 72-34-114
- removal of trustee, effect, 72-33-618, 72-33-620
- repairs, 72-34-319, 72-34-416
- resignation of trustee, effect, 72-33-616, 72-33-620
- retention by trustee, 72-34-109, 72-34-306
- revocable trusts, creditor's rights, 72-36-301, 72-36-302
- revocation of trust, disposition, 72-33-414
- sale or exchange, 7-8-4201, 72-34-103, 72-34-114
- separate, to be, 72-34-110
- successor trustee, delivery to, 72-33-620, 72-34-504
- surrender by trustee when, 72-33-618
- termination of trust, disposition, 72-33-414
- third persons
  - delivery of property to trustee, application, 72-36-202
  - liability of trustee to, 72-36-102
- transfer, See **Transfer of trust or trust property**; **Transfer of trust property**
- use of, purpose of trust, 72-33-205
- vacancy in office of trustee, delivery upon, 72-33-620

TRUSTS (Continued)
Trust property (Continued)

withdrawal, power of — rights of holder, 72-33-704
Unascertained or unborn
  beneficiaries, 72-33-408
  persons
    guardian ad litem, appointment, 72-35-313
    notice, 72-1-303
    orders binding upon, 72-1-303, 72-35-313
Unclaimed property, Title 70, chapter 9, parts 1 — 3
Underground storage tanks and installers, See **HAZARDOUS WASTES, Underground storage tank installers; Underground storage tanks**
Unemployment insurance coverage for employees of trust, 39-51-203
Urban renewal
  definition of obligees and person, 7-15-4206
  investments by trustees, 7-15-4306
Utilities, trustees for, 69-3-101
  rural cooperatives, See **UTILITIES, RURAL COOPERATIVE**
Utilities, underground — excavations near, Title 69, chapter 4, part 5
Vacancy in office of trustee, 72-33-619
  appointment of trustee to fill, 72-33-621
  cotrustees, 72-33-612
  trust property, delivery by former trustee, 72-33-620
Validity, 72-33-205, 72-33-208, 72-33-220
  minors, transfers to, 72-26-503 — 72-26-505, 72-26-609, 72-26-705, 72-26-801
  proceedings to determine, 72-35-301
  real property transactions, effect, 72-36-206
  restraint on transfer, invalidity — effect, 72-33-305
  successor beneficiaries, requirements, 72-33-210
Value
  institutional funds, historic dollar value, 72-30-102, 72-30-201, 72-30-202
  inventory value, principal and income determination, 72-34-402, 72-34-406, 72-34-408, 72-34-412
  minors, transfers to
    court, by, 72-26-606
    obligor, by, 72-26-607
  principal, low fair market value, 72-33-412
  trust property being transferred, 72-35-403, 72-35-504
Veterans, incompetent — tax exemption when, 15-6-203
Violations
  breach of trust, duty trustee owes beneficiary, 72-34-501
  fiduciary duties of trustee, 72-34-105
  injunction, 27-19-102, 72-34-506
  specific performance, 27-1-411
  theft involving breach of fiduciary obligation, statute of limitation, 45-1-205
Voluntary and involuntary transfer restrictions
  conservator, appointment not a transfer, 72-5-425
  disclaimer or renunciation by beneficiary not a transfer, 72-33-306
  income, beneficiary's interest, 72-33-301, 72-33-303 — 72-33-306
  modification of trust subject to, 72-33-412, 72-33-413
  principal
    beneficiary's interest, 72-33-302 — 72-33-306
    low fair market value, effect, 72-33-412
  termination of trust subject to, 72-33-406, 72-33-412, 72-33-413
  trustor as beneficiary, effect, 72-33-305
Voting rights of trustee — corporate shares, memberships, or property, 72-34-326
Voting trusts, applicability of laws, 35-1-532, 35-1-541, 35-1-826, 72-1-103, 72-33-108, 72-34-329
Wages, trusts for payment — applicability of laws, 72-1-103, 72-33-108

TRUSTS (Continued)

Water conservancy districts, voting rights of trustees, 85-9-421
Water conservation revenue bonds, trustees, 85-1-304, 85-1-306, 85-1-307
Waterworks trustees, 7-3-4252
Wills
  construction and operation, laws affecting — applicability, 72-33-106
  institutional funds, gift instrument creating, 72-30-102
  minors, transfers to
    authorization, 72-26-605, 72-26-606
    nomination of custodian, 72-26-601
  principal and income determination, expenses of estate settlement charged against, 72-34-404, 72-34-406
  trust or trustee named by, 72-33-207
  trusts created by, See **ESTATES AND PROBATE, Testamentary trusts**
Workers' compensation
  funds held in, 39-71-2206, 39-71-2322
  group purchase of insurance, 39-71-432, 39-71-433

TRUTH IN LABELING ACT FOR ORGANIC FOODS, 50-31-221 — 50-31-223, 50-31-231
  See **FOOD AND FOOD PRODUCTS, Organic foods, labeling**

TUMOR REGISTRY ACT, Title 50, chapter 15, part 7
  See **VITAL STATISTICS**

U

UNAUTHORIZED INSURERS PROCESS ACT, 33-1-611 — 33-1-616
  See **INSURERS ORGANIZATION AND REGULATION GENERALLY, Service of process**

UNCLAIMED PROPERTY ACT, UNIFORM, Title 70, chapter 9, parts 1 — 3
  See **PROPERTY, PERSONAL, Unclaimed property**

UNDERGROUND CONVERSION OF UTILITIES LAW, Title 69, chapter 4, part 3
  See **UTILITIES, Underground conversion**

UNDERGROUND STORAGE TANK INSTALLER LICENSING AND PERMITTING ACT, Title 75, chapter 11, part 2
  See **HAZARDOUS WASTES, Underground storage tank installers; Underground storage tanks**

UNDUE INFLUENCE
Contracts
  consent, when not free, 28-2-401
  rescission when, 28-2-1711, 28-2-1713
  what constitutes undue influence, 28-2-407
Elections
  candidates, 13-26-210
  voters, 13-35-218
Trusts
  breach of trust
    consent by beneficiary to relieve trustee from liability not precluded when, 72-34-514
    discharge of trustee's liability by beneficiary not effective when, 72-34-515, 72-34-516
  trustee not to use, 72-34-105
What constitutes, 28-2-407
Wills, 72-2-524, 72-3-310

UNEMPLOYMENT INSURANCE
Actions involving, See also **Appeals**
    benefits, collection
        appeal, 39-51-2410
        overpayments, 39-51-3206
        when improperly paid, 39-51-2306
    representation of state and department of labor and industry, 39-51-309
    taxes, unpaid — collection, 39-51-1303, 39-51-1304, 39-51-1306
Administration
    appeals referees, 39-51-305, 39-51-1109, See also **Appeals**
    department of labor and industry, authority, 39-51-301
    funding, 39-51-403, 39-51-404, 39-51-406, 39-51-407, 39-51-1301, See also **Funding**
    property, acquisition and disposition, 39-51-308
    rules, 39-51-301
Agreement for waiver, release, or commutation of benefits prohibited, 39-51-3102
Agricultural labor, 39-51-205
    crews and crew leader, 39-51-206
    "employer" defined, 39-51-202
    exclusion, 39-51-204
    qualification, 39-51-203
Aliens, eligibility, 39-51-2110
Amendment of laws, effect, 39-51-103
Appeals
    benefits
        board of labor appeals, to, 39-51-2403, 39-51-2404, 39-51-2410
        court, to, 39-51-2404, 39-51-2410
        department of labor and industry, continuing jurisdiction, 39-51-2406
        deputy, redetermination by, 39-51-2402
        fees, 39-51-3104
        payment of benefits during, 39-51-2405
        procedure, 39-51-2407, 39-51-2410
        records, 39-51-2408
        referee, to, 39-51-2402 — 39-51-2404
        representation, 39-51-3104
        rulemaking authority, 39-51-2407
        self-incrimination, 39-51-3101
        witnesses, 39-51-2409, 39-51-3101
    board of labor appeals, function, 39-51-310, See also **Labor Appeals, Board of**
    classification, 39-51-1206
    confidential material, presentation, 39-51-603
    contributions, 39-51-1109, 39-51-1206
    employment status, 39-51-1109
    referees, 39-51-305, 39-51-1109
    taxes, 39-51-1302
Applicability of laws, 39-51-102, 39-51-103
    employer, to, 39-51-1101, 39-51-1102
    extended benefits, 39-51-2507
    federal act, when becomes inoperative, 39-51-104, 39-51-105
    secretary of labor, approval required, 39-51-106
    territorial extent, 39-51-203
Apprenticeship instruction programs, 39-51-1301, See also **APPRENTICESHIP AND APPRENTICES**
Appropriation of funds, 39-51-403, 39-51-404, 39-51-406
Approval by secretary of labor to effect, 39-51-106, 39-51-1110

UNEMPLOYMENT INSURANCE (Continued)

Assessment on employer, 39-51-404, See also **Contributions**; **Taxes**
  advances from federal unemployment trust fund, interest costs, 39-51-408
  jeopardy assessments, 39-51-1302
  penalty assessments, 39-51-1301, 39-51-3201, 39-51-3202
  uncollectible, determination and transfer of debt, 39-51-3207
  unpaid, See **Taxes**, delinquent
Assignment of benefits prohibited, 39-51-3105
Athletes, eligibility, 39-51-2109
Bank employees, covered employment when, 39-51-204
Bankruptcy, benefits exempt from, 31-2-106
Barbers, coverage exclusions, 39-51-204
Benefits, 39-51-201
  amendment, 39-51-2402
  amount, 39-51-2201, 39-51-2202
    change, recommendations, 39-51-301
    determination, 39-51-602, 39-51-2402
    extended benefits, 39-51-2509, 39-51-2510
    maximum, 39-51-2204, 39-51-2402
    railroad income, 39-51-2106
    reduction, 39-51-2203, 39-51-2304
  appeals, See **Appeals**
  assignment prohibited, 39-51-3105
  average annual or weekly wage, 39-51-2201
  bankruptcy, exemption, 31-2-106
  "benefit year" defined, 39-51-201
  change in amounts, recommendations, 39-51-301
  charities, payments to employees of, 39-51-2108
  child support interception of benefits, 39-51-3106
  claims for, 39-51-2104, 39-51-2401
    child support obligations, disclosure when filing, 39-51-3106
    examination of claim, 39-51-2402
    jurisdiction of department of labor and industry continues, 39-51-2406
  classification of employer, effect, 39-51-1213
  cooperation between agencies, See **Cooperation of governmental agencies**
  death of recipient, continuation of benefits, 39-51-2205
  determination, 39-51-2402
  disability, effect, 39-51-2104, 39-51-2306
  disclosures, failure to make, 39-51-3201, 39-51-3202
  disqualification
    duration, 39-51-2301
    educational employees when, 39-51-2108
    extended benefits, effect, 39-51-2508
    falsification, for, 39-51-3201
    good cause for leaving work required, 39-51-2302
    illness or injury, 39-51-2302
    income from other sources, receipt of, 39-51-2306
    labor disputes, 39-51-2304, 39-51-2305
    misconduct, discharge due to, 39-51-2302, 39-51-2303
    students, 39-51-2302, 39-51-2307
    work, failure to apply for or accept, 39-51-2104, 39-51-2304
  duration
    benefit year, 39-51-2301
    second benefit year, 39-51-2107
  eligibility, general requirements, 39-51-2104, 39-51-2302
    adult education students, 39-51-2104

UNEMPLOYMENT INSURANCE (Continued)
Benefits (Continued)
  eligibility, general requirements (Continued)
    aliens, payments to, 39-51-2110
    athletes, payments to, 39-51-2109
    employees, 39-51-2108
    extended benefits, 39-51-2508
    payment required for, 39-51-2103
    requalification, 39-51-2302
    wages, qualifying, 39-51-602, 39-51-2105, 39-51-2106
  encumbrance prohibited, 39-51-3105
  experience rating of employer, effect, 39-51-1212, 39-51-1214, 39-51-1215, 39-51-1219
  extended benefits, 39-51-2501
    cooperation with federal government, 39-51-501
    duration, 39-51-2501, 39-51-2506
    eligibility, 39-51-2508 — 39-51-2511
    experience rating of employer, not charged to, 39-51-1214
    interstate filing, 39-51-2511
    trade readjustment allowances, 39-51-2601
  extent of benefits, 39-51-103
  falsification to obtain, 39-51-2402, 39-51-3201 — 39-51-3203
  federal agencies, information to, 39-51-501
  fraud, obtaining by, 39-51-3201 — 39-51-3203, 53-2-105, 53-2-211, 53-3-111
  funding, insufficiency, 39-51-103, See also **Funding**
  future benefits, offset, 39-51-3206
  illness or injury of recipient, effect, 39-51-2104, 39-51-2302
  income from other sources, effect, 39-51-2203, 39-51-2306
  judicial review, See **Appeals**
  jurisdiction of department of labor and industry continues, 39-51-2406
  labor disputes, effect, 39-51-2304, 39-51-2305
  liability of state or department of labor and industry, 39-51-103
  misrepresentation to obtain, 39-51-2402, 39-51-3201 — 39-51-3203
  notice, 39-51-2402
  offset of future benefits, 39-51-3206
  overpayment, 39-51-3206
    detection and collection, 39-51-1301, 39-51-3201, 39-51-3202, 39-51-3206
    uncollectible, determination and transfer of debt, 39-51-3207
  payment, 39-51-2103
    partial payment, 39-51-2103, 39-51-2202
    prompt payment, 39-51-2405
  penalty assessment, 39-51-3201, 39-51-3202
  public assistance eligibility, effect on, See **PUBLIC ASSISTANCE**
  qualifying wages, 39-51-602, 39-51-2105, 39-51-2106
  railroad unemployment insurance or retirement programs, effect, 39-51-2106, 39-51-2203, 39-51-2306
  reciprocal arrangements, 39-51-504
  redetermination of benefits, 39-51-2402
  reduction when, 39-51-2203, 39-51-2304
  reemployment services, 39-51-2104
  registration for, required, 39-51-2102
  repayment of benefits when, 39-51-2306, 39-51-3201, 39-51-3202, 39-51-3206
  retirement income, effect, 39-51-2203
  rulemaking authority, 39-51-602, 39-51-2102 — 39-51-2104, 39-51-2203
  self-employment, effect, 39-51-2302 — 39-51-2304
  signature on warrants, 39-51-405
  social security payments, effect, 39-51-2203, 39-51-2306
  strikes, effect, 39-51-2304, 39-51-2305
  "suitable work" defined, 39-51-2304, 39-51-2508, 39-51-2602
  total unemployment when, 39-51-2101

UNEMPLOYMENT INSURANCE (Continued)
Benefits (Continued)

- trade readjustment allowance, 39-51-2601
- training programs, 39-51-1214, 39-51-2104, 39-51-2307, 39-51-2602
- unemployment insurance fund, payment from, 39-51-105, 39-51-201, 39-51-403, 39-51-504
- unemployment trust fund, requisition from, 39-51-403
- wages, qualifying, 39-51-602, 39-51-2105, 39-51-2106
- waiver, prohibited, 39-51-3102
- week of unemployment, 39-51-2101, 39-51-2102, 39-51-2104
- workers' compensation disability, effect, 39-51-201

Bond of state treasurer, 39-51-406
Casual labor, coverage exclusion, 39-51-204
Charitable organizations, covered employment, 39-51-203, 39-51-2108
Child services exclusion, 39-51-204
Child support interception, 39-51-3106
Churches, coverage exclusions, 39-51-204, 39-51-2108
Citation of Unemployment Insurance Law, 39-51-101
Claims for benefits, See **Benefits**
Classification of employers, 39-51-1213
- change, 39-51-1213
- definitions, 39-51-1121, 39-51-1211, 39-51-1213
- notice, 39-51-1206
- successor employer, 39-51-1219

Clergy, covered employment when, 39-51-203, 39-51-204, 39-51-2108
Commencement of
- benefits, 39-51-2402, 39-51-2501
- coverage, 39-51-1101, 39-51-1102
- extended benefits, 39-51-2501
- week of unemployment, 39-51-2102

Commissions, exclusion of services paid by, 39-51-204
Compulsory, 39-51-102
Confidentiality of records and reports, 39-51-603
Construction of laws, 39-51-102, See **Applicability of laws**
Contractors
- independent, 39-51-201, 39-51-203
- liability for coverage, 39-51-1104

Contracts for
- employment services, interstate, 39-51-307
- extension of services and benefits, 39-51-501
- waiver or release of benefits, 39-51-3102

Contributions, See also **Assessment on employer**; **Taxes**
- appeals, 39-51-1109, 39-51-1206
- change in rate, recommendations, 39-51-301
- construction contracts, successful bidders — failure to make, 27-1-520
- deficit employers, 39-51-1121, 39-51-1213, 39-51-1217, 39-51-1218
- definitions, 39-51-201, 39-51-1121, 39-51-1211
- delinquent
  - deposit of interest and penalties, 39-51-406
  - eligible employer status, effect, 39-51-1122
  - minor delinquencies disregarded, 39-51-1122
  - payments in lieu of contributions, 39-51-1125, 39-51-1126
  - uncollectible, determination and transfer of debt, 39-51-3207
- dissolution of business, effect, 39-51-1219
- eligible employer status, 39-51-1121, 39-51-1122, 39-51-1217, 39-51-1218
- employee, payment by prohibited, 39-51-3102, 39-51-3103
- experience ratings, See **Experience rating of employer**
- failure to make, 39-51-3204

UNEMPLOYMENT INSURANCE (Continued)
Contributions (Continued)

- governmental entities, 39-51-1103, See **Governmental entities**
- industrial classifications, 39-51-1217
- new employer, 39-51-1121
- nonprofit organizations, 39-51-1103, See **Nonprofit organizations**
- notice, 39-51-1206
- payable when, 39-51-1103, 39-51-3204
- payments in lieu of contributions
    - appeals, 39-51-1109
    - delinquencies, 39-51-1125, 39-51-1126
    - deposit, 39-51-201, 39-51-1125
    - duration, 39-51-1124, 39-51-1126
    - election, 39-51-1103, 39-51-1124
    - experience rating, 39-51-1212
    - notice, 39-51-1124, 39-51-1126
    - rate, 39-51-1123, 39-51-1125, 39-51-1212
    - termination of election, 39-51-1126
    - who may elect, 39-51-1103, 39-51-1124
- rate
    - annual assignment, 39-51-1123
    - change, recommendations, 39-51-301
    - experience rating, See **Experience rating of employer**
    - industrial classifications, 39-51-1217
    - notice, 39-51-1206
    - rounding off in computations, 39-51-1103, 39-51-1108
    - schedules, 39-51-1213, 39-51-1218
    - successor employers, 39-51-1219
    - trust fund balance, basis on, 39-51-1217
    - wages subject to, 39-51-1108
- rounding off in computations, 39-51-1103, 39-51-1108
- school district contributions, 20-9-501, See also **Governmental entities** subcontractors, liability, 39-51-1104
- successor employers, 39-51-1219
- unemployment insurance fund, deposit to, 39-51-201, 39-51-401, 39-51-1103
- unpaid, See **Taxes**, delinquent
- wages subject to, 39-51-1108

Cooperation of governmental agencies

- benefits, reciprocal arrangements, 39-51-504
- employment services, 39-51-307
- interstate, 39-51-502, 39-51-504
- intrastate, 39-51-502
- railroad retirement board, 39-51-503
- secretary of labor, 39-51-501
- state agencies, other, 39-51-502
- state-federal, 39-51-204, 39-51-307, 39-51-501, 39-51-503, 39-51-504
- war and postwar planning agencies, 39-51-502

Corporation — liability for taxes, penalties, and interest, 39-51-1105
Correspondent, free-lance — coverage exclusions, 39-51-204
Correctional institutions, employment coverage exclusions, 39-51-204
Cosmetologists, coverage exclusions, 39-51-204
Criminal offenses, See **Violations**
Death of recipient, continuation of benefits, 39-51-2205
Deficit employers, 39-51-1121, 39-51-1213, 39-51-1217, 39-51-1218
Delinquent contributions, See **Contributions**; **Taxes**
Disability payments, exclusion as wages, 39-51-201, 39-51-2306
Disputes, See **Appeals**

UNEMPLOYMENT INSURANCE (Continued)

Disqualification for benefits, See **Benefits**
Domestic service, 39-51-202, 39-51-204
Education
  adult classes, eligibility for benefits when, 39-51-2104
  covered employment, 39-51-203, 39-51-204, 39-51-2108
  student disqualification, 39-51-2307
Elected officials, coverage exclusions, 39-51-204
Election judges, exemption from coverage, 13-4-106
Election of coverage by employer, 39-51-1101 — 39-51-1103, 39-51-1124
Eligibility for benefits, See **Benefits**
Eligible employers, 39-51-1121, 39-51-1122, 39-51-1213, 39-51-1217, 39-51-1218
Employer, 39-51-202, 39-51-206
  agricultural labor when crew provided by crew leader, 39-51-206
  assessments, 39-51-404, 39-51-3207
  commencement of coverage, 39-51-1101
  contributions, See **Contributions**
  deficit employer, 39-51-1121, 39-51-1213, 39-51-1217, 39-51-1218
  disclosure, failure, 39-51-3204
  election of coverage, 39-51-1102
  eligible employer, 39-51-1121, 39-51-1122, 39-51-1213, 39-51-1217, 39-51-1218
  falsification by, 39-51-1304, 39-51-3204
  inspections, refusal to permit, 39-51-3204
  lien for unpaid taxes, 39-51-1304
  misrepresentation, 39-51-3204
  new employer, 39-51-1121, 39-51-1213, 39-51-1217
  payments in lieu of contributions, See **Contributions**
  posting of regulations by, 39-51-2401
  procurement, state — removal or suspension from vendor's list when, 18-4-241
  refunds to, 39-51-1110
  successor employers, 39-51-1219
  taxes, See **Taxes**
  waiver of rights of employee, may not require, 39-51-3103
"Employment" defined, 39-51-203, 39-51-204, 39-51-1102
Employment offices and service, 39-51-201
  benefits, registration for and payment, 39-51-2102, 39-51-2103
  provision, 39-51-307
Employment status, appeals, 39-51-1109
Encumbrance of benefits prohibited, 39-51-3105, 39-51-3106
Evidence
  alien status, 39-51-2110
  benefits, appeals, 39-51-2407, 39-51-2408, 39-51-2410
  investigations or proceedings, 39-51-301
  reciprocal collection, authority of state, 39-51-1306
  self-incrimination, protection against, 39-51-3101
Examiners, See **Appeals**, referees
Exclusions from coverage, 13-4-106, 39-51-204
Execution on benefits prohibited, 39-51-3105
Exemptions, reporting, 39-51-604
Experience rating of employer
  advances from federal unemployment trust fund, interest costs assessed to employers, 39-51-408
  benefit payments, chargeable to, 39-51-1212, 39-51-1214
  classification for, 39-51-1213, See **Classification of employers**
  contribution rates based on, 39-51-1217
  governmental entities, 39-51-1212
  records, 39-51-1215

UNEMPLOYMENT INSURANCE (Continued)
Experience rating of employer (Continued)

  successor employers, 39-51-1219
  transfers, 39-51-1219
  void when, 39-51-1216
Extended benefits, See **Benefits**
Extent of relief, 39-51-103
Falsification, 39-51-1304, 39-51-2402, 39-51-3201 — 39-51-3203
Family employment, coverage exclusion, 39-51-204
Federal act, See **Social security**
Federal employees, coverage exclusion, 39-51-204
Fees
  benefit claims, 39-51-3104
  uncollectible debts, collection, 39-51-3207
  witnesses, 39-51-2409
Floor covering installers, coverage exclusion, 39-51-204
Foreign employment, coverage, 39-51-203
Fraud, 39-51-3201 — 39-51-3203
  eligibility data, availability requirements, 53-2-105, 53-2-211, 53-3-111
  revenue, department of — information from employers' payroll withholding reports, 15-30-303
Free-lance correspondent, coverage exclusions, 39-51-204
Funding
  administrative expense payments, 39-51-403, 39-51-404, 39-51-406, 39-51-1301
  advances from federal unemployment trust fund, 39-51-408
  apprenticeship instruction programs, 39-51-1301
  appropriation, 39-51-403, 39-51-404, 39-51-406
  benefit payments, 39-51-105, 39-51-201, 39-51-403, 39-51-504
  cooperation among governmental entities to aid, 39-51-501
  employment security account, 18-2-407, 39-51-404, 39-51-409
  federal act, when becomes inoperative, 39-51-105
  federal unemployment trust fund, advances from, 39-51-408
  insufficiency of funds, 39-51-103
  liability, 39-51-103
  reed act money, 39-51-404
  signature requirements for warrants, 39-51-405
  unemployment insurance administration account, 39-51-201, 39-51-406
    railroad retirement board funds to, 39-51-503
    reimbursement by state, 39-51-407
    revenue, 39-51-404, 39-51-406, 39-51-503
    sale of department property, proceeds deposited to, 39-51-308
    unemployment trust fund, transfers from, 39-51-404, 39-51-406
  unemployment insurance fund, 39-51-201, 39-51-401, 39-51-402
    advances from federal unemployment trust fund, 39-51-408
    benefits paid from, 39-51-105, 39-51-201, 39-51-403, 39-51-504, 39-51-2103
    bond of state treasurer, 39-51-406
    construction contracts, successful bidders — failure to make contributions, 27-1-520
    contributions to, 39-51-201, 39-51-401, 39-51-1103, 39-51-1215
    custodian, 39-51-402, 39-51-406
    employment security account, transfers from, 39-51-409
    federal act, when inoperative, 39-51-105
    federal unemployment trust fund advances, deposit to, 39-51-408
    insufficiency, 39-51-103
    payments in lieu of contributions to, 39-51-201, 39-51-1125
    reciprocal benefit arrangements, reimbursements, 39-51-504
    unemployment insurance administration account funds as part of, 39-51-406
    unemployment trust fund account, 39-51-401, 39-51-402
  unemployment insurance past-due employer taxes, account for penalties and interest, 39-51-1301

UNEMPLOYMENT INSURANCE (Continued)
Funding (Continued)

    unemployment insurance trust fund, 39-51-402, 39-51-403
        contribution rate based on, 39-51-1217
        deposits to, 39-51-402, 39-51-403, 39-51-1301, 39-51-3201, 39-51-3202
        federal act, when inoperative, 39-51-105
        past-due contributions, account for penalties and interest — excess money transferred to, 39-51-1301
        transfer to, 39-51-1301, 39-51-3201, 39-51-3202
        unemployment insurance fund, credit to, 39-51-401, 39-51-402
        use, 39-51-1301, 39-51-1302
    warrants, signature requirements, 39-51-405
Governmental cooperation, See **Cooperation of governmental agencies**
Governmental entities, 39-51-1121
    cooperation, See **Cooperation of governmental agencies**
    election of coverage, 39-51-1103, 39-51-1124, 39-51-1126
    experience rating, 39-51-1212, 39-51-1214
    payments in lieu of contributions, 39-51-1123, 39-51-1125
        delinquent, 39-51-1126
    termination of coverage, 39-51-1126
Hearings on appeals, See **Appeals**
Hospitals, covered employment, 39-51-204, 39-51-2108
Independent contractors, 15-30-201, 39-51-201
    covered employment, 39-51-203
    coverage exclusion, 39-51-204
    exemption, 39-51-604
Inoperative, when provisions become, 39-51-104 — 39-51-106
Institutional employees, coverage exclusions, 39-51-204
Insurance salespersons, coverage exclusion, 39-51-204
Interpretation of laws, 39-51-102, See **Applicability of laws**
Interstate benefit agreements, 39-51-504
Interstate cooperation, 39-51-502, 39-51-504
Interstate employment service, 39-51-307
Investigative authority, 15-30-303, 39-51-301, 39-51-2305, 39-51-3101, 39-51-3204
Job training programs
    coverage exclusions, 39-51-204, 39-51-2602
    federal, approved training under, 39-51-2602
Labor Appeals, Board of, 39-51-201
    attorney general, request for representation of state by, 39-51-309
    benefits, appeals to, 39-51-2404, 39-51-2405, 39-51-2407, 39-51-2410
        evidence to, 39-51-3101
        fees, approval, 39-51-3104
        notice of judicial review, 39-51-2410
    function, 39-51-310
    hearings by, 39-51-310, 39-51-603
    self-incrimination before, 39-51-3101
    subpoenas, issuance, 39-51-301
    workers' compensation disputes, 39-51-310
Labor disputes, effect, 39-51-2304, 39-51-2305
Laws applicable, See **Applicability of laws**
Legislative intent, 39-51-102
Lien for unpaid taxes, 39-51-1304
Limited liability companies
    employing unit and employment definitions, 39-51-201, 39-51-203, 39-51-204
    taxes, penalties, and interest — liability, 39-51-1105, 39-51-1303, 39-51-1304
Local government powers, 7-1-111
Maritime employment, coverage exclusion, 39-51-204

UNEMPLOYMENT INSURANCE (Continued)

Military personnel, cooperation in administration of program for, 39-51-501
Minors, coverage exclusion, 39-51-204
Misrepresentation, 39-51-2402, 39-51-3201 — 39-51-3203
Montana conservation corpsmembers, benefit ineligibility, 23-1-313
New employer, 39-51-1121, 39-51-1217, 39-51-1213
Newspaper delivery, coverage exclusion, 39-51-204
Nonliability of state, 39-51-103
Nonprofit organizations
  advances from federal unemployment trust fund, interest costs not assessed, 39-51-408
  coverage exclusions, 39-51-204
  election of coverage, 39-51-1103, 39-51-1124, 39-51-1126
  employment services, agreements concerning, 39-51-307
  payments in lieu of contributions, 39-51-1123
    delinquent, 39-51-1126
  termination of coverage, 39-51-1126
Offenses, See **Violations**
Outfitter and guide services, 39-51-203
Partnership employers
  coverage exclusion, 39-51-204
  covered employment, 39-51-203
Past-due contributions, See **Contributions**, delinquent
Payment of benefits, See **Benefits**
Payments in lieu of contributions, See **Contributions**
Penalties
  benefits fraudulently obtained, assessment, 39-51-3201, 39-51-3202
  contractors, liability, 39-51-1104
  contributions, payments in lieu of — delinquent, 39-51-1125
  corporations, liability, 39-51-1105
  delinquent
    collection by offset, 39-51-1307
    lien for payment or action for collection, 39-51-1304, 39-51-1306
    uncollectible, determination and transfer of debt, 39-51-3207
  self-incrimination, protection against, 39-51-3101
  taxes, delinquent, 39-51-1301, 39-51-1302
  violations, for, See **Violations**, specific violation
Policy of state, 39-51-102
Posting of regulations by employers, 39-51-2401
Prison employees, coverage exclusions, 39-51-204
Privatization of state programs, effect — consideration, 2-8-303
Prohibited practices, See **Violations**
Property of Department of Labor and Industry, acquisition and disposition, 39-51-308
Protests, See **Appeals**
Public assistance payments, exclusion as wages, 39-51-201
Publication of
  laws, 39-51-303
  rules, 39-51-303, 39-51-2401
Public employees of other states, coverage exclusion, 39-51-204
Public office, employees elected or appointed to — benefits, effect, 2-18-620
Public officers, coverage exclusion, 39-51-204
Railroads
  benefits
    disqualification for benefits received from, 39-51-2306
    qualifying wages, 39-51-2106
    reduction for retirement income, 39-51-2203
  railroad retirement board, cooperation with, 39-51-503

UNEMPLOYMENT INSURANCE (Continued)

Real estate salespersons, coverage exclusion, 39-51-204
Records
  benefits appeals, 39-51-2408
  confidentiality, 39-51-603
  governmental access, 39-51-505
  inspection and audit, 39-51-603
  unemployment trust fund, 39-51-404
  wage records, 39-51-601, 39-51-602, 39-51-1302
  work records, 39-51-603
Referees, See **Appeals**
Refunds of taxes, 39-51-1110
Rehabilitation programs, coverage exclusions, 39-51-204
Reimbursement of benefits when, 39-51-2306, 39-51-3201, 39-51-3202, 39-51-3206
Release of benefits prohibited, 39-51-3102
Religious organizations, covered employment, 39-51-203, 39-51-204
Repeal of laws, 39-51-103 — 39-51-105
Reports
  change in benefit or contribution rates, 39-51-301
  employing units, from, 39-51-603
  exemptions granted, 39-51-604
  governor, to, 39-51-301, 39-51-407
  legislature, to, 39-51-301
  secretary of labor, to, 39-51-501
  unemployment insurance administration account, replacement funds, 39-51-407
Representation of
  claimant, 39-51-3104
  department of labor and industry, 39-51-309
Required, 39-51-102
Retirement payments, exclusion as wages, 39-51-201, 39-51-2203
Right of benefit, encumbrance void, 39-51-3105
Rulemaking authority, 39-51-301
Schedules
  benefits, maximum amount, 39-51-2204
  classification of employers, 39-51-1213
  contributions, 39-51-1217, 39-51-1218
School districts
  contributions, 20-9-501
  special education, allowable costs, 20-7-431, 20-7-435
Scientific organizations, covered employment, 39-51-203
Scope of laws, 39-51-102, See **Applicability of laws**
Secretary of labor
  approval required to give effect to laws, 39-51-106, 39-51-1110
  cooperation with, 39-51-501
  expenditures, approval, 39-51-406, 39-51-407
  extended benefits, rulemaking authority, 39-51-2501, 39-51-2504
  reciprocal benefit agreements, approval, 39-51-504
  report requirements, 39-51-501
Secretary of the treasury, return of funds to, 39-51-404
Securities salespersons, coverage exclusion, 39-51-204
Self-employment, effect on
  disqualification for benefits, 39-51-2508
  extended benefits, 39-51-2508
  requalification, 39-51-2302 — 39-51-2304
Self-incrimination, 39-51-3101
Sheltered workshops, coverage exclusions, 39-51-204

UNEMPLOYMENT INSURANCE (Continued)

Social security
    applicability of laws, 39-51-102
    benefits, effect of payments on, 39-51-2203, 39-51-2306
    inoperative, effect if it becomes, 39-51-104, 39-51-105
Sole proprietorship, coverage exclusion, 39-51-204
Strikes, effect, 39-51-2304, 39-51-2305
Students, eligibility, 39-51-204, 39-51-2104, 39-51-2307
Subcontractors, liability for coverage, 39-51-1104
Subpoena power, 39-51-301, 39-51-1301, 39-51-3101
Taxes, 39-51-201, See also **Assessment on employer**; **Contributions**
    adjustments, 39-51-1110
    appeals, 39-51-1302
    contractors, liability, 39-51-1104
    corporations, liability, 39-51-1105
    delinquent
        action to collect, 39-51-1303, 39-51-1304, 39-51-1306
        collection by offset, 39-51-1307
        detection and collection, 39-51-1301, 39-51-3201, 39-51-3202
        determination by department of labor and industry, 39-51-1302
        jeopardy assessment, 39-51-1301, 39-51-1302
        lien for payment, 39-51-1304
        notice, 39-51-1302
        penalty and interest, 39-51-1104, 39-51-1105, 39-51-1125, 39-51-1301, 39-51-1302
        receivership, priority in, 39-51-1305
        reciprocity with other states for collection, 39-51-1306
        report, failure to file, 39-51-1302
    dissolution of business, effect, 39-51-1305
    error, 39-51-1110
    insolvency, priority in, 39-51-1305
    lien for payment, 39-51-1304
    notice of delinquency, 39-51-1302
    payment when, 39-51-1213
    refunds, 39-51-1110
    report, failure to file, 39-51-1302
    subcontractors, liability, 39-51-1104
Termination of business, effect, 39-51-1216, 39-51-1219, 39-51-1305
Termination of employer's coverage, 39-51-1101, 39-51-1102, 39-51-1126, 39-51-1216
Territorial extent of laws, 39-51-203
Trade readjustment, 39-51-2601
Training programs, 39-51-1214, 39-51-2104, 39-51-2307, 39-51-2602
Trust employers, covered employment, 39-51-203
Unemployment insurance administration account, See **Funding**
Unemployment insurance fund, See **Funding**
University system, covered employment, 39-51-203, 39-51-204
Unlawful practices, See **Violations**
Unpaid contributions, See **Contributions**, delinquent; **Taxes**, delinquent
Veterans, cooperation in administration of program for, 39-51-501
Violations
    confidentiality provisions, violation, 39-51-603
    contractors — taxes, penalties, and interest violations, 39-51-1104
    contributions, deduction from wages, 39-51-3103
    department of labor and industry, representation, 39-51-309
    falsification, 39-51-1304, 39-51-3201 — 39-51-3204
    fees for proceedings, violations, 39-51-3104
    fines, 39-51-603, 39-51-3103, 39-51-3104, 39-51-3204, 39-51-3205

UNEMPLOYMENT INSURANCE (Continued)
Violations (Continued)

  fraud, 39-51-3201 — 39-51-3203
  inspection, refusal to permit, 39-51-3204
  penalty when none specified, 39-51-3205
  self-incrimination, 39-51-3101
  state, representation, 39-51-309
  subcontractors — taxes, penalties, and interest violations, 39-51-1104
  waiver of rights, 39-51-3102, 39-51-3103
  work records violations, 39-51-603
Wages, 39-51-201
  assessment based on, 39-51-404
  average annual wage, 39-51-2201
  average weekly wage, 39-51-2201
  benefits, based on, 39-51-602, 39-51-2105 — 39-51-2107, 39-51-2201
  contributions based on, 39-51-1108, 39-51-1125, 39-51-1217
  contributions deducted from, prohibited, 39-51-3103
  eligible employer status, 39-51-1121
  experience rating based on, 39-51-1213
  records, 39-51-601, 39-51-602, 39-51-1302
  suitable work, for, 39-51-2304
  taxable wage base, 39-51-1121
Waiver of benefits prohibited, 39-51-3102, 39-51-3103, 39-51-3105
War and postwar planning agencies, cooperation with, 39-51-502
Warrants, signature requirement, 39-51-405
Week of unemployment, 39-51-2102
Witnesses, 39-51-301, 39-51-2409, 39-51-3101
Work
  failure to accept or apply for, 39-51-2304, 39-51-2508, 39-51-2602
  records, 39-51-603
  trade readjustment, 39-51-2601, 39-51-2602
  training programs, 39-51-1214, 39-51-2104, 39-51-2307, 39-51-2602
"Workfare", coverage exclusions, 39-51-204
Work-relief and work-study programs, coverage exclusions, 39-51-204

UNFAIR PRACTICES ACT, Title 30, chapter 14, part 2
  See **TRADE REGULATION AND COMPETITION, Unfair practices**

UNFAIR TRADE PRACTICES AND CONSUMER PROTECTION ACT OF 1973, Title 30, chapter 14, part 1
  See **TRADE REGULATION AND COMPETITION, Unfair practices**

UNIFIED VOLUME CAP BOND ALLOCATION PLAN ACT, Title 17, chapter 5, part 13
  See **BONDS AND BOND ISSUES, Volume cap bonds**

UNIFORM ABSENCE AS EVIDENCE OF DEATH AND ABSENTEES' PROPERTY ACT, 72-1-108

UNIFORM ACCIDENT REPORTING ACT, Title 61, chapter 7
  See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Accidents and accident reports**

UNIFORM ACT FOR OUT-OF-STATE PAROLEE SUPERVISION, Title 46, chapter 23, part 11
  See **PROBATION, PAROLE, AND CLEMENCY, Interstate supervision of probationers and parolees**

UNIFORM ACT FOR THE SIMPLIFICATION OF FIDUCIARY SECURITY TRANSFERS, Title 30, chapter 10, part 4
  See **SECURITIES AND SECURITIES REGULATION, Fiduciary transfers**

UNIFORM ACT ON CLOSE PURSUIT, 46-6-411
  See **ARREST, Close pursuit**

UNIFORM ADOPTION ACT, Title 40, chapter 8, part 1
    See **ADOPTION OF CHILDREN**

UNIFORM ANATOMICAL GIFT ACT, Title 72, chapter 17
    See **ANATOMICAL GIFTS**

UNIFORM ARBITRATION ACT, Title 27, chapter 5
    See **ARBITRATION**

UNIFORM BRAIN DEATH ACT, 50-22-101

UNIFORM BUSINESS RECORDS AS EVIDENCE ACT, Title 26, chapter 10, M.R.Ev., Rule 803
    See also **EVIDENCE, Business**

UNIFORM CHILD CUSTODY JURISDICTION ACT, Title 40, chapter 7
    See **CHILD CUSTODY**

UNIFORM COMMERCIAL CODE, GENERAL PROVISIONS
Acceleration, 30-1-208
Acceptance under reservation of rights, 30-1-207
Actions, 30-1-201
    defenses, survival, 27-1-503
    enforcement of rights and obligations by, 30-1-106
    remedies, liberal administration, 30-1-106
    statute of frauds, 30-1-206
    waiver of right, 30-1-107
Agreement, 30-1-201
    acceleration, 30-1-208
    conflict of law, 30-1-105
    construction, 30-1-205
    course of dealing, effect, 30-1-205
    reasonable time, fixing, 30-1-204
    statute of frauds, 28-2-903, 30-1-206
    usage of trade, effect, 30-1-205
    variance by, 30-1-102
    writing required, 28-2-903, 30-1-206
Applicability of laws
    agreement to, 30-1-105
    auction sales law, 30-1-111
    bailees, law respecting, 30-1-111
    bank deposits and collections, 30-4-104
    banking law, 30-1-111
    bills of lading, 30-7-102
    conflict of laws, 30-1-105
    contract actions, 25-4-403, 30-1-111
    defenses, survival, 27-1-503
    documents of title, 30-7-102
    extent, 30-1-105, 30-1-110, 30-1-111
    investment securities, 30-8-102
    letters of credit, 30-5-103
    livestock carriers, 30-1-111
    municipal finance consolidation bonds and notes, 17-5-1627
    negotiable instruments, 30-3-102
    personal representative, transactions with, 72-3-618
    prior law, 30-1-110, 30-1-111

UNIFORM COMMERCIAL CODE, GENERAL PROVISIONS (Continued)
Applicability of laws (Continued)

  public obligation registration, 17-5-1104
  sales, 30-2-103
  section captions, 30-1-109
  secured transactions, 30-9-105
  securities sale and registration, 30-8-102
  severability, 30-1-108
  state procurement provisions, 18-4-131
  territorial extent, 30-1-105
  transitional provisions, 30-1-110
  uniformity, 30-1-102, 30-1-103, 30-1-111
  warehouse receipts, 30-7-102
Artist and art dealer relationship, nonapplicability of provisions, 22-2-505
Authenticity of third-party documents, 30-1-202
Bank deposits and collections, Title 30, chapter 4
Bills of lading, Title 30, chapter 7
Captions, 30-1-109
Choice of law, 30-1-105
Citation of Uniform Commercial Code, 30-1-101
Claim, 30-1-106, 30-1-107
Conflict of law, 30-1-105
Construction, 30-1-102 — 30-1-104, 30-1-110, 30-1-111
Course of dealing, 1-1-206, 30-1-102, 30-1-205
Damages, 30-1-106, 30-1-107
Definitions, 1-1-206, 30-1-101, 30-1-102, 30-1-111, 30-1-201, 30-1-204, 30-1-205
Documents of title, Title 30, chapter 7
Evidence, 30-1-201, 30-1-202, 30-1-205, 30-1-208
Extent, 30-1-105, 30-1-110, 30-1-111
Former law, effect, 30-1-110, 30-1-111
Frauds, statute of, 28-2-903, 30-1-206
Funds transfers, Title 30, chapter 4A
Gender of words used, 30-1-102
Genuineness of third-party documents, 30-1-202
Good faith, 30-1-102, 30-1-201, 30-1-203, 30-1-208
Implicit repeal, 30-1-104, 30-1-111
Investment securities, Title 30, chapter 8
Leases, Title 30, chapter 2A
Letters of credit, Title 30, chapter 5
Masculine includes feminine, 30-1-102
Negotiable instruments, Title 30, chapter 3
Obligations, 30-1-102, 30-1-106, 30-1-203
Personal representative, applicability of laws to transactions with, 72-3-618
Plural includes singular, 30-1-102
Policies, 30-1-102, 30-1-103
Prior law, effect, 30-1-110, 30-1-111
Protest, performance under, 30-1-207
Purposes, 30-1-102, 30-1-103
Reasonable time, 30-1-204
Remedies, 30-1-106, 30-1-201, 30-1-206
Renunciation of claim or right, 30-1-107
Repeal, 30-1-104, 30-1-110, 30-1-111
Reservation of rights, 30-1-207
Rights, 30-1-106, 30-1-107, 30-1-201, 30-1-207
Sales, Title 30, chapter 2
Section captions, 30-1-109
Secured transactions, Title 30, chapter 9

UNIFORM COMMERCIAL CODE, GENERAL PROVISIONS (Continued)

Securities, Title 30, chapter 8
Severability, 30-1-108
Singular includes plural, 30-1-102
Statute of frauds, 28-2-903, 30-1-206
Territorial extent, 30-1-105
Third-party documents, authenticity, 30-1-202
Time, 30-1-204, See also **TIME**
Transitional provisions, 30-1-110
Under protest, 30-1-207
Uniformity, 30-1-103, 30-1-111
Urban renewal bonds, applicability of provisions, 7-15-4321
Usage of trade, 1-1-206, 30-1-102, 30-1-205
Variance by agreement, 30-1-102
Waiver of claim or right, 30-1-107
Warehouse receipts, Title 30, chapter 7
Without prejudice, 30-1-207
Words, usage, 30-1-102

UNIFORM COMMON TRUST ACT, Title 32, chapter 1, part 7
 See **BANKS AND TRUST COMPANIES, Common trust funds**

UNIFORM CONFLICT OF LAWS — LIMITATIONS ACT, 27-2-501 — 27-2-507

UNIFORM CONTROLLED SUBSTANCES ACT, Title 50, chapter 32
 See **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES, Dangerous drugs**

UNIFORM CRIMINAL EXTRADITION ACT, Title 46, chapter 30
 See **EXTRADITION**, generally

UNIFORM DECLARATORY JUDGMENTS ACT, Title 27, chapter 8
 See **JUDGMENTS AND DECREES, Declaratory judgment**

UNIFORM DETERMINATION OF DEATH ACT, 50-22-101

UNIFORM DISPOSITION OF COMMUNITY PROPERTY RIGHTS AT DEATH ACT, Title 72, chapter 9, part 1
 See **ESTATES AND PROBATE, Community property**

UNIFORM DISTRICT COURT RULES, Const., VII, 2; Title 25, chapter 19
 See **DISTRICT COURTS**, generally

UNIFORM DURABLE POWER OF ATTORNEY ACT, 72-5-501, 72-5-502

UNIFORM ENFORCEMENT OF FOREIGN JUDGMENTS ACT, 25-9-501 — 25-9-508
 See **JUDGMENTS AND DECREES, Foreign**

UNIFORM FACSIMILE SIGNATURES OF PUBLIC OFFICIALS ACT, 2-16-114
 See **PUBLIC OFFICERS OR EMPLOYEES, Signatures**

UNIFORM FEDERAL LIEN REGISTRATION ACT, Title 71, chapter 3, part 2
 See **LIENS, Federal liens**

UNIFORM FOREIGN-MONEY CLAIMS ACT, Title 25, chapter 9, part 7
 See **JUDGMENTS AND DECREES**

UNIFORM FOREIGN MONEY-JUDGMENTS RECOGNITION ACT, Title 25, chapter 9, part 6
 See **JUDGMENTS AND DECREES**

UNIFORM FRAUDULENT TRANSFER ACT, Title 31, chapter 2, part 3
 See **FRAUDULENT TRANSFERS**

UNIFORM HEALTH CARE INFORMATION ACT, Title 50, chapter 16, part 5
    See **HEALTH CARE INFORMATION**

UNIFORM INTERNATIONAL WILL ACT, Title 72, chapter 2, part 9
    See **ESTATES AND PROBATE, Wills**

UNIFORM INTERSTATE FAMILY SUPPORT ACT, Title 40, chapter 5, part 1
    See **CHILD SUPPORT; DISSOLUTION OF MARRIAGE**

UNIFORM JUDICIAL NOTICE OF FOREIGN LAW ACT, Title 26, chapter 10, M.R.Ev., Rule 202
    See **EVIDENCE, Judicial notice**

UNIFORM LAW ON NOTARIAL ACTS, Title 1, chapter 5, part 6
    See **NOTARIES PUBLIC**

UNIFORM LIMITED PARTNERSHIP ACT, Title 35, chapter 12
    See **LIMITED PARTNERSHIPS**, generally

UNIFORM MACHINE GUN ACT, 45-8-301 — 45-8-309
    See **WEAPONS, Machine guns**

UNIFORM MANAGEMENT OF INSTITUTIONAL FUNDS ACT, Title 72, chapter 30
    See **TRUSTS, Institutional funds**

UNIFORM MARRIAGE AND DIVORCE ACT, Title 40, chapters 1 and 4
    See **DISSOLUTION OF MARRIAGE; MARRIAGE**

UNIFORM OFFICIAL REPORTS AS EVIDENCE ACT, Title 26, chapter 10, M.R.Ev., Rule 803
    See also **EVIDENCE, Official acts and writings**

UNIFORM PARENTAGE ACT, Title 40, chapter 6, part 1
    See **PARENT AND CHILD**

UNIFORM PARTNERSHIP ACT, Title 35, chapter 10
    See **PARTNERSHIPS**, generally

UNIFORM PREMARITAL AGREEMENT ACT, Title 40, chapter 2, part 6
    See **MARRIAGE, Premarital agreements**

UNIFORM PRINCIPAL AND INCOME ACT, REVISED, Title 72, chapter 34, part 4
    See **TRUSTS, Principal and income, determination**

UNIFORM PROBATE CODE, Title 72, chapters 1 — 5; Title 72, chapter 16, part 6
    See **ESTATES AND PROBATE**, generally

UNIFORM SECURITIES ACT, Title 30, chapter 10, parts 1 — 3
    See **SECURITIES AND SECURITIES REGULATION**, generally

UNIFORM STATE LAW FOR AERONAUTICS, Title 67, chapter 1, part 2
    See **AERONAUTICS**

UNIFORM STATE LAWS, COMMISSION ON, Title 1, chapter 12
    See **LAW**

UNIFORM STATUTORY RULE AGAINST PERPETUITIES, 72-2-1001 — 72-2-1007
    See **ESTATES AND PROBATE, Perpetuities, statutory rule against**

UNIFORM TESTAMENTARY ADDITIONS TO TRUSTS ACT, 72-2-531

UNIFORM TRADE SECRETS ACT, Title 30, chapter 14, part 4
  See **TRADE REGULATION AND COMPETITION, Trade secrets**

UNIFORM TRANSBOUNDARY POLLUTION RECIPROCAL ACCESS ACT, Title 75, chapter 16, part 1
  See **POLLUTION**

UNIFORM TRANSFERS TO MINORS ACT, MONTANA, Title 72, chapter 26, parts 5 — 8
  See **TRUSTS, Minors, transfers to**

UNIFORM UNCLAIMED PROPERTY ACT, Title 70, chapter 9, parts 1 — 3
  See **PROPERTY, PERSONAL, Unclaimed property**

UNIONS
  See **COLLECTIVE BARGAINING**

UNIT OWNERSHIP ACT, Title 70, chapter 23
  See **CONDOMINIUMS**, generally

UNIVERSITY OF MONTANA
  See also **UNIVERSITY SYSTEM**, generally
Appropriations, unexpended — reversion, 17-7-304
Arboretum, state — designation, 1-1-513
Archaeological survey, director to evaluate opencut mining reclamation plans, 82-4-434
Biological station, 23-1-201, 23-1-202, 87-5-404
Budget provisions, 17-7-102, See **BUDGET AND BUDGETING**
Bureau of Business and Economic Research, 7-4-2503, 7-4-2504, 41-5-704
Campuses, location, 20-25-201
Conservation education courses, 20-25-104
Courses of instruction, 20-25-206
Defined, 20-1-101
Departments, enumeration, 20-25-206
Football stadium, construction, 20-25-441, 20-25-442
Forest and Conservation Experiment Station, 20-25-241 — 20-25-245
  appropriations, unexpended — reversion, 17-7-304
  budget provisions, 17-7-102, See **BUDGET AND BUDGETING**
Forest lands tax, information and data for, 15-44-103
Forestry school, 20-25-205, 20-25-243, 20-25-244
Forestry services, funding, 76-13-415
Funding generally, 20-25-422
Government Research, Bureau of — purpose and funding, 20-25-207
Honors College Program Building, 18-2-112, 18-8-212, 20-25-440
Law library, 2-4-313, 3-2-604
Law school, 1-12-101, 1-12-102, 20-25-205, 37-61-204
Legislative intern program, Title 5, chapter 6
Purpose, 20-25-205
Student building fees, 20-25-302
University of Montana-Dillon
  gifts and donations, 20-25-254
  public lands, acceptance of benefits from, 20-25-255
  purpose, 20-25-253
  swimming pool addition to physical education facility, 17-5-423, 17-5-425

UNIVERSITY SYSTEM
  See also **HIGHER EDUCATION**; specific college or university
Administration generally, Title 20, chapter 25, part 3
Administrative procedure and rules, applicability, 2-4-102

UNIVERSITY SYSTEM (Continued)

Administrative rules and register, copies distributed to, 2-4-313
"Agency head" defined, 2-18-1101
Agricultural chemical ground water protection research programs, 80-15-107
Agricultural research and development projects, 90-9-315
Agricultural research centers, See **MONTANA STATE UNIVERSITY**
Alcohol abuse instruction, 20-25-601 — 20-25-604
Anatomical gifts, donees, 72-17-202
Animal and research facilities protection, Title 81, chapter 30, part 1
Antiquities permits, 22-3-432
Audits, legislative, Const., V, 10; Title 5, chapter 13
Blind persons, employment policy of state, 49-4-202
Blue-collar occupations, wages, See **PUBLIC OFFICERS OR EMPLOYEES, Classification; Compensation determination**
Boxing matches or exhibitions, regulatory authority, 23-3-404
Buildings, See **Facilities**
Commissioner of higher education, See **HIGHER EDUCATION**
Community colleges, See **COMMUNITY COLLEGE DISTRICTS AND TRUSTEES**
Community service corps program, state plans, 90-14-103, 90-14-105
Conservation education courses, 20-25-104
Construction projects, See **Facilities**
Consultant services contracts, state, Title 18, chapter 8, part 1
Contracts, public, Title 18
Control, 20-25-301; Const., X, 9
Corrections, Department of — cooperation, 53-1-203
Courses of instruction, 20-25-301
Data processing equipment and facilities, 2-17-501, 20-25-301
Deaf persons, employment policy of state, 49-4-202
Debt collection, Title 17, chapter 4, part 1
Definitions, 20-1-101, 20-25-501, 20-25-701, 20-26-103, 20-26-1101
Degrees, awarding — regulation, 20-25-107, 20-25-301
Destructive device, possession — offense of, 45-8-334, 45-8-337
Developmental disabilities, persons with — community homes, authorization of services, 53-20-304
Disabled persons
    community home services for, 53-19-104
    employment, 39-30-103, 49-4-202
Disciplinary records, 20-25-516
Discriminatory practices, 20-25-101, 20-25-707, See **DISCRIMINATION, Educational institutions**
Donations, 20-25-426; Title 17, chapter 3, part 10
Drug and alcohol abuse instruction, 20-25-601 — 20-25-604
Drugs, dangerous — precursors
    exemption to criminal possession provision, 45-9-108
    report of sale or transfer, nonapplicability, 50-32-401
Employees
    appointment, 20-25-301
    group insurance, Title 2, chapter 18, parts 7 and 8; Title 33, chapter 20, parts 11 and 12
    holidays, designation, 20-25-306
    incentive program, Title 2, chapter 18, part 11
    minimum wage and overtime compensation exclusions when, 39-3-406
    retirement, Title 19, chapters 3, 20, and 21
    "temporary employee" defined, 2-18-115, 19-3-111
    unemployment insurance coverage, 39-51-203, 39-51-204
Endowments, Title 17, chapter 3, part 10
    fund for, 17-2-102
    management, Title 72, chapter 30
    tax credit for contributions to, 15-30-163, 15-31-135, 15-31-136

UNIVERSITY SYSTEM (Continued)

Energy conservation measure grants, 90-4-102, 90-4-109
Ethics, Code of, Title 2, chapter 2, part 1; Const., XIII, 4
Executive boards, local, 20-25-301, 20-25-303, 20-25-304
Experimental farms, 20-25-225
Experiment stations
  agricultural, See **MONTANA STATE UNIVERSITY, Agricultural Experiment Station**
  forest and conservation, 17-7-102, 20-25-241 — 20-25-245
Facilities
  construction
    authorization, 18-2-102, 18-2-103
    funding, 20-25-402
    legislative intent, student housing, 18-2-103
  energy conservation program, Title 90, chapter 4, part 6
  funding, 20-25-402
  revenue-producing, 18-2-102, 20-25-302, 20-25-404
  smoking areas, designation provisions — exemptions, 50-60-204
  student building fees, 20-25-302, 20-25-402
Faculty, 20-25-301
Fair Practices, Code of, Title 49, chapter 3
Farm animal research facilities protection, Title 81, chapter 30, part 1
Fees, See **Students**
Finance, Const., X, 10
  accounting system, 17-1-102
  appropriations, unexpended — reversion, 17-7-304
  bonds, issuance and sale, 20-25-402
  borrowing, authority regarding, 20-25-308, 20-25-402
  budget, See also **BUDGET AND BUDGETING**
    "approving authority" and "university system unit" defined, 17-7-102
    bonded indebtedness information, inclusion, 17-7-111
    committee, 20-25-301
    historic records network, operation, 22-3-212
    requests, inclusion of bonded indebtedness information, 17-7-111
    social security contributions, 19-1-825
  contracts, 20-25-406, 20-25-427
  expenditures, 17-1-102, 20-25-425
  federal funds, 20-25-402, 20-25-425, 20-25-704, 20-26-201, 20-26-1102
  funds, 17-2-102, 17-2-107, 17-2-131, 17-6-203, 20-25-308, 20-25-427, 76-13-415; Const., X, 10
  indirect cost reimbursements, allocation, 17-3-111, 20-25-427
  investment of funds, Const., VIII, 13; X, 10
  liabilities, recording, 17-1-102
  miscellaneous, Title 20, chapter 25, part 4
  Montana state university, 20-25-424
  obligations, 20-25-403, 20-25-407; Title 17, chapter 5, part 11
  property tax for, 20-25-423
  receipts and disbursements, control, 20-25-301
  reports, procedures, 17-2-110
  research programs, 20-25-108
  6-mill levy, 15-10-106, 15-16-802, 15-24-102, 15-24-1703, 15-24-1802, 15-24-1902, 15-24-2002, 15-24-2403, 15-36-324, 15-36-325, 20-25-423, 90-6-309
  state funds, use restrictions, 20-25-405
  university of Montana, 20-25-422
  urban renewal tax increment financing, distribution, 7-15-4286
Fire prevention and safety regulations, 50-3-102, 50-61-103
Fiscal analysis, Title 5, chapter 12
Fish and game collector's permit, 87-2-806, 87-5-109

UNIVERSITY SYSTEM (Continued)

Fish, Wildlife, and Parks — Department of, cooperative agreements with, 87-1-210
Forage and product noxious weed seed free program, cooperation and advisory council membership, 80-7-902, 80-7-904
General provisions, Title 20, chapter 25, part 1
Gifts, 20-25-103, 20-25-108, 20-25-242, 20-25-252, 20-25-254, 20-25-402, 20-25-425, 20-25-426; Title 17, chapter 3, part 10
Golf course beer and wine license, 16-4-109
Government, rules for, 20-25-301
Grants, 20-25-103, 20-25-108, 20-25-402, 20-25-426, 20-25-427; Title 17, chapter 3, part 10
Group homes, authorization of services to, 53-20-304
Guaranteed student loan program, Title 20, chapter 26, part 11
Handicapped persons, See **Disabled persons**
Hazardous chemical information programs, contracts to develop and implement, 50-78-306
Health inspections, 50-1-202
Historical Society, agreement and cooperation with, 22-3-102
Historic records network, 22-3-102, 22-3-107, 22-3-211, 22-3-212
Immunization requirements, 20-5-402 — 20-5-410
Indian studies courses, 20-4-211
Infirmaries, 27-6-103, 50-5-101
Insurance, blanket disability, See **INSURANCE, DISABILITY**, **Blanket disability insurance**
Legislative intern program, Title 5, chapter 6
Liability, Title 2, chapter 9, part 1, See **GOVERNMENT LIABILITY**
Libraries
  depository libraries, 22-1-214, 22-1-215
  historic records, assistance for preservation, 22-3-211
  interlibrary loan reimbursement, 22-1-328
  joint services, with governmental agencies, 22-1-403
  law library at university of Montana, 2-4-313, 3-2-604
  records confidentiality, 22-1-1101 — 22-1-1103, 22-1-1111
  state library commission, librarian appointed to, 22-1-101
License plates, collegiate, 61-3-461 — 61-3-467
Lodging facility use tax proceeds, allocation and use, 15-65-121
Long-range building program bonds, Title 17, chapter 5, part 4
Maintenance expenditures and equipment and fixed assets purchase, plan for, 17-7-304
Milk retailers, as, 81-23-101
Montana conservation corpsmembers, incentive vouchers, 23-1-313
Motor vehicle regulation
  enforcement and appeals, 20-25-312, 20-25-322
  parking and operation of vehicles, 20-25-311
  parking facilities, 20-25-302, 20-25-311, 20-25-312
  traffic citations, 20-25-322
Name of system, use prohibited, 20-25-102
Natural resource information system as data source agency, 90-15-102
Nonprofit corporations or foundations, transfers to — prohibitions, 20-25-308
Noxious weed management, cooperative agreements, 7-22-2151
Obscene material, public display or dissemination to minors — nonapplicability of provisions when, 45-8-206
Organ donations, donees, 72-17-202
Payroll system, central — inclusion in, 2-18-401
Placement services, discriminatory practices prohibited, 49-3-202
Presidents or chancellors of units, 2-15-122, 20-25-301, 20-25-303, 20-25-305, 20-25-321 — 20-25-323
Printing, Title 18, chapter 7, parts 1 and 3
Private colleges or universities
  commission on federal higher education programs, trustees as members of, 2-15-1515
  endowment funds, contributions to — tax credit, 15-30-163, 15-31-135, 15-31-136

UNIVERSITY SYSTEM (Continued)
Private colleges or universities (Continued)

  legislative intern program, Title 5, chapter 6
Property, 20-25-108, 20-25-301, 20-25-308
Purchase of goods and services, Title 18, chapters 4 and 5
Rangeland Resources Committee, consultations, 76-14-106
Real estate appraisers, licensing — course of study, 37-54-202
Records, academic or disciplinary, 20-25-511, 20-25-515, 20-25-516
Recycling program, Title 75, chapter 10, part 8
Regents of Higher Education, Board of — powers and duties, See **REGENTS OF HIGHER EDUCATION, BOARD OF**
Research and development projects, matching funds, 17-6-308
Research and farm animal facilities protection, Title 81, chapter 30, part 1
Research programs, 17-2-102, 20-25-108, 80-15-107, 90-1-107, 90-3-505, 90-3-506, 90-9-315
  anatomical gifts for, 72-17-202
  drugs, dangerous — precursors, report of sale or transfer not required, 50-32-401
  seed potato disease control act, exemption, 80-5-403, 80-5-404
  small business investment capital companies, certification eligibility, 90-8-201
  toxic substances, criminal possession — exemption, 45-9-121
Residence requirements
  local executive board members, 20-25-303
  students, 20-25-421, 20-25-501, 20-25-503, 20-25-504
  work-study program requirements, 20-25-701
Resident student financial assistance program, Title 20, chapter 26, parts 1 and 2
Rural physicians, incentive program, 20-26-1501 — 20-26-1503
Scholarship donations from collegiate license plates, 61-3-465, 61-3-467
Seal, 20-25-301
Security departments
  control and direction, 20-25-323
  members, 7-32-303, 20-25-321, 20-25-324
  parking violation and traffic citations, 20-25-322
Session laws, copies to, 5-11-203
State Library Commission, librarian appointed to, 22-1-101
Students
  contracts waiving right to privacy prohibited, 20-25-512
  definitions, 20-25-501
  evidence
    domiciliary intent, 20-25-504
    presumption as to domicile and change in status, 20-25-503, 20-25-504
    rooms, emergency entry — evidence obtained during, 20-25-513
  fees
    activity, 17-2-107, 18-4-132, 18-8-103, 20-25-402, 20-25-451
    building, 20-25-302, 20-25-402
    incidental, 20-25-421
    parking, 20-25-312
    waiver, 20-25-421, 52-5-112
  immunization requirements, 20-5-402 — 20-5-410
  indian students, 20-25-421
  loans, 7-34-2122, 17-2-102, 41-1-303; Title 20, chapter 26, part 11
  matriculation charges, 20-25-421, 20-25-422
  military instruction, 20-25-506
  military personnel, as, 20-25-501
  parking facilities and regulations, 20-25-311, 20-25-312
  privacy, right to, 20-25-511, 20-25-512
  private communication between student and employee, 26-1-809
  public employees' retirement system, applicability, 19-3-403
  qualification, 20-25-502

UNIVERSITY SYSTEM (Continued)
Students (Continued)

  records, 20-25-511, 20-25-515, 20-25-516
  registration prohibited when, 20-25-312
  residence requirements, 20-25-421, 20-25-501, 20-25-503, 20-25-504
  rights, 20-15-404, 20-25-511 — 20-25-516
  rooms, entry, 20-25-513, 20-25-514
  state employees' dependents, 20-25-503
  tuition, 17-7-402, 20-25-421, 20-25-422, 20-25-503, 52-5-112
  work-study programs, Title 20, chapter 25, part 7
  youth correctional facilities, from, 20-25-421, 52-5-112
Supervision, 20-25-301; Const., X, 9
Teachers, 20-25-301
  social security provisions for, Title 19, chapter 1
Telecommunications network (METNET), 20-9-343, 20-32-101 — 20-32-104
Torts, See **GOVERNMENT LIABILITY**, **Actions** entries; **Claims**; **TORTS**
Transcripts, 20-25-516
Travel research program, 2-15-1816, 15-65-121
Tuition, 17-7-402, 20-25-421, 20-25-422, 20-25-503, 52-5-112
Unemployment insurance coverage, 39-51-203, 39-51-204
Units constituting, 20-25-201
Vertebrate pest management, responsibilities, 80-7-1102, 80-7-1104
Veterans and dependents, 10-2-211, 10-2-213, 20-25-421; Title 39, chapter 29
Visually disabled persons, employment policy of state, 49-4-202
"Vocational-technical education" defined, 20-1-101, See also **VOCATIONAL-TECHNICAL EDUCATION**
Waste reduction and management, Title 75, chapter 10, part 8
Water commissioners and water mediators, development of educational program for, 85-5-111
Water-related research, 80-15-107, 85-2-105
Water resources data management system, cooperation, 85-2-112
Weed management, cooperative agreements, 7-22-2151
Western Interstate Commission for Higher Education, Title 20, chapter 25, part 8
Western Regional Higher Education Compact, Title 20, chapter 25, part 8
Wheat and barley research and marketing, contracts or agreements, 80-11-205
Wildlife
  collector's permit, 87-2-806, 87-5-109
  research and management training programs, 87-1-210
Work-study programs
  administration, 20-25-702
  antidiscrimination, 20-25-707
  definitions, 20-25-701
  eligibility, determination, 20-25-706
  funds, 20-25-703 — 20-25-705
  purpose, 20-25-701
  rules, 20-25-705
  salaries, 20-25-708, 20-25-709
  unemployment insurance coverage exclusions, 39-51-204
Wrestling matches or exhibitions, regulatory authority, 23-3-404

UNIVERSITY SYSTEM OPTIONAL RETIREMENT PROGRAM
Actuarial investigation to determine past service liability, 19-21-111
Administration, 19-21-103
Annuity contracts
  assessments, exemption from, 19-21-212
  benefits provided through, 19-21-101, 19-21-103, 19-21-211
  companies purchased from, designation, 19-21-103
  form and content, approval, 19-21-103

UNIVERSITY SYSTEM OPTIONAL RETIREMENT PROGRAM (Continued)
Annuity contracts (Continued)

  issuance, 19-21-101
    application for, 19-21-201
  legal process, exemption from, 19-21-212
  ownership, 19-21-101
  payment of benefits, 19-21-211
  rights and benefits, 19-21-103
  tax exemption, 19-21-212, See also **TAXATION, INDIVIDUAL INCOME, Exemptions**
  unassignability when, 19-21-212
Benefits
  annuity contracts, provided through, 19-21-101, 19-21-103, 19-21-211
  assessments, exemption from, 19-21-212
  bankruptcy, exemption, 31-2-106
  discrimination based on sex or marital status prohibited, 49-2-309
  legal process, exemption from, 19-21-212
  payment, 19-21-211
  tax exemption, 19-21-212, See also **TAXATION, INDIVIDUAL INCOME, Exemptions**
  teachers' retirement system, waiver, 19-21-202
  unassignability when, 19-21-212
Contributions, 19-21-203
  additional, 19-2-706
  annuity contract rights and benefits, relationship to amount, 19-21-103
  assessments, exemption from, 19-21-212
  legal process, exemption from, 19-21-212
  tax exemption, 19-21-212
  unassignability when, 19-21-212
  unfunded liability, payments to rectify adverse effect on amortization, 19-21-111
Definition, 19-21-102
Discrimination based on sex or marital status prohibited, 49-2-309
Eligibility, 19-21-201
Establishment, 19-21-101
Legislative auditor, actuarial investigation and report, 19-21-111
Marital status, discrimination based on — prohibited, 49-2-309
Participation
  annuity contract rights and benefits, suitability, 19-21-103
  election for, 19-21-201
  eligibility, 19-21-201
  public employees' retirement system, 19-3-411, 19-21-201
  right to, employer to inform, 19-20-208
  teachers' retirement system, effect on rights in, 19-21-202
  termination, involuntary — additional service, 19-2-706
Past service liability, determination, 19-21-111
Public Employees' Retirement System, membership, 19-3-411, 19-21-201
Sex, discrimination based on — prohibited, 49-2-309
Teachers' Retirement System
  actuarial investigation, 19-21-111
  contributions to, 19-21-111, 19-21-203
  defined, 19-21-102
  membership in, when, 19-20-302, 19-21-201, See **TEACHERS' RETIREMENT SYSTEM**
  participation in optional program, election for
    notice, filing, 19-21-201
    teachers' retirement system
      membership in, effect on, 19-21-201, 19-21-202
      rights in, effect on, 19-21-202
    unfunded liability, effect, 19-21-111
  past service liability, determination, 19-21-111

UNIVERSITY SYSTEM OPTIONAL RETIREMENT PROGRAM (Continued)
Teachers' Retirement System (Continued)

  unfunded liability, 19-21-111
Unfunded liability, 19-21-111

UNJUST ENRICHMENT
Bank deposits and collections, stop order — payor bank's subrogation on improper payment, 30-4-407
Benefit — burden, 1-3-212
Contracts, 1-3-212, 27-1-602
Trade secrets, misappropriation — damages, 30-14-404
Trusts
  breach of trust, resulting from, 72-34-508, 72-34-512
  constructive trust arises when title to property subject to equitable duty to convey, 72-33-219
  resulting trusts
    failure of trust, upon, 72-33-216
    purchase money, 72-33-218

UNLAWFUL DETAINER, Title 70, chapter 27
  See **FORCIBLE ENTRY AND DETAINER AND UNLAWFUL DETAINER**

URBAN RENEWAL
Actions
  agency, by, 7-15-4236
  bond issuance, concerning, 7-15-4304
Administration of provisions, 7-15-4233, 7-15-4251, 7-15-4258
Agency
  administration, 7-15-4234
  agreements, 7-15-4281
  annual report, 7-15-4237
  budgets, 7-15-4281
  commissioners, board of, 7-15-4234
    conduct of business, 7-15-4236
    misconduct in office, 7-15-4234, 7-15-4240
    powers exercised by, 7-15-4236
    quorum, 7-15-4236
    restrictions, 7-15-4235
  creation, 7-15-4232
  defined, 7-15-4206
  employees
    conflict of interest, 7-15-4239
    employment, 7-15-4238
    misconduct in office, 7-15-4240
  powers, 7-15-4231, 7-15-4233, 7-15-4236
  report, annual, 7-15-4237
  staff, employment, 7-15-4238
Annual activities, See **Neighborhood development programs**, generally
Area, See **Blighted areas**
Assessments, levy, 7-15-4281
Bequests, acceptance, 7-15-4258
Blighted areas
  condemnation, See **Property**, eminent domain
  definitions, 7-15-4206
  determination, resolution for, 7-15-4216
  existence and resulting problems, 7-15-4202, 7-15-4210
  neighborhood development programs, 7-15-4220
  projects appropriate for, designation, 7-15-4216, See also **Projects**, generally
  redevelopment and rehabilitation
    defined, 7-15-4206

URBAN RENEWAL (Continued)
Blighted areas (Continued)
  redevelopment and rehabilitation (Continued)
    need for, 7-15-4203, 7-15-4210
    private enterprise, by, 7-15-4208, 7-15-4217, 7-15-4263
    program for, 7-15-4209
    resolution of necessity, 7-15-4210
  yearly activities, 7-15-4220
Blight, prevention and elimination, 7-15-4252
Bondholders, covenants for security, 7-15-4290
Bonds
  defined, 7-15-4206
  details relating to, 7-15-4322
  general obligation bonds, issuance, 7-15-4218, 7-15-4290
    authorization, 7-15-4302
  industrial infrastructure development bonds, issuance, 7-15-4301
  investments, as, 7-15-4306
  issuance
    authorization, 7-15-4301
    election required, 7-15-4218
    general provisions, 7-15-4322
    regularity, presumption of, 7-15-4304
    tax increment provisions, effect on, 7-15-4292
  nature of, 7-15-4321
  negotiability, 7-15-4303
  redemption, 7-15-4322, 7-15-4323
  refunding bonds, authorization for issuance, 7-15-4301
  revenue bonds, issuance, 7-15-4218, 7-15-4290
  revenues of municipality pledged for payment, 7-15-4290, 7-15-4301
  signatures on, validity and sufficiency, 7-15-4305
  special assessment bonds, issuance, 7-15-4290
  taxation, exemption from, 7-15-4307
  tax increment financing
    payment by, 7-15-4287, 7-15-4289, 7-15-4290, 7-15-4301
    special provisions, 7-15-4324
    termination or reduction, 7-15-4292
Budgets, 7-15-4220, 7-15-4281
Citation of Urban Renewal Law, 7-15-4201
Cities and towns, See **Municipalities**
Commission, See **Planning commission**
Commissioners, board of, See **Agency**
Comprehensive development plan, 7-15-4211, 7-15-4216, 7-15-4254
  plan, urban renewal — conformity, 7-15-4213, 7-15-4217
Condemnation, 7-15-4204, 7-15-4258, 7-15-4259
Conflict of interest, 7-15-4239
Contracts
  conflict of interest, 7-15-4239
  federal assistance, provisions regarding, 7-15-4233, 7-15-4255, 7-15-4281
  powers concerning, 7-15-4233, 7-15-4251, 7-15-4254, 7-15-4281
  prevailing salaries and wages, federal law relating to, 7-15-4233, 7-15-4255
  property, concerning, 7-15-4233, 7-15-4262 — 7-15-4264
  services, for, 7-15-4255
Definitions, 7-15-4206, 7-15-4283, 7-15-4292
Devises, acceptance, 7-15-4258
Discrimination prohibited, 7-15-4207
Displaced families, relocation
  plans for, 7-15-4217, 7-15-4233, 7-15-4253
  tax increment financing, costs paid by, 7-15-4288

URBAN RENEWAL (Continued)

- **Election required when**, 7-15-4218, 7-15-4220
- **Eminent domain**, 7-15-4204, 7-15-4258, 7-15-4259
- **Execution**, property and funds exempt from, 7-15-4260
- **Federal financial assistance**, 7-15-4233, 7-15-4252, 7-15-4255, 7-15-4281, 7-15-4301, See also **Bonds**, generally
- **Financial authority of municipalities**, 7-15-4281
- **Financing**
  - bonds, by, See **Bonds**
  - program for, 7-15-4217
  - tax increment, See **Tax increment financing**
  - yearly activities, 7-15-4220
- **Funds**
  - allocation, 7-6-4131
  - all-purpose levy, from — allocation, 7-6-4131
  - execution, exemption from, 7-15-4260
  - investment, 7-15-4281
  - municipalities, powers generally, 7-15-4281
  - public bodies, cooperation regarding, 7-15-4267
- **General obligation bonds**, See **Bonds**
- **Gifts**, 7-15-4258
- **Grants**, 7-15-4252, 7-15-4258, 7-15-4260, 7-15-4267, 7-15-4281, 7-15-4301
- **Hearings**
  - industrial districts, creation, 7-15-4299
  - property, temporary use — extension of time, 7-15-4266
  - revenues pledged for bond payments, 7-15-4290
  - urban renewal plan, 7-15-4214, 7-15-4215
- **Industrial districts**
  - bond payments, pledge for, 7-15-4287, 7-15-4289, 7-15-4290, 7-15-4301
  - citation of tax increment financing industrial development act, 7-15-4297
  - costs, payment, 7-15-4288 — 7-15-4290
  - creation, 7-15-4299
  - definitions, 7-15-4283
  - industrial infrastructure development projects, 7-15-4283, 7-15-4288, 7-15-4290, 7-15-4299, 7-15-4301, 7-15-4302, 7-15-4304
  - legislative findings, 7-15-4298
  - ordinance for, 7-15-4299
    - contents, 7-15-4282
    - filing, 7-15-4284
  - secondary, value-adding industries — assistance, 7-15-4288
  - taxable value, base
    - adjustment when, 7-15-4293
    - defined, 7-15-4283
  - taxable values, incremental
    - defined, 7-15-4283
    - determination and report, 7-15-4285
  - tax increments, determination and disbursement, 7-15-4286
  - termination of financing, 7-15-4292
- **Information**, dissemination, 7-15-4233, 7-15-4251
- **Infrastructure improvements**, 7-15-4288
  - industrial development, for, See **Industrial districts**
- **Interpretation of provisions**, 7-15-4204
- **Investments**
  - bonds, 7-15-4306
  - funds, 7-15-4281
- **Land**, See **Property**

URBAN RENEWAL (Continued)

Local governing body
  agency, annual report filed with, 7-15-4237
  blighted area, resolution for determination, 7-15-4216
  bondholders' security, resolution for covenants, 7-15-4290
  bonds, resolution or ordinance for issuance, 7-15-4301, 7-15-4324
  commissioners, board of — consent for, 7-15-4234
  conflict of interest, written disclosures, 7-15-4239
  defined, 7-15-4206
  industrial districts, creation — authorization, 7-15-4299
  federal financial assistance, powers regarding, 7-15-4233
  plan, urban renewal
    approval, 7-15-4216, 7-15-4258, 7-15-4262
    hearing, 7-15-4214
    modification, 7-15-4221
    recommendations concerning, 7-15-4213
  powers, resolution regarding, 7-15-4231, 7-15-4233
  project, criteria for approval, 7-15-4217
  property
    acquisition, resolution regarding, 7-15-4259
    redevelopment, noncompletion, 7-15-4258
  resolution of necessity, 7-15-4210
  taxable value, base — adjustment when, 7-15-4293
  tax increments, provision for use of portions, 7-15-4287
Mortgages, 7-15-4301, 7-15-4322
Municipalities
  annual activities, 7-15-4220
  blight, prevention and elimination, 7-15-4252
  bonds
    issuance, 7-15-4290, 7-15-4301, 7-15-4302
    redemption, 7-15-4323
    signatures on, validity and sufficiency, 7-15-4305
  defined, 7-15-4206, 7-15-4283
  departments and officers
    agreements, 7-15-4281
    budgets, 7-15-4281
    conflict of interest, 7-15-4239
    misconduct in office, 7-15-4240
    powers
      assigned to, 7-15-4232
      exercised by, 7-15-4231, 7-15-4233
    staff, employment, 7-15-4238
  eminent domain, power of, See **Property**
  employees
    conflict of interest, 7-15-4239
    misconduct in office, 7-15-4240
  financial authority, 7-15-4281
  funds, exemption from execution, 7-15-4260
  governing body, See **Local governing body**
  grants, acceptance, 7-15-4252, 7-15-4258
  industrial districts, See **Industrial districts**
  judgments, effect on property, 7-15-4260
  neighborhood development program, use, 7-15-4220
  officers, See **Municipalities**, departments and officers
  plan, comprehensive development — preparation, 7-15-4211
  planning commission, establishment and maintenance, 7-15-4211

URBAN RENEWAL (Continued)
Municipalities (Continued)

- plans, generally — power concerning, 7-15-4254
- plan, urban renewal — preparation, 7-15-4212
- powers
  - exercised by, 7-15-4231, 7-15-4253, 7-15-4254
    - resolution of necessity required, 7-15-4210
  - general, 7-15-4251
- private enterprise, encouragement, 7-15-4208
- private property, authority to enter, 7-15-4257
- program, formulation, 7-15-4208, 7-15-4209
- projects
  - approval, 7-15-4216, 7-15-4219
  - powers concerning, 7-15-4251
- property
  - acquisition and administration, 7-15-4258, 7-15-4288
  - development agreement, 7-15-4258
  - disposal, 7-15-4221, 7-15-4262, 7-15-4288
    - private persons, to, 7-15-4263, 7-15-4264
  - eminent domain, acquisition by, 7-15-4258, 7-15-4259
  - execution, exemption from, 7-15-4260
  - judgments, effect, 7-15-4260
  - private, authority to enter, 7-15-4257
  - public bodies, cooperation, 7-15-4267
  - redevelopment, noncompletion, 7-15-4258
  - taxation, exemption from, 7-15-4261
  - temporary use, 7-15-4266
  - title transfers, presumption of regularity, 7-15-4265
  - transferees, obligations, 7-15-4264
- public bodies, cooperation, 7-15-4267
- relocation of displaced families, plans for, 7-15-4253
- revenues pledged for bond payments, 7-15-4290, 7-15-4301
- services, authority regarding, 7-15-4255
  - utility, restriction on operation, 7-15-4256
- staff, employment, 7-15-4238
- taxable values, incremental — reports regarding, 7-15-4285
- tax increments
  - distribution, 7-15-4292
  - unused portions, agreements for, 7-15-4291
- utility services, restriction on operation, 7-15-4256
- yearly activities, 7-15-4220

Neighborhood development programs
- defined, 7-15-4206
- designation and use, 7-15-4220

Notices
- agency, filing of annual report, 7-15-4237
- condemnation proceedings, 7-15-4259
- hearings on urban renewal plan, 7-15-4214, 7-15-4215
- property
  - contracts or conveyances, recording as, 7-15-4264
  - disposal, invitation for proposals from private persons, 7-15-4263, 7-15-4267

Obligee
- defined, 7-15-4206
- remedies, rights, 7-15-4260

Ordinances
- bonds, for issuance, 7-15-4301, 7-15-4322, 7-15-4324
- industrial districts, creation, 7-15-4299

URBAN RENEWAL (Continued)
Ordinances (Continued)

- plan, urban renewal
  - adoption, 7-15-4216
  - modification, 7-15-4221
- project, approval by, 7-15-4217

Personal property, See **Property**, generally
Plan, comprehensive development, 7-15-4211, 7-15-4216, 7-15-4254
- plan, urban renewal — conformity, 7-15-4213, 7-15-4217

Planning commission
- establishment and maintenance, 7-15-4211
- plan, urban renewal — review and recommendations, 7-15-4213, 7-15-4214

Plans, generally — powers concerning, 7-15-4233, 7-15-4254
Plan, urban renewal
- approval, 7-15-4208, 7-15-4216, 7-15-4258, 7-15-4262
  - election required when, 7-15-4218
- defined, 7-15-4206
- election required for approval when, 7-15-4218
- hearing, 7-15-4214
  - notice, 7-15-4214, 7-15-4215
- modification, 7-15-4221, 7-15-4233
- neighborhood development program as part of, 7-15-4220
- preparation, 7-15-4212, 7-15-4233, 7-15-4254
- project, approval
  - criteria, 7-15-4217
  - effect, 7-15-4219
- public bodies, cooperation, 7-15-4267
- redevelopment consistent with, 7-15-4258
- review and recommendations, 7-15-4213, 7-15-4214
  - writing required, 7-15-4213
- tax increment financing, provision for, 7-15-4282
  - filing, 7-15-4284
- yearly activities as part of, 7-15-4220

Policy, statement of, 7-15-4202
Powers related to, 7-15-4231
- agency or departments, 7-15-4231 — 7-15-4233
- assigning, authority for, 7-15-4232
- municipalities, 7-15-4231, 7-15-4251, 7-15-4253, 7-15-4254

Private enterprise, rehabilitation or redevelopment of area, 7-15-4208, 7-15-4217
Private property, authority to enter, 7-15-4257, See also **Property**
Program, formulation, 7-15-4208, 7-15-4209, 7-15-4233
Projects
- approval, 7-15-4216
  - criteria, 7-15-4217
  - effect, 7-15-4219
- bonds to finance, See **Bonds**, generally
- conflict of interest, 7-15-4239
- contracts concerning, See **Contracts**, generally
- financing, See **Bonds**, generally
- industrial infrastructure development, 7-15-4283, 7-15-4288, 7-15-4290, 7-15-4299, 7-15-4301, 7-15-4302, 7-15-4304
- infrastructure development, 7-15-4288
- mortgages on, 7-15-4301
- neighborhood development programs in conjunction with, 7-15-4220
- powers regarding, 7-15-4233, 7-15-4251
- preliminary plans, 7-15-4233, 7-15-4254
- property acquired for, See **Property**, generally

URBAN RENEWAL (Continued)
Projects (Continued)

- public bodies, cooperation, 7-15-4267
- tax increment financing, costs paid by, 7-15-4288
- "urban renewal project" defined, 7-15-4206
- yearly activities in conjunction with, 7-15-4220

Property
- acquisition, 7-15-4258, 7-15-4259, 7-15-4288
- conflict of interest, 7-15-4239
- contracts concerning, See **Contracts**
- development agreement, 7-15-4258
- disposal, 7-15-4208, 7-15-4258, 7-15-4262, 7-15-4288
  - plan, modification following, 7-15-4221
  - private persons, to, 7-15-4263, 7-15-4264
  - public bodies, by, 7-15-4267
  - tax exemption, termination, 7-15-4261
- eminent domain, 7-15-4204, 7-15-4258, 7-15-4259
- execution, exemption from, 7-15-4260
- industrial districts, 7-15-4288
- insurance, 7-15-4233, 7-15-4258
- judgments, effect, 7-15-4260
- land, acquisition, 7-15-4233, 7-15-4288
- owners, notices to
  - condemnation proceedings, 7-15-4259
  - hearing on urban renewal plan, 7-15-4215
- powers concerning, 7-15-4233
- private property, authority to enter, 7-15-4257
- "project property" defined, 7-15-4292
- public bodies, cooperation, 7-15-4267
- "real property" defined, 7-15-4206
- redevelopment, 7-15-4233, 7-15-4258, 7-15-4263, 7-15-4266, 7-15-4288
- repair and rehabilitation, 7-15-4233, 7-15-4254
- surveys and appraisals, 7-15-4233, 7-15-4254, 7-15-4257, 7-15-4267
- taxation, exemption from, 7-15-4261
- tax increment financing, costs paid by, 7-15-4288
- temporary use, 7-15-4266
- title transfers, presumption of regularity, 7-15-4265
- transferees, obligations, 7-15-4264

Public bodies, cooperation, 7-15-4267
Real property, See **Property**, generally
Redevelopment and rehabilitation, See **Blighted areas**; **Property**
Refunding bonds, See **Bonds**
Relocation of displaced families
- plans for, 7-15-4217, 7-15-4233, 7-15-4253
- tax increment financing, costs paid by, 7-15-4288

Resolutions
- blighted areas — existence, rehabilitation, or redevelopment, 7-15-4210, 7-15-4216
- bondholders, covenant for security, 7-15-4290
- bonds, for issuance, 7-15-4301, 7-15-4322, 7-15-4324
- necessity, of, 7-15-4210
- plan, urban renewal
  - approval by, 7-15-4216
  - modification, 7-15-4221
- powers, exercise of — determination, 7-15-4231
- project, necessity of acquisition of property for, 7-15-4259

Revenue bonds, See **Bonds**
Scope of provisions, 7-15-4205

URBAN RENEWAL (Continued)

- **Services related to**, 7-15-4255
  - public bodies, cooperation, 7-15-4267
  - utility, restriction on operation, 7-15-4256
- **Short title**, 7-15-4201
- **Sinking funds**, investment, 7-15-4281, 7-15-4306
- **Taxable value**
  - base, adjustment when, 7-15-4293
  - increased, definition, 7-15-4292
- **Taxation**, exemptions from
  - bonds, 7-15-4307
  - property, 7-15-4261
- **Tax increment financing**
  - authorization, 7-15-4282
  - bond payments
    - pledge for, 7-15-4287, 7-15-4289, 7-15-4290, 7-15-4301
    - special provisions, 7-15-4324
  - business equipment tax rate reduction reimbursement, 15-1-112
  - costs paid by, 7-15-4288
  - definitions, 7-15-4283
  - determination and disbursement, 7-15-4286
  - filing of plan or ordinance containing provisions for, 7-15-4284
  - industrial districts, See **Industrial districts**
  - limitation on amount of taxes levied, nonapplicability, 15-10-412
  - personal property tax revenue reduction, reimbursement, 15-1-111
  - portions, use, 7-15-4287
  - reduction in distribution, 7-15-4292
  - school state equalization aid levy, distribution, 20-9-360, 20-9-361
  - taxable values, incremental
    - defined, 7-15-4283
    - determination and report, 7-15-4285
  - termination, 7-15-4292
  - unused portions, agreements regarding, 7-15-4291
- **Tax Increment Financing Industrial Development Act**, 7-15-4297 — 7-15-4299, See **Industrial districts**
- **Tax levies**, 7-15-4281, 7-15-4292
  - all-purpose, allocation, 7-6-4131
- **Trust indentures**, 7-15-4322
- **Urban renewal agency**, See **Agency**
- **Urban renewal area**, See **Blighted areas**
- **Urban Renewal Law**, citation, 7-15-4201
- **Urban renewal plan**, See **Plan, urban renewal**
- **Urban renewal projects**, See **Projects**
- **Utility services**, restriction on operation, 7-15-4256
- **Yearly activities**, See **Neighborhood development programs**, generally

URBAN TRANSPORTATION DISTRICTS
- See **TRANSPORTATION DISTRICTS, URBAN**

USURY, 31-1-108
- See **LOANS**, generally

UTILITIES
- **Accidents**, investigations and reports, 69-3-107
- **Actions and proceedings**
  - complaints, initiation of action by public service commission, 69-3-324
  - enforcement, for, 69-3-110
  - fines or penalties, recovery, 69-3-110, 69-3-206, 69-3-207

UTILITIES (Continued)
Actions and proceedings (Continued)

- meters, bypassing or tampering — recovery of value of services, 69-4-1104
- orders by public service commission, to challenge, 69-3-402
- rules for, 69-3-103
- underground conversion, special improvement districts — conversion postponed when, 69-4-358

Advertisement costs, 69-3-307
Alleys, See **Streets and alleys**
Appeals

- municipal utility rate hearing decisions, 69-7-113
- orders by public service commission, decisions pertaining to challenges, 69-3-405
- territorial integrity for electric suppliers, orders, 69-5-111
- underground conversion postponed when, 69-4-358

Audits, 69-3-103, 69-3-711
Charges, See **Rates, tolls, and charges**
Cities and towns, See **Municipal utilities**
City-county consolidated governments, water supply and sewer districts, Title 7, chapter 13, part 30
Coal or other boiler fuel costs, evaluation, 69-3-112
Communication utilities, See **Telecommunications services**; **TELEPHONE AND TELEGRAPH**
Complaints

- against utility, 69-3-321, 69-3-322
- by utility, 69-3-323
  - decision by public service commission, 69-3-330
  - hearing, 69-3-325, 69-3-326
  - initiation of action by public service commission, 69-3-324
  - witnesses, 69-3-326 — 69-3-329
- telecommunications services, alternative forms of regulation — effect, 69-3-809

Conservation easements, prohibitions or limitations, 76-6-203
Conservation purchases or investments

- approval, 69-3-703
- criteria, approval, 69-3-711
- definitions, 69-3-701
- eligible, 69-3-702
- rate base, inclusion in and rate of return, 69-3-712
- tax credit for improvement loans, ineligible for, 15-32-107, 69-3-713

Consumers

- billing errors, 69-3-221
- complaints, 69-3-321
- jury duty, debtor-creditor relationship not grounds for challenge of juror, 25-7-223
- rates, tolls, and charges — schedule, availability, 69-3-301
- rebates when, 69-3-302, 69-3-304, 69-3-305
- residential, order for service when, 69-3-321
- taxes, itemized pass through prohibited, 15-51-102
- unclaimed deposits or refunds, Title 70, chapter 9, parts 1 — 3

Contracts

- lines and facilities, underground — new service areas, 69-4-102
- property leased or to be sold to utility, exemption from regulation, 69-3-101, 69-3-111
- small power production facilities, sale of electricity, 69-3-602 — 69-3-604
- underground conversion, construction work, 69-4-351

Contributions, treatment, 69-3-307
County water and/or sewer districts, Title 7, chapter 13, parts 22 and 23
Definitions

- coal or other boiler fuel cost provision, 69-3-112
- conservation purchase or investment provisions, 69-3-701
- customer billing error, 69-3-221
- line and facility provisions, 69-4-102, 69-4-303, 69-4-401, 69-4-501
- meters, bypassing or tampering provisions, 69-4-1102

UTILITIES (Continued)
Definitions (Continued)

public utility, 69-3-101, 69-3-221, 69-3-1203, 69-4-303
resource planning and acquisition, 69-3-1203
small power production facility provisions, 69-3-601
telecommunications services, 69-3-803, 69-3-810, 69-3-811, 69-3-901
territorial integrity for electric suppliers, 69-5-102
Drainage districts — benefits of construction, assessment for, 85-8-342
Easements, 70-17-101, See also **PROPERTY, REAL, Easements**
conservation, prohibitions or limitations, 76-6-203
highway construction, relocation of easements, 60-4-103
revegetation of rights-of-way and disturbed areas, 7-22-2152
streets and alleys, vacation — effect, 7-14-2617, 7-14-4115, 76-3-305
subdivisions, 76-3-305, 76-3-501
underground conversion, for, 69-4-314, 69-4-354
underground facilities, excavations near, 69-4-502
Electrical installations
building code exemptions for utilities, 50-60-602
electrician licensing provisions, applicability, 37-68-103
energization without inspection tag prohibited, 50-60-605
Emergency
regulation, 10-3-505
underground facilities, excavations near, 69-4-501, 69-4-506
Eminent domain
irrigation districts, prohibited, 85-7-1411
public uses, 70-30-102, See **EMINENT DOMAIN**
Employees, See **Officers and employees**
Energy
conservation
advertisement costs, 69-3-307
purchase or investment, 69-3-701 — 69-3-703, 69-3-711 — 69-3-713
energy-related improvement loans or grants, 15-32-101, 15-32-107, 69-3-305
state building energy conservation program, impacts created by, 90-4-605
Enforcement of provisions, 69-3-110
Evidence
complaints by utility, hearings, 69-3-326, 69-3-329
lines, overhead — relocation hearings, 69-4-403
meters, bypassing or tampering — actions for recovery of value of services, 69-4-1104
orders by public service commission
action to challenge, burden of proof upon party attacking or resisting, 69-3-402
judicial review, 69-3-404
rates, tolls, charges, and classifications — effective date, 69-3-110
Examinations
officers and employees, 69-3-106, 69-3-208
products and services, 69-3-108
records and reports, 69-3-106, 69-3-202, 69-3-206, 69-3-208
telecommunications services, books and records, 69-3-821
Excavations near underground facilities, See **Underground facilities, excavations near**
Facilities, See **Lines and facilities**
Facility Siting Act, Title 75, chapter 20
Fees, 69-1-114, 69-3-108, 69-3-204, See also **CONSUMER COUNSEL, Regulated companies**; **PUBLIC SERVICE COMMISSION, Regulated companies**
Fire protection and safety regulations in plants, 50-61-103
Forage products, certified weed seed free — requirement, 80-7-912
Ground water assessment, purpose, Title 85, chapter 2, part 9

UTILITIES (Continued)

Hearings, 69-3-103, 69-3-110
  complaints
    against utility, 69-3-321, 69-3-322
    by utility, 69-3-323, 69-3-325 — 69-3-330
  investigations by public service commission, upon, 69-3-324
  movement of structures, determination of expenses regarding lines and poles, 69-4-603
  municipal utilities, rates, 69-7-111, 69-7-112
  notices, 69-3-204, 69-3-303, 69-3-323, 69-3-325, 69-3-504, 69-7-111
  open to public, 69-3-104
  orders by public service commission, action to challenge, 69-3-402
  rates, tolls, and charges — change in or unjust, 69-2-101, 69-3-303, 69-3-330, 69-7-111, 75-6-108
  securities issuance, petitions for, 69-3-504
  telecommunications services
    alternative form of regulation, 69-3-809
    withdrawal, 69-3-810
  territorial integrity for electric suppliers, restraining order, 69-5-111
  underground conversion, creation or assessments, 69-4-313
Highway construction, relocation of facilities, 60-4-103, 60-4-401 — 60-4-403
Housing authorities, municipal, 7-15-4402, 7-15-4416, 7-15-4462
Hydroelectric power generation facilities, Title 85, chapter 1, part 5, See **WATER USE**
Injunction, 69-3-110, 69-3-401, 69-3-403, 69-5-111
Inspections
  cities and towns, power systems, 7-13-4104
  rates, tolls, and charges — schedule, 69-3-301
  records, 69-3-106, 69-3-206
  rules for, 69-3-103
  underground conversion, special improvement districts — feasibility study, 69-4-312
Investigations, 69-3-103
  accidents, 69-3-107
  attorney general or prosecuting attorney, assistance, 69-3-110
  complaints, 69-3-321, 69-3-330
  property values, 69-3-109
  rates, tolls, and charges, 69-2-101, 69-3-324, 69-3-330, 69-3-905
  rules for, 69-3-103
  telecommunications services, 69-3-809, 69-3-811
    small providers, rates, 69-3-905
Irrigation districts, electrical power operations, 85-7-1411, 85-7-1961, 85-7-2012
Landlord-tenant relationships, See **LANDLORD AND TENANT, Essential services; Maintenance**
Lessee of property, exemption from regulation, 69-3-101, 69-3-111
Liens, creation, 69-3-501, See also **Securities issuance**
Lines and facilities
  construction, See also **Securities issuance**, generally
    local government regulation, 69-4-204
    national electrical safety code, application or violation, 69-4-201, 69-4-205
    scope of law, 69-4-203
  construction blasting, Title 37, chapter 72
  counties, 7-8-2514, 7-13-2101 — 7-13-2104
  electrician licensing provisions, applicability, 37-68-103
  electric suppliers, Title 69, chapter 5, part 1
  foreign corporations, extension into state, 35-18-107
  highways, relocation of facilities, 60-4-103, 60-4-401 — 60-4-403
  moving houses or structures, 69-4-601 — 69-4-604
  municipal utilities, See **Municipal utilities**
  overhead, relocation, 69-4-401 — 69-4-404; Title 69, chapter 4, part 3
  primitive park development, prohibited, 23-1-117

UTILITIES (Continued)
Lines and facilities (Continued)

  revegetation of rights-of-way and disturbed areas, 7-22-2152
  right-of-way
    fire hazard reduction along, 76-13-401, 76-13-403, 76-13-407, 76-13-410
    public, use, 69-4-101
  special improvement districts, creation for, 7-12-4102, See also **Special improvement districts**
  state lands, easements for right-of-way on, See **STATE LANDS, Easements**
  telephone and telegraph, See **TELEPHONE AND TELEGRAPH**
  underground
    conversion, Title 69, chapter 4, part 3
    excavations near, Title 69, chapter 4, part 5
    new service areas, 69-4-102
  vacated land, easements over, 76-3-305
Management, supervision of, 69-3-106
Mausoleum-columbarium property, prohibited through when, 35-21-409
Measurement of units
  appliances for, testing and fee, 69-3-108
  cities and towns, power systems, 7-13-4104
  complaints, 69-3-321, 69-3-330
  exclusion from state system, 30-12-101
  lines and facilities, 69-4-203, 69-4-304, 69-5-102
  meters, 30-12-101, 69-4-303, 69-4-1101 — 69-4-1104, 69-7-201
  standards, examination, and testing, 69-3-108
  underground conversion, exclusion for high voltage transmission lines, 69-4-304
Meters, bypassing or tampering, 69-4-1101 — 69-4-1104
Mining, strip and underground — permit applications, map requirements, 82-4-222
Municipal commission government
  franchises for, 7-3-4223
  officers and employees, conflict of interest, 7-3-4256
Municipal commission-manager government, 7-3-4313
  accounting summaries and schedules, 7-3-4432
  annual report, 7-3-4302
  franchises or grants for, 7-3-4313, 7-3-4450 — 7-3-4452
  public service commission, authority, 7-3-4302
  public service, director of — authority, 7-3-4441, 7-3-4443
  rates, ordinances and resolutions for, 7-3-4326
Municipal utilities
  contracts for professional services, applicability of provisions, 7-5-4301
  customer billing errors, nonapplicability, 69-3-221
  franchises for, 7-3-4223, 7-3-4256, 7-3-4450 — 7-3-4452
  mains, construction, 7-13-4101
  meters, bypassing or tampering, 69-4-1101 — 69-4-1104
  metropolitan sanitary and/or storm sewer districts, authority, 7-13-144
  natural gas systems, acquisition, 7-13-4102, 7-13-4103
  poles, wires, rods, and cables — erection, 7-13-4106
  power systems, inspection and measurement, 7-13-4104
  rates, charges, or classifications — regulation, 69-7-101
    appeals, 69-7-113
    hearings, 69-7-111, 69-7-112, 75-6-108
    increases, 69-7-201
    local government water supply and sewer districts, applicability, 7-13-3027
    rules, 69-7-201
  rules, 69-7-113, 69-7-201
  sewer systems, Title 7, chapter 13, parts 42 and 43
  special improvement districts, See **Special improvement districts**; **Underground conversion**
  streets and alleys, See **Streets and alleys**

UTILITIES (Continued)
Municipal utilities (Continued)

- urban renewal, restriction on services, 7-15-4256
- vaults, cisterns, hydrants, pumps, sewers, and gutters — regulation, 7-13-4105
- water supply or systems, Title 7, chapter 13, part 44, See **WATER SUPPLY, PUBLIC**

Natural gas pipeline safety provisions and regulations, violation, 69-3-207
Natural gas, state land leases for underground storage, See **STATE LANDS, Natural gas, leases for underground storage**
9-1-1 emergency telephone system, Title 10, chapter 4, parts 1 — 3
Noncompliance with provisions, 69-3-106, 69-3-206, 69-3-209
Officers and employees

- cooperation with public service commission, lack of — effect, 69-3-208
- examination, 69-3-106, 69-3-208
- minors as, prohibited, 41-2-106
- municipal commission government, conflict of interest, 7-3-4256
- reports, 69-3-205, 69-3-206

Offices, 69-3-202

- movement of structures, notice of time and place, 69-4-602
- schedule of rates, tolls, and charges — copy kept on file, 69-3-301

Oil and gas wells excluded as, 82-11-102
Orders by Public Service Commission, 69-3-103, 69-3-106

- action to challenge, 69-3-402
- appeal of court decision, 69-3-405
- complaints by utility, hearings
  - appearance of witnesses or production of evidence, for, 69-3-326
  - decision by public service commission, from, 69-3-330
- effective date, 69-3-401
- injunctive relief, 69-3-401, 69-3-403
- judicial review, 69-3-404
- rate increase or decrease, temporary — approval or denial, 69-3-304
- residential consumers, to provide service to — when, 69-3-321
- securities, issuance, 69-3-501 — 69-3-504
- telecommunications services
  - alternative form of regulation, plan — modification, 69-3-809
  - small providers, rate increase, 69-3-904
- trade secrets, to protect, 69-3-105

Pacific Northwest Electric Power and Conservation Planning Council, Title 90, chapter 4, part 4
Pesticide applicator licensing, 80-8-203, See **PESTS AND PESTICIDES, Licenses and permits**
Plumbing installations, exemption from certain provisions, 37-69-102, 50-60-503
Postattack emergency regulation, 10-3-505
Powers of Public Service Commission, 69-3-103
Product safety, advertisement costs, 69-3-307
Products provided by, standards and examination, 69-3-108, See also **Measurement of units**
Property

- acquisition, 69-3-501
- leased or to be sold to utility, exemption from regulation, 69-3-101, 69-3-111
- liens, creation, 69-3-501
- values, ascertaining, 69-3-109

Public water supply system watershed, construction on — prohibited when, 75-6-112
Railbeds, abandoned — acquisition of ownership or easement, 60-11-111, 60-11-112
Rates, tolls, and charges, 69-2-102

- advertising costs, effect, 69-3-307
- challenges to orders for, 69-3-402 — 69-3-405
- change, order for, 69-3-330
- coal or other boiler fuel costs, recovery disallowed when, 69-3-112
- conservation purchases or investments, inclusion in rate base, 69-3-712
- contributions, effect, 69-3-307

UTILITIES (Continued)
Rates, tolls, and charges (Continued)

- credits, 69-3-305, 69-3-330
- declining block rate structure, 69-3-306
- decreases, 69-2-101, 69-3-304
- deviations, 69-3-305
- effective when, 69-3-110, 69-3-302
- enforcement, 69-3-110
- failure to place in operation, 69-3-209
- hearings, 69-2-101, 69-3-303, 69-3-330, 69-7-111, 69-7-112
- hydroelectric power generation facilities, 85-1-510 — 85-1-512
- increases, 69-2-101, 69-3-303, 69-3-304
- investigation by public service commission, 69-3-324, 69-3-330
- joint rates, 69-3-110, 69-3-209, 69-3-301, 69-3-302, 69-3-305, 69-3-321, 69-3-330
- local government powers, 7-1-111
- municipal commission-manager government, ordinances and resolutions for, 7-3-4326
- municipal utilities, Title 69, chapter 7, parts 1 and 2
- plain language in contracts provisions, exception, 30-14-1104
- property purchased by utility, acquisition adjustment in rate base when, 69-3-109
- reasonable, to be, 69-3-201, 69-7-101
- rebates, 69-3-302, 69-3-304, 69-3-305
- refunds, 69-3-305, 69-3-330
- resource planning and acquisition costs, inclusion, 69-3-1206
- rulemaking authority, 69-2-101, 69-3-310
- schedules, 69-3-301
    - changes, 69-3-302, 69-3-303
    - classifications of service, conformity with, 69-3-306
    - deviations, 69-3-305
    - fees, 69-3-204
    - municipal utilities, 69-7-112
- small power production facilities, determination, 69-3-603, 69-3-604
    - hydroelectric power generation facilities, 85-1-510 — 85-1-512
- surcharge, 69-3-304
- telecommunications services, 69-3-201, 69-3-305, 69-3-805, 69-3-807 — 69-3-809
    - small providers, 69-3-901 — 69-3-907
- unclaimed deposits or refunds, Title 70, chapter 9, parts 1 — 3
- unfair trade practices, exclusion, 30-14-207
- unjust and unreasonable, 69-3-201, 69-3-321, 69-3-330
- unlawful practices, 69-3-305

Records, 69-3-202
- access to, 69-3-105
- examination, 69-3-106, 69-3-202, 69-3-206, 69-3-208
- telecommunications services, 69-3-821
- verification, 69-3-205

Refunds or credits, 69-3-305, 69-3-330
- unclaimed, Title 70, chapter 9, parts 1 — 3

Regulation, 69-1-102, 69-3-102
- emergency, 10-3-505
- exemption, 69-3-101, 69-3-111

Relocation
- highway construction, relocation of facilities, 60-4-103, 60-4-401 — 60-4-403
- overhead lines, 69-4-401 — 69-4-404; Title 69, chapter 4, part 3
- underground conversion of lines and facilities, incidental to, 69-4-311

Reports
- access to, 69-3-105
- accidents, 69-3-107
- annual, 7-3-4302, 69-3-203 — 69-3-205

UTILITIES (Continued)
Reports (Continued)

  examination, 69-3-206, 69-3-208
  failure to make, 69-3-206
  municipal commission-manager government, 7-3-4302
  underground conversion, 69-4-312 — 69-4-314
  verification, 69-3-205
Resource planning and acquisition
  citation of Montana integrated least-cost resource planning and acquisition act, 69-3-1201
  definitions, 69-3-1203
  integrated least-cost plan, 69-3-1204, 69-3-1205, 75-20-501
  policy and planning, 69-3-1202
  public comment, 69-3-1205
  rate treatment, 69-3-1206
  rules, 69-3-1203, 69-3-1204, 69-3-1206
Rules
  authority of public service commission, 69-3-103
  challenges to orders for, 69-3-403
  complaints by utility, notice of hearing, 69-3-323
  customer billing error provisions, implementation, 69-3-221
  enforcement, 69-3-110
  lines and facilities
    electrical safety standards, 69-4-201
    underground, new service areas, 69-4-102
  municipal utilities, 69-7-113, 69-7-201
  natural gas pipeline safety provisions and regulations, administration, 69-3-207
  products and services, standards and fees, 69-3-108
  rates, tolls, and charges, 69-3-301, 69-3-302, 69-3-310
  records, for keeping, 69-3-202
  resource planning and acquisition, integrated least-cost, 69-3-1203, 69-3-1204, 69-3-1206
  small power production facilities, criteria for, 69-3-604
  telecommunications services, 69-3-305, 69-3-807, 69-3-822
Rural cooperatives, Title 35, chapter 18
Rural special improvement districts
  connections, assessment for, 7-12-2151
  facilities, transfer, 7-12-2127
Secured transactions, 30-9-105, 30-9-403, 30-9-409, 30-9-410
Securities issuance
  obligations, short term, 69-3-505
  petition, 69-3-502 — 69-3-504
  registration exemption, 30-10-104
  regulation and supervision, 69-3-501
  state not obligated, 69-3-507
  unapproved, void, 69-3-506
Services provided by
  adequacy, 69-3-201
  challenges to orders for, 69-3-402 — 69-3-405
  classification, 69-3-110, 69-3-306, 69-7-101, 69-7-201
  complaints, 69-3-321 — 69-3-323, 69-3-330, 69-3-809
  electric, declining block rate structure, 69-3-306
  electric suppliers, Title 69, chapter 5, part 1
  emergency regulation, 10-3-505
  interruption or impairment, damage to property causing, 45-6-101
  investigation by public service commission, 69-3-324
  meters, bypassing or tampering — obtained through, 69-4-1101 — 69-4-1104
  municipal commission-manager government, extension, 7-3-4452
  municipalities, rules for, 69-7-201

UTILITIES (Continued)
Services provided by (Continued)

  rates, See **Rates, tolls, and charges**
  special improvement districts, creation for, 7-12-4102
  standards, examination, and testing, 69-3-108, See also **Measurement of units**
  state procurement provisions, exemption from, 18-4-302
  telecommunications, See **Telecommunications services**
  urban renewal, restriction on operation by municipality, 7-15-4256
Small power production facilities
  definitions, 69-3-601
  generation and sale of electricity, 69-3-602
  hydroelectric projects, Title 85, chapter 1, part 5, See also **WATER USE, Hydroelectric power generation**
  rates and conditions, determination, 69-3-603, 69-3-604
Solid waste disposal exclusions, 75-10-214
Special improvement districts
  connections, requirements and assessment, 7-12-4133, 7-12-4164
  creation for extension of services, 7-12-4102
  facilities, transfer, 7-12-4130
  underground conversion, for, See **Underground conversion**
  underground placement, 7-12-4132
Streets and alleys
  connections, 7-3-4443, 7-12-4133
  lines and facilities, See **Lines and facilities**
  mains, construction, 7-13-4101
  municipal commission-manager government, 7-3-4443, 7-3-4452
  poles, wires, rods, and cables — erection, 7-13-4106
  underground facilities, excavations near, Title 69, chapter 4, part 5
  underground placement of utilities, 7-12-4132
  vacation, effect on easements, 7-14-2617, 7-14-4115, 76-3-305
Subdivisions, See also **Lines and facilities**; **Underground conversion**
  easements, 76-3-305, 76-3-501
  out-of-state sales, contents of notice of intention, 76-4-1104
  regulations, minimum requirements, 76-3-504
Subpoenas, 69-3-106
Supervision, 69-1-102, 69-3-102, 69-3-106
Taxation, See **TAXATION, PROPERTY**
Telecommunications services
  accounting systems, 69-3-821
  adequacy of services provided, 69-3-201
  alternative forms of regulation, 69-3-305, 69-3-802, 69-3-809
  alternative services and providers, 69-3-807, 69-3-808
  anticompetitive activity, no preemption of laws, 69-3-824
  citation of Montana telecommunications act, 69-3-801
  complaints, 69-3-305, 69-3-321, 69-3-811
  costs for services provided, 69-3-811
  cross-subsidization prohibited, 69-3-806
  customer billing errors, 69-3-221
  definitions, 69-3-803, 69-3-810, 69-3-811, 69-3-901
  detariff of services, 69-3-807, 69-3-810
  emergency communications systems, release of information to, 27-1-735
  examination of books and records, 69-3-821
  exemptions from provisions, 69-3-804, 69-3-823
  forbearance of regulation to facilitate competition, 69-3-808
  hearings, 69-3-809, 69-3-810
  installation charges, waiver when, 69-3-305
  new service offerings, 69-3-810

UTILITIES (Continued)
Telecommunications services (Continued)

- nontariffed services, 69-3-806, 69-3-821
- private services, 69-3-803, 69-3-804
- promotional pricing of services, 69-3-305, 69-3-807, 69-3-811
- public utility, defined as, 69-3-101
- purpose of provisions, 69-3-802, 69-3-807
- rates, tariffs, or fares, 69-3-201, 69-3-305, 69-3-805, 69-3-807 — 69-3-809
- rebates or reductions, 69-3-305
- records, 69-3-821
- regulation, manner of, 69-3-805
- rulemaking authority, 69-3-305, 69-3-807, 69-3-822
- sales activities, 69-3-305
- small providers, rate regulation, 69-3-902
  - definitions, 69-3-901
  - existing rates, investigation, 69-3-905
  - increase in rates, 69-3-901, 69-3-903, 69-3-904, 69-3-906, 69-3-907
- special improvement districts, creation for, 7-12-4102
- telephone directory
  - services, 69-3-806
  - small providers, notice of rate increase — petition procedure published in, 69-3-903
- telephone numbers, unpublished or unlisted — release when, 27-1-735
- unfair business practices, no preemption of laws, 69-3-824
- withdrawal of service, 69-3-810

Telephone and telegraph, See **TELEPHONE AND TELEGRAPH**
Television districts, Title 7, chapter 13, part 25
Territorial integrity for electric suppliers

- affidavit, 69-5-111
- agreements as to service areas, 69-5-108
- appeals, 69-5-111
- citation of territorial integrity act of 1971, 69-5-101
- definitions, 69-5-102
- injunction, 69-5-111
- judicial remedies, 69-5-111
- jurisdiction of court, 69-5-110
- outlying areas, within, 69-5-103
- service
  - annexed areas, 69-5-109
  - existing consumers, continuation, 69-5-104
  - industrial or commercial premises, 69-5-106
  - new consumers, 69-5-105
  - property owned by supplier, 69-5-107

Tests, rules for, 69-3-103
Tolls, See **Rates, tolls, and charges**
Trade secrets, protective orders, 69-3-105
Tramways excluded as, 23-2-703
Unclaimed deposits or refunds, Title 70, chapter 9, parts 1 — 3
Underground conversion, special improvement districts

- bids for work, exception, 7-12-2131, 7-12-4141
- citation of underground conversion of utilities law, 69-4-301
- converted facilities
  - maintenance and construction, 69-4-351
  - title to, 69-4-352
- cost and feasibility report, 69-4-313, 69-4-314
- costs, 69-4-313, 69-4-314, 69-4-353, 69-4-354, 69-4-356
- creation, 69-4-311, 69-4-312; Title 7, chapter 12, parts 21, 41, and 42
- definitions, 69-4-303

UTILITIES (Continued)
Underground conversion, special improvement... (Continued)

  feasibility study, 69-4-312, 69-4-313
  hearings for creation or assessments, 69-4-313
  high voltage transmission lines, exclusion, 69-4-304
  overhead facilities, reinstallation prohibited, 69-4-357
  payment of public utility, 69-4-356
  postponement when, 69-4-358
  private property, on, 69-4-354, 69-4-355
  public property, on, 69-4-353
  public service commission authority, effect on, 69-4-305
  purpose of provisions and legislative findings, 69-4-302
Underground facilities, excavations near
  damages, liability, 69-4-502, 69-4-505, 69-4-506, 69-4-511
  definitions, 69-4-501
  emergency repairs, exemption, 69-4-506
  information requirements, 69-4-502 — 69-4-504
  marking of facilities, 69-4-501, 69-4-503
  notification, 69-4-501 — 69-4-503
  public authority, liability, 69-4-507
  water service pipelines, privately supplied — financial responsibility and liability, 69-4-511
Unfair trade practices, exclusions, 30-14-202, 30-14-207
Upper Clark Fork River Basin Steering Committee, representation on, 85-2-338
Urban renewal
  installation or construction, 7-15-4206, 7-15-4255
  services, restriction on operation by municipality, 7-15-4256
  tax increment financing, costs paid by, 7-15-4288
Users, See **Consumers**
Violations, 69-3-209
  cooperation with public service commission, lack of, 69-3-208
  examinations of products and services, refusal to allow, 69-3-108
  fines or penalties, 69-3-110, 69-3-206 — 69-3-209, 69-3-305
  lines and facilities
    construction, national electrical safety code, 69-4-205
    moving houses or structures, interference with, 69-4-604
  natural gas pipeline safety provisions and regulations, of, 69-3-207
  noncompliance with provisions, 69-3-106, 69-3-206, 69-3-209
  orders of public service commission, 69-3-209
  rates, tolls, and charges
    deviations, 69-3-305
    failure to place in operation, 69-3-209
    unjust and unreasonable, 69-3-201
  reporting, 69-3-110
  reports and records
    failure to make or allow examination, 69-3-206
    false oaths, 69-3-205
  services, damage to property causing interruption or impairment, 45-6-101
Water conservancy districts not permitted to generate or sell electrical power, 85-9-104
Wind-generated electricity, investment credit, 15-32-401 — 15-32-407
Yellowstone River moratorium, applicability of laws, 85-2-607

UTILITIES, RURAL COOPERATIVE
Acknowledgments
  foreign corporation, designation of agent, 35-18-107
  power to take, 35-18-315
Actions
  corporate power, 35-18-106

UTILITIES, RURAL COOPERATIVE (Continued)
Actions (Continued)

- dissolution, pendency, 35-18-405
- fee to department of revenue, collection, 35-18-510
- foreign corporations, 35-18-107

Affidavits
- articles of amendment, 35-18-204, 35-18-501
- articles of consolidation, 35-18-402, 35-18-501
- articles of conversion, 35-18-206, 35-18-501
- articles of incorporation, 35-18-501
- articles of merger, 35-18-401, 35-18-501
- dissolution documents, 35-18-405, 35-18-501
- initiatives, documents submitted with, 35-18-304
- name of cooperative, 35-18-201

Appraisal of property, 35-18-317
Articles of
- amendment, 35-18-204, 35-18-501, 35-18-502
- consolidation, 35-18-402, 35-18-403, 35-18-501, 35-18-502
- conversion, 35-18-206, 35-18-501, 35-18-502
- dissolution, 35-18-404, 35-18-405, 35-18-501, 35-18-502
- incorporation, 35-18-108, 35-18-203 — 35-18-207, 35-18-312, 35-18-501, 35-18-502
- merger, 35-18-401, 35-18-403, 35-18-501, 35-18-502

Assets, 35-18-107, 35-18-316, 35-18-317, 35-18-405
Assignment, power of, 35-18-106
Board of trustees, See **Trustees, board of**
Bylaws, 35-18-106, 35-18-207
- meeting provisions, 35-18-303
- membership provisions, 35-18-301
- notice requirements, waiver, 35-18-108
- trustee provisions, 35-18-311 — 35-18-313
- voting district provisions, 35-18-313

Certificates of amendment, change of principal office, consolidation, conversion, dissolution, election to dissolve, incorporation, or merger, 35-18-205, 35-18-405, 35-18-501, 35-18-502
Citation of Rural Electric and Telephone Cooperative Act, 35-18-101
Consolidation or merger, 35-18-312, 35-18-401 — 35-18-403, 35-18-501, 35-18-502, 35-18-504
Construction of provisions, 35-18-103
Conversion, 35-18-206, 35-18-312, 35-18-501, 35-18-502
Definitions, 35-18-102, 35-18-206
Delegates, 35-18-313
Dissolution, 35-18-404, 35-18-405, 35-18-501, 35-18-502, 35-18-504
Distributions, 35-18-316, 35-18-405
Education funds, 35-18-316, 70-9-203
Eminent domain, 35-18-106
- irrigation districts, prohibition, 85-7-1411

Evidence, additional fee to department of revenue — protest, 35-18-506
Existence, 35-18-106, 35-18-403
Facility Siting Act, Title 75, chapter 20
Fees
- filing, 35-18-205, 35-18-502
- membership, 35-18-404
- 9-1-1 emergency telephone exchange access services, 10-4-201, 35-18-503
- revenue, department of — to, 35-18-503 — 35-18-506, 35-18-510

Filings
- articles of amendment, 35-18-204, 35-18-501, 35-18-502
- articles of consolidation, 35-18-402, 35-18-501, 35-18-502
- articles of conversion, 35-18-206, 35-18-501, 35-18-502
- articles of incorporation, 35-18-203, 35-18-501, 35-18-502

UTILITIES, RURAL COOPERATIVE (Continued)
Filings (Continued)

  articles of merger, 35-18-401, 35-18-501, 35-18-502
  dissolution documents, 35-18-404, 35-18-405, 35-18-501, 35-18-502
  name, deviation from requirements, 35-18-201
  office, certificate of change, 35-18-205, 35-18-502
Foreign corporations, 35-18-104, 35-18-107, 35-18-201
Highway construction, relocation of facilities, 60-4-103, 60-4-401 — 60-4-403
Hydroelectric power generation facilities at Department of Natural Resources and Conservation projects, 85-1-501, 85-1-509, 85-1-513, See also **WATER USE, Hydroelectric power generation**
Incorporation
  articles of incorporation, 35-18-108, 35-18-203 — 35-18-207, 35-18-312, 35-18-501, 35-18-502
  bylaws, See **Bylaws**
  purposes, 35-18-105
Incorporators, 35-18-202, 35-18-203, 35-18-301, 35-18-404
Indebtedness, 35-18-106
  dissolution, in, 35-18-404
  foreign corporations, 35-18-107
  members' liability, 35-18-302
  merger or consolidation, effect, 35-18-403
  nuclear power facility, member approval for, 35-18-318
  payment, 35-18-316
  property, encumbrance, 35-18-317
Liability, 35-18-203, 35-18-302, 35-18-403, 35-18-405
Loans, 35-18-106
Meetings, 35-18-303
  articles of incorporation, amendment, 35-18-204
  delegates, 35-18-313
  dissolution, approval, 35-18-405
  initiative by members, 35-18-304
  merger or consolidation, action, 35-18-401, 35-18-402
  notice, 35-18-108, 35-18-303
  nuclear power facility, indebtedness for, 35-18-318
  property, disposition or encumbrance, 35-18-317
  reorganization, approval, 35-18-206
  trustees, 35-18-311, 35-18-312
Members, 35-18-102, 35-18-301, 35-18-404
  acknowledgments, power to take, 35-18-315
  bylaws, action upon, 35-18-207
  conversion of membership, 35-18-206
  initiative by, 35-18-304
  liability, 35-18-302
  voting, 35-18-204, 35-18-206, 35-18-303, 35-18-313, 35-18-316 — 35-18-318, 35-18-401, 35-18-402, 35-18-405
Merger or consolidation, 35-18-312, 35-18-401 — 35-18-403, 35-18-501, 35-18-502, 35-18-504
Meters, bypassing or tampering, 69-4-1101 — 69-4-1104
Movement of structures, expenses regarding lines and poles, 69-4-603
Name, 35-18-201
  articles of amendment, statement in, 35-18-204
  articles of conversion, statement in, 35-18-206
  articles of incorporation, statement in, 35-18-203
  articles of merger or consolidation, statements in, 35-18-401, 35-18-402
  dissolution documents, statement in, 35-18-404, 35-18-405
9-1-1 emergency telephone service, Title 10, chapter 4, parts 1 — 3
Notices
  amendment of articles of incorporation, 35-18-204
  consolidation, meeting on, 35-18-402

UTILITIES, RURAL COOPERATIVE (Continued)
Notices (Continued)

- conversion, meeting on, 35-18-206
- dissolution, meeting on, 35-18-405
- fee to department of revenue, deficiency assessment, 35-18-506, 35-18-510
- meetings, 35-18-108, 35-18-303
- merger, meeting on, 35-18-401
- property, disposition or encumbrance, 35-18-317
- waiver, 35-18-108

Nuclear power facility, indebtedness for, 35-18-318
Officers, 35-18-314
- acknowledgments, power to take, 35-18-315
- articles of amendment, execution, 35-18-204
- articles of consolidation, execution, 35-18-402
- articles of conversion, execution, 35-18-206
- articles of merger, execution, 35-18-401
- dissolution documents, execution, 35-18-404, 35-18-405
- foreign corporations, 35-18-107
- name of cooperative, execution of affidavit, 35-18-201
- offices, change — execution of certificate, 35-18-205
- special meetings, call by president, 35-18-303

Offices
- articles of amendment, statement in, 35-18-204
- articles of conversion, statement in, 35-18-206
- articles of incorporation, statement in, 35-18-203
- articles of merger or consolidation, statements in, 35-18-401, 35-18-402
- change of location, 35-18-205, 35-18-502
- dissolution documents, statement in, 35-18-404, 35-18-405

Powers generally, 35-18-106, 35-18-312, 35-18-403
Preexisting corporations, 35-18-206
Property, 35-18-106, 35-18-107, 35-18-317, 35-18-403, 35-18-405
- irrigation district condemnation, prohibited, 85-7-1411

Public Service Commission jurisdiction, exempt from, 35-18-104
Purposes, 35-18-105
Refunds, 35-18-316, 70-9-203, 70-9-301, 70-9-309, 72-14-102
Reorganization, 35-18-206, 35-18-504
Reserves, 35-18-316
Seal, 35-18-106
- articles of amendment, 35-18-204
- articles of consolidation, 35-18-402
- articles of conversion, 35-18-206
- articles of merger, 35-18-401
- dissolution documents, on, 35-18-405
- foreign corporations, 35-18-107
- offices, certificate of change, 35-18-205

Service of process on foreign corporation, 35-18-107
Short title, 35-18-101
Small power production facilities, generation and sale of electricity, 69-3-601 — 69-3-604
Taxation, See **TAXATION, PROPERTY**
Telecommunications services
- exemption, 69-3-823
- small providers, nonapplicability, 69-3-901

Telephone cooperatives, no area restrictions, 35-18-109
Territorial integrity for electric suppliers, Title 69, chapter 5, part 1
Trustees, board of, 35-18-311 — 35-18-313
- acknowledgments, power to take, 35-18-315
- additional facilities, approval of financing, 35-18-316

UTILITIES, RURAL COOPERATIVE (Continued)
Trustees, board of (Continued)

  amendment of articles of incorporation, approval, 35-18-204
  articles of incorporation, statement in, 35-18-203
  bylaws, adoption, 35-18-207
  consolidation, approval, 35-18-402
  conversion, approval, 35-18-206
  dissolution, duties, 35-18-405
  encumbrances, authorization, 35-18-317
  initiatives by members, approval not required, 35-18-304
  merger, approval, 35-18-401
  officers, election by, 35-18-314
  offices, authorization of change, 35-18-205
  refunds, retention, 35-18-316, 72-14-102
  special meetings, call, 35-18-303
Underground conversion of utilities, Title 69, chapter 4, part 3
Winding up, 35-18-405

UTILITY SITING ACT, Title 75, chapter 20
  See **FACILITY SITING**

V

VALOR, MONTANA MEDAL OF, 1-1-515

VARIABLE CONTRACT LAW, Title 33, chapter 20, part 6
  See **INSURANCE, LIFE**

VEHICLE EQUIPMENT SAFETY COMPACT, Title 61, chapter 2, part 2
  See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Equipment Safety Compact, Vehicle**

VEHICLES
  See also generally **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Aircraft, See **AERONAUTICS**
Alcoholic beverages, seizure of beverage and conveyance when, 16-6-105
Animal facilities, 81-30-102, See **ANIMALS, Farm animal and research facilities protection**
Boats, Title 23, chapter 2, part 5
Cities and towns, regulation within, 7-14-4102, 7-14-4123, 7-21-4205
County coroner, authority, 7-4-2911, 46-4-111
Criminal offense committed in transit, filing of charge, 46-3-114
Defined, 45-2-101, 61-1-103
Drug violations, forfeiture of vehicle, 44-12-102
Harassment of wildlife prohibited, 87-3-125
Hazardous or deleterious substance, release, 75-10-701, 75-10-705, See **HAZARDOUS WASTES, Remedial action upon release of hazardous substance**
Hazardous waste or regulated substance samples, 75-10-410
Hunting from, 87-1-102, 87-2-803, 87-3-101
Identification or serial numbers, obscuring, 45-6-326
Insurance against loss or damage, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Liability insurance**
Insurance, casualty, See **INSURANCE, CASUALTY**
Intoxicated persons, operation by, 53-24-106
Machine gun found in, 45-8-306
Off-highway, Title 23, chapter 2, part 8
Parks, state — fee collection violations, 23-1-105
Sidewalks, regulation upon, 7-14-4123
Ski area maintenance vehicles, 23-2-733, 23-2-736

VEHICLES (Continued)

Snowmobiles, Title 23, chapter 2, part 6
State lands, recreational use restrictions, 77-1-804
Stop, investigative — when, 46-5-401, See also **SEARCH AND SEIZURE**
Streamside management zones, prohibited practices, 77-5-303
Switchblade knives within, unlawful, 45-8-331
Trespass, criminal, 45-6-202
  "enter or remain unlawfully" defined, 45-6-201

VENDING AND VENDORS
Agricultural seeds, labeling requirement, 80-5-102
Blind persons, operation of vending facilities, Title 18, chapter 5, parts 4 and 5
Bottled water, misrepresentation of company name, 50-31-238
Buildings, owners, 50-60-101, See **BUILDINGS AND BUILDING REGULATIONS**
Cigarette machines, 16-11-102, 16-11-120, 16-11-121, 16-11-123, 16-11-303, 16-11-305, 16-11-306, 49-3-204
Commodities, delivery tickets
  bulk, 30-12-406
  furnace and stove oil, 30-12-407
Defined, 30-14-202
Electrical appliances, of — nonapplicability of electrician provisions, 37-68-103, 50-60-602
Food quality, See generally **FOOD AND FOOD PRODUCTS**; **FOOD ESTABLISHMENTS**
Health provisions, 50-50-102, 50-50-201, See also **FOOD ESTABLISHMENTS**
Hotel liens, nonapplicability, 71-3-1401
Inheritance tax, 72-16-101
Inspections, See **FOOD ESTABLISHMENTS**
Insurance
  credit life and disability, 33-21-103, See **INSURANCE, LIFE**
  policies, delivery to — when, 33-15-412
  vending machines, licensing, 33-2-708, 33-17-221, 49-3-204
Itinerant vendors, See **ITINERANT VENDORS**
Licensing of machines, 49-3-204, 50-50-102, 50-50-201, See also **FOOD ESTABLISHMENTS**
Lottery, state
  ticket or chance vending machines, 23-7-302, 23-7-311
  vendors, See **LOTTERY, STATE**, **Gaming suppliers**
Medicaid
  freedom of provider to treat recipient and recipient to choose provider, 53-6-104
  payments, 53-6-111
Pawnbrokers, resale of articles, 7-21-2120
Procurement, state — vendor's list, 18-4-241, 18-4-406
Public assistance payments, 53-2-501, 53-2-608, 53-2-610, See also **PUBLIC ASSISTANCE**
Public officers, prohibited practices, 2-2-202
Real estate, vendors' liens, 70-32-202, 70-32-221, 71-3-1301, 71-3-1303
Receivers, appointment when, 27-20-102
Resort tax provisions, 7-6-4465
Sales, unfair practices
  cost, at less than, 30-14-209
  exceptions, 30-14-213
  forced, not basis of cost price, 30-14-212
State warrants, duplicate — bond not required for issuance, 17-8-306
Trees, coniferous — bill of sale requirements, 76-13-601
Unfair trade practices, 30-14-202, See **TRADE REGULATION AND COMPETITION**, **Unfair practices**

VENTURE CAPITAL
  See **CAPITAL COMPANIES**; **DEVELOPMENT CORPORATIONS**

VENUE
    See also specific action or offense; specific court
Adoption proceedings, 40-8-107
Arbitration, agreement provisions and applications, 27-5-323
Change of
    agreement of parties, 25-2-113, 25-2-202; Title 25, chapter 20, M.R.Civ.P., Rule 77(b)
    appeal, Title 25, chapter 21, M.R.App.P., Rule 1
    city court, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
    costs, 7-6-2427, 7-6-2428, 25-2-205, 25-10-204
    criminal offenses, 46-3-111, 46-13-110, 46-13-203 — 46-13-205; Const., II, 24
        appeal by state, 46-20-103; Title 25, chapter 21, M.R.App.P., Rule 1
        counties, 7-6-2427, 7-6-2428
    defendant's right to, 25-2-114, 25-2-115, 25-2-117
    developmental disabilities, persons with — commitment to residential facilities, hearings, 53-20-118
    emergency, 3-5-405, 3-5-406
    grounds, 25-2-113, 25-2-115, 25-2-201, 25-2-202
    human rights, commission for — hearings, 49-2-505, 49-3-308
    jurisdiction, preservation, 25-2-204
    justices' courts, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
    motion for, 25-2-115, 25-2-117, 25-2-201; Title 25, chapter 20, M.R.Civ.P., Rule 12(b)
    multiple
        claims, 25-2-116
        defendants, 25-2-117
    papers, transmittal, 25-2-203
    real property, transmittal of judgments affecting, 25-2-206
    required when, 25-2-201
    stipulation, 25-2-202; Title 25, chapter 20, M.R.Civ.P., Rule 77(b)
    youth court, 41-5-204
Child support
    administrative hearings, 40-5-226
    income withholding hearings, 40-5-414
    paternity, establishment — hearings, 40-5-231
City courts, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3A
    change of, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
    improper, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 3B, 21A
Civil actions
    change of venue, See **Change of**
    designation of venue
        multiple proper counties, 25-2-115
        not jurisdictional, 25-2-112
    hearings outside district, Title 25, chapter 20, M.R.Civ.P., Rule 77(b)
    joinder of parties, effect, Title 25, chapter 20, M.R.Civ.P., Rule 19(a)
    multiple
        claims, 25-2-116
        defendants, 25-2-117
        proper counties, 25-2-115
    residence of parties, determination from, 25-2-118
    scope of provisions, 25-2-111
    specific statutes control, 25-2-131
Contract actions, 25-2-121, 25-2-122
Corporate dissolution, 35-1-940
Criminal offenses
    aiding and abetting an offense, 46-3-113
    arraignment, 46-12-102

VENUE (Continued)
Criminal offenses (Continued)

- change of venue, 46-3-111, 46-13-110, 46-13-203 — 46-13-205; Const., II, 24
  - appeal by state, 46-20-103; Title 25, chapter 21, M.R.App.P., Rule 1
  - counties, 7-6-2427, 7-6-2428
- charge, filing, 46-3-110 — 46-3-115
- county unknown, charge filed where, 46-3-114
- double jeopardy provisions, 46-11-503
- multiple counties, requisite act in, 46-3-112
- place of trial, 46-1-202, 46-3-111, 46-13-203 — 46-13-205; Const., II, 24
- retrial, 46-13-205
- state, consummation of offense within, 46-3-115

Developmental disabilities, persons with — commitment to residential facility, hearings, 53-20-118
Dissolution of marriage, 25-2-118
Dissolution of marriage or legal separation, restraining orders, 40-4-123
District courts, specific provisions
- emergency change, 3-5-405, 3-5-406
- rules of civil procedure, applicability, Title 25, chapter 20, M.R.Civ.P., Rule 82

Estates and probate, 72-1-203, 72-3-112
- conservatorship proceedings, 72-5-407
- domicile of decedent, determination, 72-3-114
- escheated estates, action for claim of, 72-14-301
- formal testacy proceedings, 72-3-310, 72-3-313
- informal probate and appointment, determination, 72-3-202, 72-3-212, 72-3-222
- location of property, determination, 72-3-113
- paternity proceedings, effect, 40-6-109
- recovery of estate, 25-2-123
- testamentary trust, 72-35-106

Fire prevention violations, action to enjoin occupancy of building, 50-61-118
Forcible entry and detainer and unlawful detainer, 25-31-205, 77-1-111; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3A
Governmental entities, actions against, 25-2-126
Guardians and guardianship, 72-1-203
- appointment proceedings, 72-5-221, 72-5-311
- proceedings subsequent to appointment, 72-5-232, 72-5-323

Hazardous or deleterious substances, remedial action upon release — actions to recover costs, damages, or penalties, 75-10-715
Hazardous waste management facilities, actions affecting, 75-10-420
Insurers, surplus lines — actions against, 33-2-314
Justices' courts, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3A
- change of, 3-10-231; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
- forcible entry and unlawful detainer, 25-31-205
- improper, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 3B, 21A
- small claims division, 25-35-504

Motor fuel marketing, retail — below-cost sale violation actions, 30-14-806
Nonprofit corporations, dissolution, 35-2-729
Partition proceedings, 25-2-123, 70-2-211
Partner or family member assault situations, order of protection, 40-15-301
Pipeline carriers, actions for recovery of damages, 69-13-105
Public employees' retirement, judicial review, 19-2-401
Public officers and their agents, actions against, 25-2-125
Quiet title actions, 25-2-123, 70-2-201, 70-28-103
Real property, actions involving, 25-2-123, 25-2-206
Residence, venue determined by, 25-2-118, 25-2-121, 25-2-122
- alcoholism, commitment proceedings, 53-24-302
- birth date, judicial determination, 27-32-101
- city court, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3A

VENUE (Continued)
Residence, venue determined by (Continued)

- conservatorship proceedings, 72-5-407
- developmental disabilities, persons with — commitment to residential facilities, 53-20-118, 53-20-129
- elections
  - campaign noncompliance orders, review, 13-37-122
  - contest, 13-36-103
  - recount, application for, 13-16-301
- employment agencies, filing assurances of discontinuance of violations, 39-5-404
- guardianship proceedings, 72-5-221, 72-5-232, 72-5-311, 72-5-323
- income tax, judicial review, 15-30-148
- justice's court, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3A
- mentally ill persons, commitment, 53-21-129, 53-21-130
- name changes, 27-31-101
- quo warranto proceedings, 27-28-105
- safety violations, 50-71-325
- serological test results, waiver of requirements, 50-19-109
- trust or trust property, transfer from another jurisdiction — filing of petition, 72-35-503
- unemployment insurance benefits appeals, 39-51-2410
- unfair trade practices, 30-14-111, 30-14-133

Small claims court
- district court, 25-34-104
- justice's court, 25-35-504

Statutory penalties or forfeitures, recovery, 25-2-124
Timeshare instruments designating venue outside state, void when, 37-53-306
Tort actions, 25-2-122, 25-2-126
Trusts
- location of interest in trust property, 72-35-301
- proceedings, commencement, 72-35-106
- transfer of trust or trust property, filing of petition, 72-35-503

Underground storage tanks, actions affecting, 75-10-420, 75-10-423
Unemployment insurance taxes and special assessments, unpaid — collection, 39-51-1306
Uniform Transboundary Pollution Reciprocal Access Act, 75-16-103
Water rights determination, 85-2-214, 85-2-216, 85-2-221
Workers' compensation, uninsured employers — independent cause of action by employee, 39-71-516
Youth court, 41-5-204

VERTEBRATE PEST MANAGEMENT, Title 7, chapter 22, part 25; Title 80, chapter 7, part 11
- See **PESTS AND PESTICIDES, Rodent control programs**

VETERANS
"Agent orange" payments, income tax exemption, 15-30-111
Alcoholic beverage licenses, 16-4-105, 16-4-201, 16-4-301, 16-4-501
Autopsy, authorization, 50-21-103
Benefits
- burial, Title 10, chapter 2, part 5, See **Burial**
- child support or child support-related maintenance, effect, 25-13-608
- execution, exemption when, 25-13-608
- university system tuition and fees, 20-25-421
- veterans' homes, See **Montana Veterans' Homes**

Burial, Title 10, chapter 2, part 5
- expense, how paid, 10-2-501 — 10-2-503
- nonresidents, inapplicable to, 10-2-506
- report, recording of, 10-2-504
- state cemetery, criteria, 10-2-602
- supervisor, designation, 10-2-501
- waiver of benefits, 10-2-501

Cemetery, State Veterans', 10-2-601 — 10-2-603, 61-3-332

VETERANS (Continued)

Definitions, 10-2-101, 39-29-101
Disabled veterans, See also **DISABLED PERSONS**
  employment preference, 10-2-102; Title 39, chapter 29, See **LABOR AND EMPLOYMENT, Preference to veterans**
  license plates, 10-2-603, 61-3-332, 61-3-426, 61-3-446, 61-3-452, 61-3-453, 61-3-455, 61-3-504, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, License plates**
  parking privileges, 49-4-302, 49-4-304, 61-3-332, 61-3-454
  property tax exemption, 15-6-211
Eastern Montana Veterans' Home, See **Montana Veterans' Homes**
Employment preference, 10-2-102; Title 39, chapter 29
Fireworks, applicability of laws, 50-37-102
First Special Service Force Memorial Monument permanent trust fund and corporate trustee, duties, 35-21-901 — 35-21-903
Fishing permits for patients in veterans administration hospitals, 87-2-802, 87-2-804
Fort Harrison Veterans Center, 2-1-212, 10-2-601, 50-21-103
Gambling, See **GAMBLING, Nonprofit organizations**
Housing developments, 90-6-104, See also **HOUSING**
License plates, 10-2-603, 61-3-332, 61-3-407, 61-3-426, 61-3-446, 61-3-452, 61-3-453, 61-3-455, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, License plates**
Memorials
  highway, 60-1-203
  pearl harbor memorial committee, Title 5, chapter 17, part 3
  veterans' and pioneers' memorial building, 22-3-110, 22-3-301 — 22-3-303
  vietnam veterans' memorial, state, 1-1-512
Montana Veterans' Homes, 53-1-602
  admissions, 10-2-401, 10-2-403
  alcoholic beverages or drugs, supplying to resident unlawful, 53-1-103
  charges for care and exception, 53-1-402
  duties of department, 53-1-603
  eligibility for residence, 10-2-401, 10-2-403
  establishment, Const., XII, 3
  federal funding, 10-2-404
  funding, 10-2-417, 16-11-119
  industries for residents, Title 53, chapter 1, part 3
  leaving without permission, assistance to resident unlawful, 53-1-102
  locations and function, 10-2-401
  operation and maintenance, pledge to continue, 10-2-416
  payment for care, Title 53, chapter 1, part 4
  removal of resident without permission unlawful, 53-1-102
  research programs, participation in, 53-1-206
  revenue to operate, 10-2-404
  rulemaking authority, 10-2-403
  superintendents
    authority, 53-1-204
    preference to veterans, 10-2-402, 39-29-102, 49-2-405, 49-3-103
  work programs for residents, Title 53, chapter 1, part 3
    public employees' retirement system, applicability, 19-3-403
    unemployment insurance coverage exclusions, 39-51-204
Nursing home and domiciliary care, 16-11-119, 17-5-408
Pearl Harbor Memorial Committee, Title 5, chapter 17, part 3
Preferences permitted, Const., II, 35; Title 39, chapter 29, See also **LABOR AND EMPLOYMENT, Preference to veterans**
Reemployment, Title 10, chapter 2, part 2
  acting officer, appointment, 10-2-227
  application, 10-2-222

VETERANS (Continued)
Reemployment (Continued)

  benefits or seniority, restoration, 10-2-213, 10-2-225
  enforcement, 10-2-214, 10-2-226
  private employer's duty, 10-2-212
  public employees, 10-2-221
  qualifications when, 10-2-211
  reinstatement of officer, 10-2-223, 10-2-224
  vacancy, not created when, 10-2-228
State Veterans' Home, See **Montana Veterans' Homes**
Tax exemptions
  income tax, "agent orange" payments, 15-30-111
  property tax, 15-6-203, 15-6-211, See also **TAXATION, PROPERTY**
Unemployment insurance programs, cooperation of state in administration, 39-51-501
University system tuition and fee waiver, 20-25-421
Veterans' and Pioneers' Memorial Building, 22-3-110, 22-3-301 — 22-3-303
Veterans' Affairs, Board of, Title 10, chapter 2, part 1
Veterans' Homes, See **Montana Veterans' Homes**
Vietnam Veterans' Memorial, State, 1-1-512
War records, storage of, 10-1-102, 22-3-221

VETERINARY MEDICINE AND VETERINARIANS
Advertising, 37-18-102
Advisory committee for embryo transfer testing and certification, 37-18-104
Alcohol or related substances, administering, 16-1-203
Alien veterinarians, 37-18-104
Animal health administrator, qualifications, 81-1-301
Board of Veterinary Medicine, 2-15-1852; Title 37, chapter 18, part 2
Brucellosis vaccinations, 81-2-801
Continuing education requirements, 37-18-104
Dentistry for animals, 37-18-102
Drugs, See also **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES**, **Practitioners**
  compounding and use in practice, 37-7-103
  dispensation or prescription, 37-7-103, 37-18-102
  embryo transfers, rules for use, 37-18-104
Embryo transfers, 37-18-102, 37-18-104
Equine activities, liability, 27-1-725 — 27-1-728
Exemptions from provisions, 37-18-104
Federal veterinary inspectors, 81-1-304
Fines, 37-18-501
Foreign veterinarians, 37-18-104
Hazardous chemical provisions, nonapplicability, 50-78-103
Horseracing, practices and standards adopted for, 23-4-104
Incorporation, Title 35, chapter 4, See **CORPORATIONS**, **Professional corporations**
Injunction, 37-18-502
Insurance, professional liability, Title 33, chapter 23, part 3, See **INSURANCE, CASUALTY**, **Professional liability**
Licenses and licensing, Title 37, chapter 18, part 3
  applications, 37-18-302, 37-18-303, 37-18-307
  certificate of registration, 37-18-306, 37-18-307
  discrimination in issuance prohibited, 49-3-204
  display, 37-18-306
  examinations, 37-18-303
  fees, 37-18-302, 37-18-303, 37-18-313
  issuance, 37-18-305
  lack of, unlawful, 37-18-501
  military personnel, renewal, 37-18-307

VETERINARY MEDICINE AND VETERINARIANS (Continued)
Licenses and licensing (Continued)

  municipal fee or tax prohibited, 37-18-313
  nonresidents, 37-18-303
  qualifications, 37-18-302
  renewal, 37-18-307
  required, 37-18-301
  temporary permit, 37-18-303
Livestock
  animal health administrator, qualifications, 81-1-301
  federal veterinary inspectors, 81-1-304
  removal from state for treatment, 81-3-233
  transportation permit requirements, exception when, 81-3-212
Malpractice, See also **INSURANCE, CASUALTY, Professional liability**; **MALPRACTICE, MEDICAL**
Meat establishments, appeal of condemnation decisions, 81-9-231
Meat inspectors, 81-9-226
Mistreated, injured, ill, or neglected animals — treatment costs and failure of person to provide medical care, 45-8-211
Municipal license fee or tax prohibited, 37-18-313
Nonresidents, 37-18-104, 37-18-303
Pesticide regulations, 80-8-202, 80-8-203, 80-8-207, See also **PESTS AND PESTICIDES**
Pharmacists, sales of remedies and instruments, 37-18-104
Pharmacy provisions, exemption, 37-7-103
Practice of veterinary medicine, 37-18-102
  castration and dehorning, exemption, 37-18-104
  certificate of registration as evidence of right to, 37-18-307
  embryo transfers, inclusion, 37-18-102, 37-18-104
  injunction to restrain, 37-18-502
  licenses, 37-18-301, 37-18-501
Pregnancy testing, 37-18-102, 37-18-104
Professional corporations, Title 35, chapter 4, See **CORPORATIONS**
Professional liability, See **INSURANCE, CASUALTY**; **MALPRACTICE, MEDICAL**
Reciprocity with other states, 37-18-104
Regulation generally, See **PROFESSIONS AND OCCUPATIONS**
Students, veterinary medical — employment, 37-18-104
United States, employed by — exemption to provisions, 37-18-104
Violations, 37-18-501
  injunction to restrain, 37-18-502
  prosecution, 37-18-202
Western Regional Higher Education Compact, Title 20, chapter 25, part 8, See **HIGHER EDUCATION**

VIETNAM VETERANS' MEMORIAL, STATE, 1-1-512

VISITORS, BOARD OF
  See **DEVELOPMENTAL DISABILITIES, Mental Disabilities Board of Visitors; MENTAL ILLNESS OR INCAPACITY, Mental Disabilities Board of Visitors**

VISUALLY DISABLED PERSONS
  See **BLIND OR VISUALLY DISABLED PERSONS**; **SCHOOLS, Special education**

VITAL STATISTICS
Adoption
  annulment, certificate, 50-15-304, 50-15-311
  certificates, 50-15-223, 50-15-303
    annulment, of, 50-15-304, 50-15-311
    certified copies, 50-15-109, 50-15-111, 50-15-114, 50-15-121, 50-15-122
    contents, 50-15-109
    fees, 50-15-111

VITAL STATISTICS (Continued)
Adoption (Continued)
  certificates (Continued)
    filing, 50-15-109
    violations, 50-15-114
  illegitimacy information, disclosure, 40-8-126
  jurisdiction of court, 50-15-304
  substitute birth certificate, 50-15-304
Annulment
  adoption, certificate, 50-15-304, 50-15-311
  marriage, See **Declaration of invalidity**
Birth certificates
  adoption
    certificates, 50-15-303
    substitute birth certificate, 50-15-304
  certified copies, 7-4-2631, 50-15-109, 50-15-111, 50-15-114, 50-15-121, 50-15-122
  chiropractors signing, 37-12-103
  contents, 50-15-109
  delayed or amended, 50-15-202, 50-15-204
  evidence, 40-6-105, 40-6-123, 50-15-109, 50-15-204, 50-15-207
  falsification, 50-15-114
  fees, 7-4-2631, 50-15-107, 50-15-111
  filing, 37-27-321, 50-15-109, 50-15-202, 50-15-204
  hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rules 803, 804
  birth out of wedlock, disclosure when, 50-15-206
  information, duty to provide, 50-15-108
  judicial determination, 50-15-222, See also **BIRTH**, **Date, judicial determination**
  jurisdiction of courts, 40-6-116, 40-6-123, 50-15-203 — 50-15-205, 50-15-207
  legitimation, 50-15-207
  "live birth" defined, 50-15-101
  marriage license, required for issuance, 40-1-203
  midwives, direct-entry
    birth registration, 50-15-221
    filing, 37-27-321
    primary birth attendant
      continuous care, verification, 37-27-203
      signing as, 37-27-201
  paternity
    evidence, 40-6-105, 50-15-109
    father's name on certificate as presumption, 40-6-105
    substitute birth certificate issued when, 40-5-234, 40-5-235, 40-6-116, 40-6-123
  recording, 7-4-2613
  register, index, 7-4-2619
  registration, 50-15-221
  report concerning, 50-15-107
  school enrollment, proof of identity when, 44-2-511
  serological tests, to state if made, 50-19-110
  substitute certificate, 40-5-234, 40-5-235, 40-6-116, 40-6-123, 50-15-207, 50-15-304
  supplementary reports, 50-15-202
  unattended birth, 50-15-202
  unknown parentage, 50-15-203
  violations, 50-15-114
Burial permits, 50-15-114, 50-15-406
Certificates generally, 50-15-109
  certified copies, 7-4-2631, 50-15-109, 50-15-111, 50-15-114, 50-15-12, 50-15-122
  fees, 7-4-2631, 50-15-111
  violations, 50-15-114
Certified copies of certificates, 7-4-2631, 50-15-109 — 50-15-112, 50-15-114, 50-15-121, 50-15-122

VITAL STATISTICS (Continued)

Child custody, unknown parentage — child of, 50-15-202
Child support, information for, 40-5-165
Death, 50-15-101
  burial permits, 50-15-114, 50-15-406
  certificates
    amendment, 46-4-110, 50-15-204
    certified copies, 7-4-2631, 50-15-109, 50-15-111, 50-15-114, 50-15-121, 50-15-122, 50-15-402, 72-1-108
    chiropractors, signing, 37-12-103
    contents, 50-15-109
    county of residence, copy to, 50-15-402
    evidence, as, 50-15-109, 72-1-108
    fees, 7-4-2631, 50-15-107, 50-15-111
    filing, 50-15-109, 50-15-401, 50-15-403, 72-16-502
    hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
    joint tenant, remainderman, or interested party — filing by, 72-16-502
    medical attendance, death without, 50-15-404
    physician's refusal to sign, 7-4-2911
    preparation, 50-15-403, 50-15-404
    recording, 7-4-2613
    register, index, 7-4-2619
    report concerning, 50-15-107
    violations, 50-15-114
    voter registration, cancellation, 13-2-402
    will, international — information available upon presentation, 72-2-909
    workers' compensation claim, to accompany, 39-71-604
  disinterment permit, 50-15-114, 50-15-407
  fetal, See **Fetal death**
  information, duty to provide, 50-15-108
  removal of body from place of death, authorization, 50-15-405
  transportation permits, 50-1-202, 50-15-114
Deceptive acts, 50-15-114
Declaration of invalidity, 50-15-101
  certificates, 50-15-303
    certified copies, 50-15-109, 50-15-111, 50-15-114, 50-15-121, 50-15-122
    contents, 50-15-109
    fees, 50-15-111
    filing, 50-15-109
    violations, 50-15-114
  information, duty to provide, 50-15-108
  report concerning, 50-15-302
Definitions, 50-15-101, 50-15-702
Disclosure of information, 50-15-108, 50-15-114, 50-15-704
Disinterment permits, 50-15-114, 50-15-407
Dissolution of marriage, 50-15-101
  certificates, 50-15-303
    certified copies, 50-15-109, 50-15-111, 50-15-114, 50-15-121, 50-15-122
    contents, 50-15-109
    fees, 50-15-111
    filing, 50-15-109
    violations, 50-15-114
  information, duty to provide, 50-15-108
  report concerning, 50-15-302
Districts for registration, 50-15-103
Divorce, See **Dissolution of marriage**

VITAL STATISTICS (Continued)

Falsification of information, 50-15-114
Fetal death, 50-15-101
  burial permits, 50-15-114, 50-15-406
  certificates
    amendment, 50-15-204
    certified copies, 50-15-109, 50-15-111, 50-15-114, 50-15-121, 50-15-122
    contents, 50-15-109
    fees, 50-15-107, 50-15-111
    filing, 50-15-401, 50-15-403
    hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
    medical attendance, death without, 50-15-404
    preparation, 50-15-403, 50-15-404
    report concerning, 50-15-107
    serological tests, to state if made, 50-19-110
    violations, 50-15-114
  information, duty to provide, 50-15-108
  removal of body, authorization, 50-15-405
Fines for violations, 50-15-114
Forms, 50-15-103, 50-15-303, 50-15-703
Funding, 50-15-111
Health care information provisions, nonapplicability, 50-16-602
Indexes to, 50-15-111
Information, duty to provide, 50-15-108, 50-15-114
Institutionalized persons, information on, 50-15-108
Laboratories, reporting tumor data, 50-15-703
Local registrars, 50-15-101
  adoption, substitute birth certificate, 50-15-304
  appointment, 50-15-101, 50-15-104
  birth certificates, filing or preparation, 50-15-202, 50-15-203, 50-15-304
  burial permits, issuance, 50-15-406
  certificates, 50-15-109
  death
    burial permits, 50-15-406
    certificate, filing with, 50-15-401
    disinterment permit, 50-15-407
    unattended, duties, 50-15-404
  deputies, 50-15-105
  disclosure of information, 50-15-114
  disinterment permits, issuance, 50-15-407
  fees, payment, 50-15-107
  removal of body, authorization, 50-15-405
  reports, 50-15-107
  supervision, 50-15-104
  violations, 50-15-106, 50-15-114
Marriage
  certificates
    certified copies, 50-15-109, 50-15-111, 50-15-114, 50-15-121, 50-15-122
    contents, 40-1-107, 50-15-109
    evidence, 40-1-322, 50-15-109
    fees, 50-15-111, 50-15-301
    recording, 40-4-108, 50-15-301
    report concerning, 50-15-301
    violations, 50-15-114
  hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
  information, duty to provide, 50-15-108

VITAL STATISTICS (Continued)
Marriage (Continued)

invalid, See **Declaration of invalidity**
Medical record information provisions, nonapplicability, 50-16-602
Midwives, direct-entry — reports, 37-27-320
Naturopathic physicians, responsibility, 37-26-303
Preservation, 50-15-123
Public welfare, director of — establishment of system for, 7-3-4463
Records and reports, 50-15-102, 50-15-103, 50-15-107, 50-15-108, 50-15-114, 50-15-703
  contents, 50-15-124
  disclosure of information from, 50-15-113, 50-15-114
  fees for searches, 50-15-111
  inspection, 50-15-112
  preservation, 50-15-123
  substitute, 50-15-207
Registrars, See **Local registrars**
Rules
  certified copy fee, prescription, 50-15-111
  disinterment permits, 50-15-407
  enforcement, 50-15-103
  tumor registration, 50-15-706
  violations, 50-15-106
Statewide system, establishment, 50-15-102
Tumor registration, 50-15-702
  citation of tumor registry act, 50-15-701
  confidentiality of information, 50-15-704
  registry, 50-15-705
  required, 50-15-703
  rules, 50-15-706
  statistical use, 50-15-704
Violations, 50-15-114
  report by local registrar or deputy, 50-15-106

VOCATIONAL EDUCATION, K-12
Administration, 20-3-103, 20-7-302.1
Adult education, Title 20, chapter 7, part 7
Apprenticeship programs, coordination with, 39-6-103
Appropriations, 20-7-301, 20-7-305
Congressional acts, acceptance, 20-7-321
Courses and programs, 20-3-324, 20-7-301, 20-7-303, 20-7-305
Curriculum guides, 20-7-302.1
Definitions, 20-1-101, 20-7-305
Evaluation, policies for, 20-7-301
Executive officer for, 20-3-106, 20-7-301
Governing agent, 20-3-106, 20-7-301
Instructor qualifications, policies for, 20-7-301
Money
  apportionment, basis for — policies, 20-7-301, 20-7-306
  federal, 20-7-301, 20-7-321
  industrial arts programs, 20-7-305, 20-7-306
  secondary vocational education, 20-7-305, 20-7-306
Policies, 20-3-106, 20-7-301, 20-7-302.1
Records and reports, 20-7-302.1
School districts, assistance to, 20-7-302.1
State director, appointment and duties, 20-7-302.1
State plan, development, 20-7-301
Superintendent, assistant, 20-3-104

VOCATIONAL EDUCATION, K-12 (Continued)

Supervision, staff for, 20-3-103, 20-3-104, 20-7-302.1
Workers' compensation for students, 39-71-118
Youth correctional facilities, 52-5-106

VOCATIONAL REHABILITATION
 See **BLIND OR VISUALLY DISABLED PERSONS; PUBLIC ASSISTANCE; WORKERS' COMPENSATION**

VOCATIONAL-TECHNICAL EDUCATION
 See also **POSTSECONDARY EDUCATIONAL INSTITUTIONS**
Aid to families with dependent children (AFDC), training for recipients — alternatives to program participation, 53-4-708
Cosmetologists, licensing — certificate of completion, 37-31-304
Courses of instruction, 20-25-301
Defined, 20-1-101
Handicapped persons' employment preference, nonapplicability, 39-30-103
Secondary schools, joint school district construction and ownership, 20-9-404, 20-9-405
Manicurists, licensing — certificate of completion, 37-31-304
Nursing education program, 37-8-102
Tax levies for, 20-9-212, 20-25-439

VOLUNTARY CLEANUP AND REDEVELOPMENT ACT, 75-10-730 — 75-10-738
 See **HAZARDOUS WASTES**

VOLUNTEER FIREFIGHTERS' COMPENSATION
 See also **FIRE DEPARTMENT RELIEF ASSOCIATIONS; FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM**
Actuary, employment, 19-17-107
Administration, 19-17-201
 expenses, 19-17-204
 reports concerning, 19-17-202
 rules for, 19-17-203
Benefits, See **Death benefits**; **Disability benefits**; **Pension benefits**
Children, benefit payments, 19-17-404 — 19-17-406
Citation of Volunteer Firefighters' Compensation Act, 19-17-101
Contributions to fund, See **Pension trust fund**, fire insurance premium tax
Death
 benefits, See **Death benefits**
 insurance coverage providing compensation, 19-17-103
 pension benefits
  surviving spouse or children, to, 19-17-405
  termination, 19-17-406
Death benefits
 claim procedures, 19-17-503
 eligibility, 19-17-501
 funeral expenses, 19-17-501 — 19-17-503, 19-17-505, 19-17-506
 payment, 19-17-506
Definitions, 19-17-102, 39-71-118
Disability benefits
 affidavits, 19-17-104, 19-17-502
 amount allowable, 19-17-504
 artificial members, amount allowable, 19-17-504
 claim procedures, 19-17-502
 duties of firefighter defined, 19-17-105
 eligibility, 19-17-401, 19-17-501
 medical examination requirements, 19-17-408, 19-17-409

VOLUNTEER FIREFIGHTERS' COMPENSATION (Continued)
Disability benefits (Continued)

  partial pension, 19-17-401
    cancellation, 19-17-409
  payment, 19-17-506
  reinstatement, 19-17-409
Discrimination based on sex or marital status prohibited, 49-2-309
False statements or claims, penalty, 19-17-104
Fine for violations, 19-17-104
Fire department relief association benefits, applicability, 19-18-602, 19-18-604 — 19-18-606
Fund, See **Pension trust fund**
Insurance payments, supplemental, 7-33-2110, 7-33-2316, 19-17-103
Marital status, discrimination based on — prohibited, 49-2-309
Medical expenses, 19-17-501, 19-17-502, 19-17-504, 19-17-506
Pension benefits, See also **Pension plan**
  absence of spouse or child, payment in, 19-17-406
  application, 19-17-403
  beneficiary, 19-17-404, 19-17-405
  computation, 19-17-404, 19-17-405
  discrimination based on sex or marital status prohibited, 49-2-309
  eligibility, 19-17-401
    certificate of, 19-17-402
  multiple periods of service, 19-17-401
  partial, 19-17-401, 19-17-405
  payments, 19-17-404, 19-17-405, 19-17-407
  survivorship, 19-17-405
  tax exemption, 19-17-407, See also **TAXATION, INDIVIDUAL INCOME, Exemptions**
  termination, 19-17-406
Pension plan, See also **Pension benefits**
  discrimination based on sex or marital status prohibited, 49-2-309
  expenses, 19-17-204
  partial participation in, effect, 19-17-401
  reports concerning, 19-17-202
  rules for, 19-17-203
Pension trust fund, 19-17-102
  actuary, biennial investigation, 19-17-107
  administration, 19-17-201
  deposits to, 19-17-301
  expenses chargeable against, 19-17-204
  fire insurance premium tax, amount, 19-17-301
  group insurance payments from, 19-17-103
  interest, 19-17-302
  investment, 19-17-302
  payments from, 19-17-103, 19-17-204, 19-17-404
  report concerning, 19-17-202
  use, restrictions, 19-17-106
Public Employees' Retirement Board, Title 19, chapter 2, part 4
Reports required, 19-17-202
Rules, 19-17-203
Service credits, 19-17-108
Sex, discrimination based on — prohibited, 49-2-309
Survivorship benefits, payments, 19-17-405, 19-17-406
Violations, 19-17-104
Volunteer firefighters' fund, See **Pension trust fund**
Workers' compensation coverage, effect on benefits, 19-17-501, 39-71-118, 39-71-123

VOTING AND VOTERS
See **ELECTIONS**, generally

VOTING PROGRAM FOR YOUTH, Title 13, chapter 22
See **ELECTIONS**, **Youth voting program**

W

WAGE BROKERS, Title 31, chapter 1, part 3
See **LOANS**

WAGES AND SALARIES
Actions
collection of wages, for, See **Payment**, failure to pay
contractor's bond, on, 39-3-705
contracts in violation of provisions, recovery on, 39-3-208
county attorney's authority, 39-3-215
damages for failure to pay, 39-3-211
hearings, procedure and service, 39-3-216
interstate collection, 39-3-304, 39-3-305
mineral and oil industry employees, wage violations, See **Mineral and oil industries**
minimum wage enforcement, 39-3-407
overtime compensation enforcement, 39-3-407
reciprocal collection, 39-3-304, 39-3-305
Applicability of laws
federal employees, 39-3-201, 39-3-406
federal laws, 39-1-104
mineral and oil industries, 39-3-501
trust provisions, 72-1-103, 72-33-108
unfair trade practices, 30-14-206
Apprentices, 39-3-406, 39-6-106
Assignment for benefit of creditors
assignee's services, 31-2-224, 31-2-228
wages given preference, 31-2-205
Assignment of
child support, See **CHILD SUPPORT**
claims against state, See **STATE FINANCE**, **Claims for disbursements**
commissioner of labor and industry, for collection, 39-3-211
interstate claims, 39-3-303 — 39-3-305
consumer loan businesses, limitations, 32-5-310
credit union, as security for loan, 32-3-604
deputy county sheriff, affidavit concerning salary, 7-4-2506
finance companies, limitations, 32-5-310
interstate claims for collection, 39-3-303 — 39-3-305
loan companies, limitations, 32-5-310
married persons, consent of spouse required when, 31-1-306, 32-5-310
minimum wage and overtime compensation provisions, enforcement without assignment, 39-3-407
secured transactions, exclusions, 30-9-104
support or maintenance payments, when, 40-4-207, 40-5-310, 40-5-315, 53-2-613, See also **CHILD SUPPORT**, **Duty of support**
wage brokers, to, Title 31, chapter 1, part 3, See **LOANS**
Attachment, 25-13-610, 25-13-614, 27-18-102, 39-2-302, 39-2-503
Attorneys' fees, See **ATTORNEYS' FEES**

WAGES AND SALARIES (Continued)

Bond issues
  economic development bond resolution provisions, 17-5-1508
  municipal finance consolidation bond resolution provisions, 17-5-1621
  registration of public obligations, agents, 17-5-1121
Bonds
  collection of wages, not required, 39-3-214
  contractors' employees, to guarantee wages, See **Contractors**
  mineral and oil industry wage violations, See **Mineral and oil industries**
Check, payment by, 39-3-204, 39-3-402
Child support, See **CHILD SUPPORT, Duty of support**; **Income deduction**; **Income withholding**
City, See also specific city office or officer
  decedent's paychecks, designation of person to receive and reissuance, 7-4-4211
  employees, 7-3-4254, 7-3-4255, 7-3-4313, 7-3-4411, 7-3-4413, 7-3-4417, 7-4-4201, 7-5-4110
  officers, 7-3-4254, 7-3-4255, 7-3-4313, 7-3-4413, 7-3-4417, 7-4-4101 — 7-4-4103, 7-4-4201
City-county, See specific city-county office or officer
Claims, See **Actions**
Collection, See **Payment**, failure to pay
Collective bargaining, Title 39, chapter 33, See **COLLECTIVE BARGAINING**
  firefighters, arbitration, Title 39, chapter 34
  nurses, Title 39, chapter 32, See **NURSING AND NURSES, Collective bargaining**
  public employees, Title 39, chapter 31, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
"Compensation" defined, 2-2-102
Compensatory time for state personnel, 2-15-131, See also **Overtime compensation**
Construction liens, Title 71, chapter 3, part 5
Contractors, bond to guarantee wages
  action on bond, 39-3-705
  amount and conditions, 39-3-703
  definitions, 39-3-701
  liability for failure to acquire, 39-3-706
  rulemaking authority, 39-3-702
Contracts in violation of provisions void, 39-3-208
County, See also specific county office or officer
  abandoned counties, processing of claims, 7-2-2741
  cost-of-living increments, 7-4-2107, 7-4-2504
  illegal payment, recovery, 7-4-2714
  increase above appropriation for, prohibited, 7-6-2325
  officers generally, 7-4-2501
  payment, 7-4-2502
  tax levy for, 7-6-2501
County welfare, 53-2-202, 53-2-203
Criminal offenses, See **Violations**
Damages for nonpayment, 39-3-211
Date of payment, notice to employee on demand, 39-3-203
Death of employer, obligation of successor employer, 39-2-502
Deductions
  assignment of claims against state, effect, 17-8-212
  child support, for, Title 40, chapter 5, part 3, See **CHILD SUPPORT, Income deduction**
  deferred compensation, 19-50-202
  group insurance, See **INSURANCE, LIFE, Group life**; **Groups and group requirements**; **PUBLIC OFFICERS OR EMPLOYEES, Group benefits**
  income tax withholding, See **TAXATION, INDIVIDUAL INCOME**
  occupational disease premiums, deduction prohibited, 39-71-406, 39-72-402
  permissible when, 39-3-204
  retirement system contributions, See **Contributions** in main category for specific retirement system
  savings bonds, 17-8-212

WAGES AND SALARIES (Continued)
Deductions (Continued)

- statement to employee required, 39-3-101
- unemployment insurance, deduction for prohibited, 39-51-3102, 39-51-3103
- union dues, 17-8-212, 39-31-203
- workers' compensation, deduction for prohibited, 39-71-406

Deferred compensation, Title 19, chapter 50
Definitions, generally, 15-30-201, 39-3-201, 39-3-402, 39-3-701
Disability, wages during — payments as collateral source reduction in damage awards, 27-1-307, 27-1-308
Discharge or dismissal, See **Termination of employee**
Discrimination prohibited, 49-2-303, 49-2-308, See **DISCRIMINATION**, **Employment**
Employer

- death of, obligation of successor employer, 39-2-502
- deductions, statement from required, 39-3-101
- paydays and rate of pay, notice to employee, 39-3-203

Equal pay for equal work, 39-3-104
Farm laborers, See **AGRICULTURE, Laborers**; **LIENS, Farm laborers' liens**; **LIVESTOCK, Laborers**
Federal agencies, cooperation with, 39-1-104
Federal employees, exemption from provisions, 39-3-201, 39-3-406
Federal laws, applicability of laws, 39-1-104
Fire department relief association contributions, Title 19, chapter 18, part 5, See **FIRE DEPARTMENT RELIEF ASSOCIATIONS, Contributions**
Firefighters' unified retirement contributions, Title 19, chapter 13, See **FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM, Member contributions**
Firing, See **Termination of employee**
Fringe benefits as, wrongful discharge from employment — remedies, 39-2-903, 39-2-905
Game wardens' retirement contributions, Title 19, chapter 8, See **GAME WARDENS' RETIREMENT SYSTEM, Contributions**
Garnishment, See **GARNISHMENT**
Group insurance, withholding, See **INSURANCE, LIFE, Group life**; **Groups and group requirements**; **PUBLIC OFFICERS OR EMPLOYEES, Group benefits**
Highway patrol officers' retirement contributions, Title 19, chapter 6, See **HIGHWAY PATROL OFFICERS' RETIREMENT SYSTEM, Contributions**
Incentive program awards, in addition to, 2-18-1106
Income tax withholding, See **TAXATION, INDIVIDUAL INCOME**
Inspection of workplace and records, 39-3-210
Institutional labor, Title 53, chapter 1, part 3
Insurance

- adjusters, 33-17-102, 33-17-301
- administrators, 33-17-617
- commissioner of, personal staff, 33-1-303
  - prohibited compensation, 33-1-305
- comprehensive health association, board of directors, 33-22-1504
- consultants, 33-17-511, 33-17-512
- examiners, 33-1-413
- group, withholding, See **INSURANCE, LIFE, Group life**; **Groups and group requirements**; **PUBLIC OFFICERS OR EMPLOYEES, Group benefits**
- guaranty associations
  - boards of directors, 33-10-104
  - designated representatives, 33-10-204
- insurance producers
  - commissions or compensation, 33-17-1103, 33-17-1112, 33-17-1113, 33-18-210
  - employees of, 33-17-103, 33-17-1103
  - surplus lines, 33-2-306
  - termination of appointment, following, 33-17-232

Insurers

- deposits, depositary or custodian of, 33-2-604

WAGES AND SALARIES (Continued)
Insurers (Continued)

- domestic stock and mutual, board of directors, 33-3-302, 33-3-308
- employees and officers, 33-17-103
- farm mutual
  - arbitration, committee of reference — members, 33-4-411
  - officers, 33-4-302
- liquidation personnel, 33-2-1345, 33-2-1371
- rehabilitation personnel, 33-2-1333
- title, payment by, 33-25-401

Interstate collection, See **Reciprocal enforcement of payment**
Investigative authority, 39-3-209, 39-3-210
Judges' retirement contributions, Title 19, chapter 5, See **JUDGES' RETIREMENT SYSTEM, Contributions**
Jurisdiction

- commissioner of labor and industry, 39-3-209
- county attorney, 39-3-215, 39-3-503, 39-3-506
- district court, 39-3-212, 39-3-217, 39-3-503, 39-3-506
- supreme court, 39-3-516

Labor organizations, See **COLLECTIVE BARGAINING**
Legislators, 5-2-203, 5-2-301, 5-2-302; Const., V, 5, See also legislative branch officers or employees

- retirement system payments, 5-2-304
- rules of conduct concerning compensation, 2-2-104, 2-2-111

Legislature, appropriations for, 2-18-106
Liens for, Title 71, chapter 3, parts 3 — 5
Loans secured by, See **Assignment of**; **LOANS**, **Wage brokers**
Maternity leave, unlawful acts of employers, 49-2-310
Meal allowance or cost of meals, exclusion from minimum wage, 39-3-402
Menial labor, minimum wage and overtime exclusions, 39-3-406
Mineral and oil industries, wage protection

- agent for service of process, 39-3-502
- applicability of laws, 39-3-407, 39-3-501, 39-3-519
- attorney's fees, 39-3-518
- bond to guarantee wages
  - action on, 39-3-517
  - amount, 39-3-511
  - applicability of laws, 39-3-519
  - attorney's fees, 39-3-518
  - certiorari, writ of, 39-3-516
  - conditions, 39-3-510, 39-3-511
  - contempt, 39-3-514
  - costs, 39-3-513, 39-3-518
  - filing, 39-3-510
  - injunction when not filed, 39-3-512
  - order requiring, 39-3-510, 39-3-515, 39-3-519
  - restraining order until filed, 39-3-510
  - review by supreme court, 39-3-516
  - sureties, 39-3-510, 39-3-511
- certiorari, writ, 39-3-516
- commencement of operations, operator's statement, 39-3-502
- complaint upon violations, 39-3-506, 39-3-507
  - hearing and findings on, 39-3-509, 39-3-510
  - order on, notice, and publication, 39-3-509, 39-3-514 — 39-3-516
- contempt, 39-3-514
- costs of proceedings, 39-3-513, 39-3-518
- county attorney, report of violations to, 39-3-503 — 39-3-506
- cumulative remedy, 39-3-520

WAGES AND SALARIES (Continued)
Mineral and oil industries, wage protection (Continued)

- injunction of operations, 39-3-512, 39-3-516
- jurisdiction, 39-3-503, 39-3-506, 39-3-516
- minimum wage, 39-3-407
- overtime compensation, 39-3-407
- remedies cumulative, 39-3-520
- restraining order until bond furnished, 39-3-510
- review by supreme court, 39-3-516
- summons or service of process, 39-3-508

Minimum wage, 39-3-404, 39-3-409
- applicability of laws, 39-3-408
- cap on, 39-3-409
- community service participants, workers' compensation benefits — basis, 39-71-118
- cumulative remedies, 39-3-408
- definitions, 39-3-402
- developmentally disabled persons in residential facilities, 53-20-164
- enforcement, 39-3-213, 39-3-407
- exclusions, 39-3-406
- federal, 13-4-106, 20-20-107
- firefighters, 7-33-4128
- mentally ill persons, 53-21-167
- Montana conservation corpsmembers, 23-1-313
- police, 7-32-4116
- purpose of provisions, 39-3-401
- rate, 39-3-404, 39-3-409
- remedies cumulative, 39-3-408
- rulemaking authority, 39-3-402, 39-3-409
- tips, exception, 39-3-409
- training wage, exception, 39-3-409
- work-study programs, 20-25-708

Minors, See **MINORS**, **Employment**
Money, payment in, 39-3-204, 39-3-402
Negligence of employee, effect, 39-2-702
Nonpayment, See **Payment**, failure to pay
Notice
- date of payday, 39-3-203
- mineral and oil industry wage protection order, 39-3-515
- payday or rate of pay, 39-3-203

Nurses, Title 39, chapter 32, See **NURSING AND NURSES**, **Collective bargaining**; **Payment for services**
Occupational disease
- compensation, Title 39, chapter 72, See **OCCUPATIONAL DISEASE**
- premiums, deduction from wages prohibited, 39-71-406, 39-72-402

Overtime compensation, 39-3-405, See also **Compensatory time for state personnel**
- applicability of laws, 39-3-408
- county undersheriff and deputy sheriff, 7-4-2509
- cumulative remedies, 39-3-408
- definitions, 39-3-402
- enforcement, 39-3-213, 39-3-407
- exclusions, 39-3-406
- law enforcement officers, criminal investigations, 44-13-103
- meat inspectors, 81-9-229
- police, 7-32-115, 7-32-4118, 7-32-4119, 39-3-406
- public safety, department of — employees, 7-32-115
- purpose of provisions, 39-3-401
- rate, 39-3-405
- remedies cumulative, 39-3-408

WAGES AND SALARIES (Continued)
Overtime compensation (Continued)

    rulemaking authority, 39-3-402
Ownership rights, 39-2-102
Payment
    applicability of laws, 39-3-201
        mineral and oil industry, 39-3-501
        minimum wage or overtime compensation, 39-3-407
    assignment to commissioner of labor and industry for collection, 39-1-102, 39-3-211
        interstate collection, 39-3-303 — 39-3-305
    attorney's fees, 39-3-214
    check, in, 39-3-204, 39-3-402
    contracts in violation of provisions void, 39-3-208
    costs, 39-3-214
    county attorney's authority not limited, 39-3-215
    court
        costs, 39-3-214
        enforcement by, 39-3-212
    date, 39-3-203 — 39-3-205
    deductions, 39-3-101, 39-3-204
    definitions, 39-3-201
    disposition of wages collected, 39-3-213
    electronic funds transfer, by, 39-3-204
    enforcement, 39-1-102, 39-3-209
    exceptions from provisions, 39-3-201
    failure to pay, collection
        administrative decisions, 39-3-212, 39-3-216, 39-3-217
        appeals, 39-3-217
        assignment of claim to commissioner of labor and industry, 39-1-102, 39-3-211
        attorney's fees, 39-3-214
        commencement of action, 39-3-209
        contracts in violation of provisions, 39-3-208
        costs, 39-3-214
        county attorney's authority not limited, 39-3-215
        court enforcement, 39-3-212
        damages, 39-3-206, 39-3-211
        default order, 39-3-212, 39-3-216
        disposition of wages collected, 39-3-213
        hearings, 39-3-216, 39-3-217
        investigation, 39-3-209, 39-3-210
        penalty and interest, 39-3-205, 39-3-206, 39-3-208
        reciprocal enforcement, See **Reciprocal enforcement of payment**
        statute of limitation, 39-3-207
    inspections by commissioner of labor and industry, 39-3-210
    interest on, when, 39-3-205
    interstate enforcement, See **Reciprocal enforcement of payment**
    investigative powers of commissioner of labor and industry, 39-3-209, 39-3-210
    judicial review, 39-3-212, 39-3-217
    manner, 39-3-204, 39-3-402
    mineral and oil industry, 39-3-501, See **Mineral and oil industries**
    notice of rate and date, demand by employee, 39-3-203
    partnership not created by, 35-10-202
    rulemaking authority, 39-3-202, 39-3-210
    stay, order for, 39-3-205
    termination of employment, when due, 39-3-205
Payroll checks, promotional games of chance prohibited, 23-5-164
Payroll system, state, Title 2, chapter 18, part 4

WAGES AND SALARIES (Continued)

Personal representative, See **ESTATES AND PROBATE, Personal representative**, compensation
Personal services contracts, See **LABOR AND EMPLOYMENT, Personal services contracts**, wages
Personnel Appeals, Board of — chairperson replacement, 2-15-1705
Police officers' retirement contributions, Title 19, chapters 9 and 19, See **POLICE OFFICERS' RETIREMENT SYSTEM, LOCAL FUNDS, Contributions; POLICE OFFICERS' RETIREMENT SYSTEM, STATE PLAN, Employee contributions**
Prison industries training program participants, 39-71-118, 53-1-301, 53-30-132, 53-30-133
Privatization of state programs, effect — consideration, 2-8-303
Professional employers organizations and groups, contracts for, 39-8-206, 39-8-207
Protection, See **Wage protection**
Public assistance, 53-2-202, 53-2-203
Public contractors, paid by, Title 18, chapter 2, part 4
Public officers and employees, Title 2, chapter 18, parts 2 and 3, See also **PUBLIC OFFICERS OR EMPLOYEES, Classification; Compensation determination**
  collective bargaining, Title 39, chapter 31, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
  impeachment, effect, 5-5-432
  rules of conduct concerning, 2-2-104, 2-2-121, 2-2-131
  state officers, 2-16-405, 2-16-406; Const., VI, 5
  statute of limitation on recovery, 27-2-212
  supreme court justices, 2-16-404, 3-2-104; Const., VII, 9
  termination, when wages payable, 39-3-205
  union dues, deduction, 39-31-203
  withheld when, 2-16-202, 5-5-432, 15-1-301, 17-2-109
Rate of pay
  equal pay for equal work, 39-3-104
  minimum wage, 39-3-404, 39-3-409
  notice upon employee demand, 39-3-203
  overtime compensation, 39-3-405
Reciprocal enforcement of payment
  action in other state, 39-3-304
  action in this state, 39-3-305
  agreements with other states, 39-3-303, 39-3-304
  assignment of claim, 39-3-304, 39-3-305
  citation of reciprocal agreement for collection of wages act of 1977, 39-3-301
  conflict of laws, 39-3-306
  purpose of provisions, 39-3-302
Records
  examination, 39-3-210
  occupational disease compensation, for, 39-71-304, 39-72-402
  unemployment insurance for, 39-51-601, 39-51-602
  workers' compensation, for, 39-71-304, 39-71-308
Remedy, compensation as, See generally **CONTRACTS, Damages; DAMAGES**
Room and board as payment, 39-3-204, 39-3-402, 39-3-405, 39-3-406, See also **LABOR AND EMPLOYMENT, Room and board arrangements**
Rulemaking authority, 39-3-403
  collection of wages, 39-3-202, 39-3-210
  minimum wage, 39-3-402, 39-3-406, 39-3-409
  overtime compensation, 39-3-402, 39-3-406
  payment of wages, 39-3-202, 39-3-210
Servants, 39-2-602, 39-2-603
Sheriffs' retirement contributions, Title 19, chapter 7, See **SHERIFFS' RETIREMENT SYSTEM, Contributions**
Sick leave, lump-sum payment when, 2-18-618, See also **PUBLIC OFFICERS OR EMPLOYEES, Leave time**

WAGES AND SALARIES (Continued)

Sick-pay plan, payments in lieu of wages, 2-18-601
Social security
  contributions, See **SOCIAL SECURITY, Contributions**
  deductions, statement required, 39-3-101
Standard prevailing rate, Title 18, chapter 2, part 4
Statewide classification and pay plan, Title 2, chapter 18, parts 2 and 3, See **PUBLIC OFFICERS OR EMPLOYEES, Classification; Compensation determination**
Statutes of limitations on recovery, 27-2-212, 39-3-207
Taxes
  corporation taxes
    new or expanding business credit based on, 15-31-125
    personal services salaries, 15-31-114, 15-31-302, See also **TAXATION, CORPORATIONS, Allocation and apportionment of income**
  deductions for, statement required, 39-3-101
  income tax withholding. See **TAXATION, INDIVIDUAL INCOME**
  inheritance tax, appraisers, 72-16-413, 72-16-425
Teachers' retirement contributions, Title 19, chapter 20, See **TEACHERS' RETIREMENT SYSTEM, Contributions**
Termination of employee
  dismissal for cause, 39-3-102
  due date of wages, 39-3-205
  leaving for cause, 39-3-103
Tips, exclusion from minimum wage, 39-3-402
Trusts, See **TRUSTS**
Unemployment insurance, Title 39, chapter 51, See **UNEMPLOYMENT INSURANCE**
Union dues, deduction from wages, 17-8-212, 39-31-203, See also **COLLECTIVE BARGAINING**
Unlawful practices, See **Violations**
Vacation leave, unused — cash payment, 2-18-617, See also **PUBLIC OFFICERS OR EMPLOYEES, Leave time**
Violations
  county attorney's authority, 39-3-215
  equal pay for equal work provisions, 39-3-104
  fines, 39-3-104
  generally, 39-3-206
  investigative authority, 39-3-209, 39-3-210
  mineral and oil industries, by, 39-3-502, 39-3-503
  nonpayment of wages, 39-3-205, 39-3-206
  statute of limitation, 39-3-207
Volunteer firefighters' compensation, Title 19, chapter 17, See **VOLUNTEER FIREFIGHTERS' COMPENSATION**
Wage brokers, assignment to, See **LOANS, Wage brokers**
Wage protection
  construction workers, See **Contractors**
  contractors, See **Contractors**
  crime victims compensation, 53-9-128, See **CRIME VICTIMS AND WITNESSES**
  liens for, Title 71, chapter 3, parts 3 — 5
  mineral and oil industries, See **Mineral and oil industries**
Welfare, 53-2-202, 53-2-203
Withheld when, See specific officer or employee
Women, equal pay for equal work, 39-3-104
Workers' compensation, Title 39, chapter 71, See **WORKERS' COMPENSATION**
Wrongful discharge from employment, remedies, 39-2-903, 39-2-905

WAR
See also generally **EMERGENCIES AND EMERGENCY POWERS**; **MILITARY AFFAIRS**; **VETERANS**
Bank deposits and collections, delays due to, 30-4-108
Corporate powers related to, 35-1-115
District court, change of venue, 3-5-405
Facility siting provisions, waiver when, 75-20-304
Firefighters, service during, 7-33-2314
Fishing licenses, residence requirements waived when, 87-2-102
Hazardous or deleterious substance, release occurring as result of — nonliability, 75-10-715
Historical documents, Title 22, chapter 3, See **HISTORICAL SOCIETY**, generally
Hunting licenses, residence requirements waived when, 87-2-102
Insurance
  life, provisions concerning coverage, 33-20-121
  risks of war, against loss or damage from, See **INSURANCE, MARINE**, generally
  sales, c.i.f. and c.&f. terms, 30-2-320
Labor and Industry, Department of — duties respecting, 39-51-502
Limited liability companies, donations to war activities, 35-8-107
Memorabilia, 10-1-102, 22-3-221
Missing in action
  evidence, 26-1-622, 72-1-108
  university system tuition and fees, waiver for spouse and children, 20-25-421
Motor vehicles, new — extension of warranty period, 61-4-502
Nuclear facilities, certification requirements, 75-20-1203
Police officers' retirement, service credits, 19-19-405
Postattack resource management, Title 10, chapter 3, part 5, See also **EMERGENCIES AND EMERGENCY POWERS**
Prisoners of
  conservatorship, basis for, 72-5-409, See **ESTATES AND PROBATE, Conservators and conservatorship**
  federal official reports and records as prima facie evidence, 26-1-622
  former, license plates, 61-3-332, 61-3-446, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, License plates**
  university system tuition and fees, waiver for spouse and children, 20-25-421
Public employees
  military leave, effect, 2-18-614, 2-18-621
  retirement, service credits, 19-2-705
Quartering of soldiers in homes, Const., II, 32
Records, storage, 10-1-102, 22-3-221
Sales, c.i.f. and c.&f. terms — war risk insurance, 30-2-320
Statute of limitation, effect on, 27-2-403
Teachers' retirement, inactive membership when, 19-20-303
Trapping licenses, residence requirements waived when, 87-2-102
Treason, war against state as, Const., II, 30
Unemployment insurance programs, cooperation with war and postwar planning agencies, 39-51-502
Veterans' and Pioneers' Memorial Building, Title 22, chapter 3, part 3, See **HISTORICAL SOCIETY**

WAREHOUSES AND WAREHOUSEMEN
See also **DOCUMENTS OF TITLE**; **PROPERTY, PERSONAL, Bailment**
Agricultural commodities, for, Title 80, chapter 4, part 5, See **AGRICULTURAL COMMODITIES, Warehouses and warehousemen**
Alcoholic beverages, for, See **ALCOHOLIC BEVERAGES**
Cigarettes, 16-11-102
City-county consolidated governments, provisions for, 7-3-1307
Commercial feeds, 80-9-301

WAREHOUSES AND WAREHOUSEMEN (Continued)

Cosmetics, inspection, 50-31-106, 50-31-501
Drugs
  inspection, 50-31-106, 50-31-501
  registration of manufacturers, distributors, or dispensers — exemption, 50-32-302
Federal surplus property, state agency for — authority, 18-5-202
Food, 50-31-106, 50-31-501, 50-50-102
Freeport merchandise, tax exemption, 15-6-202
Freight carriers as warehousemen, See **CARRIERS**, **Freight carriers**
Grain, for, Title 80, chapter 4, part 5, See **AGRICULTURAL COMMODITIES**, **Warehouses and warehousemen**; **RAILROADS**, **Grain elevators or warehouses**
Hazardous substances, inspection, 50-30-107
Hours of work for employees, 39-4-105
Inspections, 39-1-103, See also **LABOR AND EMPLOYMENT**, **Inspection of workplace**
Liens for services, See **LIENS**
Public procurement units, joint facilities, 18-4-405
Seed, agricultural, Title 80, chapter 4, part 5, See **AGRICULTURAL COMMODITIES**, **Warehouses and warehousemen**
State, 2-17-102, 2-17-201
Unclaimed property, Title 70, chapter 9, part 4
Warehouse receipts, See **AGRICULTURAL COMMODITIES**, **Warehouses and warehousemen**; **DOCUMENTS OF TITLE**

WARRANTY
  See also **GUARANTY**; **INDEMNITY**; **SURETYSHIP AND SURETIES**
Agents, 27-1-313, 28-10-421, 28-10-422, 28-10-701
Auctioneer's authority, 30-11-506
Bank deposits and collections, 30-4-205, 30-4-207, 30-4-215, 30-4-216, 30-4-302, 30-4-406
Blood and bones, human — furnishing considered service and not sale, 50-33-102
Defined, 30-11-209
Documents of title, 30-7-507, 30-7-508
Electronic funds transfer, merchant warranty, 32-6-303
Fraternal benefit society insurance application, statements not warranties, 33-7-523
Goodwill, 30-11-221
Hearing aid dispensers, 37-16-303, 37-16-411
Instruments, 30-11-220
Insurance applications, statements and descriptions within — not warranties, 33-15-403, 33-20-106, 33-20-1204, 33-22-502, 33-22-602
Judicial sale, 30-11-222
Leases, See **LEASES**, **Warranties**
Letters of credit, See **LETTERS OF CREDIT**
Livestock market or dealer sales, 81-8-233
Marks, 30-11-218, 30-11-219
Money, 30-11-114
Motor vehicles, new, Title 61, chapter 4, part 5
Negotiable instruments, 30-3-417, 30-3-424, 30-11-220
Organs and tissue, human — furnishing considered service and not sale, 50-33-102
Property
  personal, title, 30-11-211
  real property, lineal and collateral — abolishment, 70-20-306, See also **PROPERTY, REAL**, **Covenants** entries
Sales, See **SALES**
Sample, 30-11-212
Secured transactions, 30-9-206
Securities, See **SECURITIES AND SECURITIES REGULATION**
Speech-language pathologists and audiologists, unethical conduct, 37-15-102

WARRANTY (Continued)

Trademark, 30-11-218
Wheelchairs, Title 30, chapter 14, part 12

WASTE DISPOSAL
  See also generally **UTILITIES**
Asbestos-containing debris, 50-64-104
Beverage containers, detachable openings prohibited, 75-10-301 — 75-10-303
Carriers for, See **MOTOR CARRIERS**
Cesspools, septic tanks, and privies, Title 37, chapter 41
Cities and towns
  private carriers, protection of services by, 7-13-4107
  regulation, 7-3-4441, 7-14-4105, 7-14-4106
  sewage, Title 7, chapter 13, parts 42 and 43, See **SEWAGE DISPOSAL AND SEWER SYSTEMS**
City-county consolidated government, authority of director of public works, 7-3-1331
Community decay, ordinances to control, 7-5-2110, 7-5-2111
Conservation easements, prohibitions or limitations, 76-6-203
Containers, detachable openings prohibited, 75-10-301 — 75-10-303
Counties, Title 7, chapter 13, parts 22 and 23, See **SEWAGE DISPOSAL AND SEWER SYSTEMS**
Hazardous wastes, Title 75, chapter 10, See **HAZARDOUS WASTES**
Highways, Department of — acquisition of land for, 75-15-223
Household hazardous waste, 75-10-104, 75-10-203, 75-10-215, 75-10-807
Household waste, 75-10-203, 75-10-207, 75-10-214, 75-10-715, 75-10-903
Industrial wastes, Title 75, chapter 5, See **WATER QUALITY, Disposal systems; Permits; Sewage systems; Wastes**
Infectious waste management, Title 75, chapter 10, part 10, See **HAZARDOUS WASTES**
Junk vehicles, Title 75, chapter 10, part 5
Junkyards, Title 75, chapter 15, part 2, See **JUNKYARDS**
Land for, acquisition by department of transportation, 75-15-223
Methane conversion from, 90-4-102, See **ENERGY, Renewable sources and conservation development**
Metropolitan sanitary and/or storm sewer districts, Title 7, chapter 13, part 1, See **SEWAGE DISPOSAL AND SEWER SYSTEMS**
Mining operations, 82-4-222
Motor carriers, See **MOTOR CARRIERS, Waste carriers**
Plumbing and plumbers, Title 37, chapter 69
Pollution of water, control, Title 75, chapter 5, See **WATER QUALITY**
Public buildings, rulemaking authority, 50-1-202, 50-2-116
Public water supplies, Title 75, chapter 6, See **WATER SUPPLY, PUBLIC**
Pull-tabs on containers, prohibited, 75-10-301 — 75-10-303
Radioactive wastes, Title 75, chapter 3, See **RADIOACTIVE SUBSTANCES**
Recyclables, transportation of, 69-12-101, 69-12-301, 69-12-302, 69-12-406
Septic tanks, Title 37, chapter 41
Solid Waste Management Act, Title 75, chapter 10, part 2, See **SOLID WASTE MANAGEMENT**
Subdivisions, in, Title 76, chapter 4, part 1, See **SUBDIVISIONS, Sanitation**
Swine, treatment of garbage fed to, Title 81, chapter 2, part 5, See **LIVESTOCK, Garbage feeders**
Transportation, Title 75, chapter 10, part 2
Water supplies, public, Title 75, chapter 6, See **WATER SUPPLY, PUBLIC**

WASTEWATER TREATMENT REVOLVING FUND ACT, Title 75, chapter 5, part 11
  See **WATER QUALITY**

WATER AND WASTEWATER OPERATORS' ADVISORY COUNCIL
  See **WATER SUPPLY, PUBLIC**

WATER CONSERVANCY DISTRICTS
  See also **CONSERVATION DISTRICTS**
Alteration, 85-9-501 — 85-9-504

WATER CONSERVANCY DISTRICTS (Continued)

Annexation of lands, 85-9-502, 85-9-503
Architectural services contracts, Title 18, chapter 8, part 2
Assessments, See **Taxes and assessments**
Assignment of water rights and works when, 85-9-303
Audits, Title 2, chapter 7, part 5
Board of directors, See **Directors, board of**
Bond issues, See also **BONDS AND BOND ISSUES**, generally
    amount, 85-9-622
    annexation of lands, 85-9-503
    approval, 85-9-624
    assessments to fund, 85-9-601
    bond retirement fund, 85-9-631
    election, 85-9-623, 85-9-624
    interim receipts or certificates, 85-9-627
    investment of proceeds, 85-9-629, 85-9-631
    issuance, 85-9-406, 85-9-621 — 85-9-625
    multipurpose bonds, 85-9-621
    negotiability, 85-9-627
    redemption, 85-9-630
    refunding bonds, 85-9-630
    registration, 85-9-628
    resolutions, 85-9-623, 85-9-625
    sale, 85-9-625, 85-9-629
    tax exemption, 85-9-626
    term, 85-9-621
    united states, when contracts with, 85-9-408
Boundaries, 85-9-202, 85-9-204, 85-9-205, 85-9-208
Budget, 85-9-406, 85-9-602, 85-9-603
Bylaws, 85-9-402
City-county consolidation provisions, nonapplicability, 7-3-1101
Construction, repair, or maintenance of works
    bond issues to fund, 85-9-621, 85-9-622
    costs, 85-9-103, 85-9-202, 85-9-205, 85-9-209
    directors' authority, 85-9-405, 85-9-408
Contracts
    directors, by, 85-9-408
    professional services, state, Title 18, chapter 8, part 2
Corporate nature, 85-9-207, 85-9-208, 85-9-501
Costs, 85-9-103
    bond issues to meet, 85-9-621, 85-9-622
    creation of district, 85-9-202
    exclusion of lands, 85-9-504
    organization of district, 85-9-205, 85-9-209
    termination of district, 85-9-304, 85-9-305
Creation, See also **Organization**
    feasibility study and report, 85-9-204, 85-9-205, 85-9-209
    hearing, 85-9-203
    preliminary survey, 85-9-201 — 85-9-203, 85-9-209
    purpose, 85-9-102
Definitions, 85-9-103
Directors, board of, 85-9-103
    actions, capacity, 85-9-403
    annexation of property, 85-9-502
    appointment, 85-9-401, 85-9-501
    assessments fixed by, 85-9-406, 85-9-601, 85-9-602

WATER CONSERVANCY DISTRICTS (Continued)
Directors, board of (Continued)

  bond issues, authority, 85-9-406, 85-9-622 — 85-9-625, 85-9-627 — 85-9-629
  bond requirements, 85-9-401
  budget hearing, 85-9-602
  contracts and agreements by, 85-9-408
  dissolution of district, 85-9-301, 85-9-303, 85-9-304
  exclusion of lands, 85-9-504
  fees and charges fixed by, 85-9-407
  financial authority, 85-9-406
  financial information provided by, 85-9-603
  investments, authority, 85-9-604, 85-9-629
  merger of district, 85-9-403, 85-9-501
  number, 85-9-205, 85-9-401, 85-9-501
  organization of district, election expenses, 85-9-209
  powers over
    conduct of business, 85-9-403
    finance, 85-9-406
    property, 85-9-405
    rules, adoption, 85-9-404
  receiver, appointment — effect, 85-9-304
  report, annual, 85-9-411
  revolving funds, establishment, 85-9-632
  rulemaking authority, 85-9-402, 85-9-404
  term of office, 85-9-401
  vacancies, 85-9-401
Dissolution, 85-9-301
  election, 85-9-302
  funds, disposition, 85-9-306
  order for, 85-9-305
  receivers, 85-9-303, 85-9-304
  termination of affairs, 85-9-303 — 85-9-305
Elections, 13-1-104, 13-1-107, 13-1-301, 13-1-302, 13-1-401, 85-9-422
  bond issues, 85-9-623
  campaign practices exceptions, 13-37-206
  dissolution of district, 85-9-302
  electors, 85-9-103, 85-9-421
  federal government, entry into agreements with, 85-9-408
  organization of district, 85-9-206, 85-9-208, 85-9-209
Eminent domain, right of, 85-9-410
Employees, 85-9-408
Engineers, 85-9-408
  state services contracts, Title 18, chapter 8, part 2
Exclusion of lands, 85-9-504
Feasibility study, 85-9-204, 85-9-205, 85-9-209
Federal involvement, 85-9-202, 85-9-204, 85-9-408, 85-9-409
Fees and charges for services and facilities, 85-9-407, 85-9-601
Funds
  bond retirement fund, 85-9-631
  directors' powers, 85-9-406
  dissolution of district, disposition, 85-9-306
  investment, 85-9-604, 85-9-631
  revolving funds, 85-9-632
  sinking and interest fund, 85-9-632
  sources, determination, 85-9-202
  surplus funds, disposition, 85-9-406, 85-9-604
Inclusion of district in another district, 85-9-501

WATER CONSERVANCY DISTRICTS (Continued)

Indebtedness
  directors' power to incur, 85-9-406
  dissolution of district, effect, 85-9-304
  merger of district, effect, 85-9-501
Interpretation of laws, 85-1-103
Land surveying services contracts, Title 18, chapter 8, part 2
Leases, 85-9-405, 85-9-632
Legal counsel, 85-9-403, 85-9-408
Liens
  assessments, 85-9-601
  bond issues, 85-9-503
Limitations, 85-9-104
Managers, 85-9-408
Meetings, 85-9-401, 85-9-402, 85-9-504
Merger, 85-9-403, 85-9-501
Motor vehicles
  license plates, 61-3-332, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, License plates**
  new vehicle sales tax, exemption, 61-3-502
  registration fees, exemption, 61-3-321
  weed control fee, exemption, 61-3-510
Notice, 85-9-103
  annexation of land, hearing, 85-9-502
  creation of district, hearing, 85-9-203
  bond issues
    bid proposals, 85-9-625
    election, 85-9-623
  budget hearing, 85-9-602
  exclusion of lands, hearing, 85-9-504
  meetings, special, 85-9-402
  merger of district, hearing, 85-9-501
  organization of district, petition, 85-9-206
Officers, 85-9-402
Organization, 85-9-205, See also **Creation**
  filing of documents, 85-9-208
  hearing and election, 85-9-206, 85-9-208, 85-9-209
Policy of state, 85-9-101
Property, 85-9-405, 85-9-406, 85-9-410
Purpose of provisions, 85-9-102
Reports, 85-9-411; Title 2, chapter 7, part 5
Seal, 85-9-403
Taxes and assessments, 85-9-601, 85-9-603, 85-9-604, 85-9-624
  budget hearing, fixed in, 85-9-406, 85-9-602
  dissolution of district, upon, 85-9-304
  united states, for payment of contracts with, 85-9-408
Termination, See **Dissolution**
Water, delivery withheld when, 85-9-407

WATER COURTS
Adjudication of water rights, See also **WATER USE**
  administrative costs and expenses, assessment, 85-2-225
  assistance by department of natural resources and conservation, 85-2-243
  compacts, objections to, 85-2-233
  consolidation of proceedings, 85-2-215, 85-2-233, 85-2-237

WATER COURTS (Continued)
Adjudication of water rights (Continued)

- decrees
    - controversy settlement appeal determinations, effect, 85-2-406
    - final decree, 85-2-234, 85-2-236, 85-2-237, 85-5-101
    - preliminary decree, 3-7-212, 3-7-311, 85-2-231 — 85-2-233, 85-2-237, 85-5-101
    - reopening and review, 85-2-228, 85-2-237
    - temporary preliminary decree, 3-7-212, 85-2-231 — 85-2-233, 85-5-101
        - milk river basin, priority, 85-2-321
- federal water rights with priority date of july 1, 1973, or later, 85-2-228
- filing of claim, monitoring to assure timeliness and compliance, 85-2-214
- hearings, 85-2-233, 85-2-237
    - cases certified to district court, 3-7-101, 3-7-223, 3-7-224, 3-7-501, 3-7-502, 85-2-309
- notice of order to file claim, assistance to supreme court, 85-2-213
- objections, filing with, 85-2-221, 85-2-233, 85-2-237
- priority basins or subbasins, 85-2-218
- rights and priorities, tabulations, 85-2-234, 85-2-406
- venue, 85-2-214, 85-2-216

Administration, 3-7-204
Chief water judge, See also **JUDGES AND JUSTICES**

- appointment and term of office, 3-1-1001, 3-7-221
- duties generally, 3-7-223
- jurisdiction, 3-7-224
- masters, appointment and removal, 3-7-301
- milk river basin, priority, 85-2-321
- reserved water rights compact commission negotiations, status reports, 85-2-705
- resignation, 3-1-1010
- retirement, 19-5-301, 19-5-404, See **JUDGES' RETIREMENT SYSTEM**
- salary, expense, and office space, 3-7-222
- water right transfer certificate, form and content prescribed by, 85-2-423

Contempt, See **CONTEMPT**, generally
Facilities, 3-7-204, 3-7-222
Funding, 85-2-241
Jurisdiction, 3-7-501, 85-2-216, See also **Adjudication of water rights**

- chief water judge, 3-7-224
- disputes, jurisdictional, 3-7-502

Personnel, 3-7-204, 3-7-222, 3-7-223
Rules of practice and procedure, 3-7-103, 3-7-404
Supervision, 3-7-204, 85-2-112
Transfer of water rights

- certificate, form and content, 85-2-423
- notice to, 85-2-421

Water adjudication advisory committee, 3-7-103
Water commissioners and water mediators, development of educational program for, 85-5-111
Water divisions, 3-7-101, 3-7-102, 3-7-501, 85-2-102
Water judges, 85-2-102, See also generally **JUDGES AND JUSTICES**; **PUBLIC OFFICERS OR EMPLOYEES**

- chief water judge, See **Chief water judge**
- designation, 3-7-201
- disqualification, 3-7-401 — 3-7-404
- fees for departmental actions, 85-2-113
- interlocutory ruling on question of law, 85-2-235
- retired judges, assistance by, 19-5-103
- salaries and expenses, 3-7-204, 3-7-222
- supervision, 3-7-204
- term of office, 3-7-202
- transfer between water divisions, 3-7-223

WATER COURTS (Continued)
Water judges (Continued)

  vacancy in office, 3-7-203
  water adjudication advisory committee, appointment and membership, 3-7-103
  water divisions, presider over, 3-7-101, 3-7-201
  water masters, 3-7-301, 3-7-302, 3-7-311
Water masters, 85-2-102
  appointment and removal, 3-7-301
  consolidation of proceedings, 85-2-215
  disqualification, 3-7-401 — 3-7-404
  duties, 3-7-311, 85-2-231, 85-2-233, 85-2-237
  retirement, 3-7-302, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM**
  salaries and expenses, 3-7-204, 3-7-302
  supervision, 3-7-204

WATER POLLUTION CONTROL ADVISORY COUNCIL, 2-15-2107, 75-5-221
  See **WATER QUALITY**

WATER QUALITY
Accidents, 75-5-601
Actions
  civil, 75-5-311, 75-5-614, 75-5-631
  classification of waters, 75-5-307
  emergencies, 75-5-621, 75-5-622
  enforcement, 75-5-311, 75-5-612, 75-5-616, 75-5-617, 75-5-636, 80-15-203
  injunctions, for, 75-5-614, 75-5-622
  penalties, 75-5-611, 75-5-631
  pollution source owners, establishment of existence of trade secrets, 75-5-105
  rights unabridged, 75-5-102
  rulemaking, 75-5-307
  sewage system operators, concerning, 75-5-514
  standards, formulation or revision, 75-5-302, 75-5-307
  violations, 75-5-611, 75-5-616
Administration of provisions, 75-5-201, 75-5-202, 75-5-211
Administrative procedures, orders, and actions, 75-5-311
Advisory council, 2-15-2107, 75-5-221
Agricultural chemical ground water protection, Title 80, chapter 15
  applicability of provisions, 80-15-104, 80-15-203
  confidentiality of data and information, 75-5-105, 80-15-108
  "point source" defined, 75-5-103, 80-15-102
  standards, adoption, 75-5-301, 80-15-201
Analyses, publication, 75-5-105
Appeals
  emergency orders, from, 75-5-621
  orders generally, from, 75-5-641
  treatment of wastes, variance decisions or procedure, 50-2-116, 75-5-305
Applicability of provisions, 75-5-104, 80-15-104, 80-15-203
Boats, refuse and waste disposal, 23-2-521, 23-2-522
  "point source" defined, 75-5-103
Bond requirements, 75-5-401, 75-5-402, 75-5-405
Cities and towns
  clean-up orders, 75-5-601
  districts for, See **Districts**
  industrial users, contracts with, 7-7-4405
  sewage systems, user rates and charges, 75-5-511 — 75-5-515
Classification of waters, 75-5-301, 75-5-302, 75-5-307, 75-5-312, 75-5-316, 85-2-311, 85-2-319
Clean-up orders, 75-5-601

WATER QUALITY (Continued)

Compliance
  orders, 75-5-613, 75-5-614, 75-5-641, 80-15-203
  sewage system operators, enforcement, 75-5-514
"Contamination" defined, 75-5-103
Construction, short-term exemptions, 75-5-308
County water and/or sewer districts, Title 7, chapter 13, parts 22 and 23, See **SEWAGE DISPOSAL AND SEWER SYSTEMS**
Dams, treatment of wastes, 75-5-306
Definitions, 75-5-103, 75-5-306, 75-5-615, 75-5-1102
Degradation
  allowance, petition for, 75-5-303
  fees, 75-5-516
  nondegradation policy, 75-5-303
  nonsignificant activities, 75-5-317
  prohibited activity, 75-5-605
Detergent phosphorus compounds, model rule on sale and distribution, Title 75, chapter 7, part 4
Disposal systems, 75-5-103
  construction, lack of permit for — unlawful, 75-5-605, 75-5-632
  requirements, 75-5-401, 75-5-402, 75-5-405
Districts
  approval, 75-5-311
  boundaries, changes in, 7-13-4502, 7-13-4522, 75-5-311
  cities and towns
    directors, board of — members, 7-13-4516, 7-13-4528
    inclusion in district, 7-13-4504, 7-13-4506
  county attorney, role, 7-13-4519
  county commissioners, powers and duties, 7-13-4518
  creation
    authorization, 7-13-4504
    joint districts, 7-13-4527, 7-13-4529
    resolution of intention, 7-13-4504 — 7-13-4506, 7-13-4513
  directors, board of
    appointment, 7-13-4513, 7-13-4516, 7-13-4527
    composition, 7-13-4516, 7-13-4527, 7-13-4528
    powers and duties, 7-13-4517
  disposition of proceeds, 7-13-4525
  enforcement authority, 75-5-106
  fees, determination of rate, 7-13-4523
  findings and purpose, 7-13-4501
  notice and hearing, 7-13-4507, 7-13-4509, 7-13-4510, 7-13-4522
  program, implementation, 7-13-4513, 7-13-4517, 7-13-4521, 75-5-311
  protests
    hearings, 7-13-4504, 7-13-4507, 7-13-4510
    insufficiency, 7-13-4513
    referendum, 7-13-4512, 7-13-4522
    right to and procedure, 7-13-4509
  public meeting, 7-13-4504, 7-13-4505
  termination
    allocation of funds, 7-13-4536
    referendum to abolish, 7-13-4535
  water appropriation permits, objections to issuance, 85-2-311
Drainage or seepage, special applicability, 75-5-104
Drinking water, Title 75, chapter 6, See **WATER SUPPLY, PUBLIC**
Effluents, defined, 75-5-602 — 75-5-604, See also **Standards**

WATER QUALITY (Continued)

Emergencies
    energy, suspension of controls, 90-4-310
    injunction, 75-5-622
    orders, 75-5-614, 75-5-621
    short-term water authorizations, 75-5-308
Enforcement, Title 75, chapter 5, part 6, See **Actions**
Enforcement authority, local districts, 75-5-106
Environmental standards, federal regulations or guidelines — comparable stringency requirement, 75-5-201, 75-5-203
"Federal act" defined, 75-5-1102, See **Wastewater treatment revolving fund**
Federal funds, loans, or grants, 7-13-4517, 75-5-501 — 75-5-503, 75-5-1104, 75-5-1106, 75-5-1113
Flood control projects, Title 76, chapter 5, part 11, See **FLOODS, Control projects**
Forest practices in streamside management zones, 77-5-301 — 77-5-307
Governmental cooperation, 75-5-213
Grants, 7-13-4517, 75-5-502, 75-5-503, 75-5-512, 75-5-1104, 75-5-1106, 75-5-1107, 75-5-1113
Hazardous substances, Title 75, chapter 10, part 4, See **HAZARDOUS WASTES**
Health, local departments of, 75-5-103
    administration of provisions, 75-2-211
    board of directors, members, 7-13-4516, 7-13-4528
    clean-up orders, 75-5-601
    cooperation by, 75-5-106
    sewage disposal requirements, 50-2-116, 75-5-305
Industrial wastes, See **Disposal systems**; **Permits**; **Sewage systems**; **Wastes**
Information, collection, 75-5-212
Injunctions, 75-5-614, 75-5-622, 75-5-641
    civil actions, effect, 75-5-631
Interagency cooperation, 75-5-106
Investigations, 75-5-603, 75-5-635, 75-5-636
Landfills, solid waste — ground water monitoring, 75-10-203, 75-10-204, 75-10-207
Loans, 75-5-502, 75-5-503, 75-5-512, See also **Wastewater treatment revolving fund**
Local districts, Title 7, chapter 13, part 45, See **Districts**
Megalandfill siting application, evaluation — considerations, 75-10-920
Mining operations
    metal mine reclamation, operation of treatment plants, 82-4-371
    metal mines, reclamation plan, 82-4-336
    opencut mining, reclamation — operation of treatment plants, 82-4-445
    strip and underground mine reclamation
        operation of treatment plants, 82-4-239
        permit, mining — requirements, 82-4-227
        reclamation plan, 82-4-231, 82-4-232
"Mixing zone" defined, 75-5-103
Monitoring equipment and methods, 75-5-602 — 75-5-604
    falsifying, penalty, 75-5-633
    surveys, costs and expenses, 75-5-635
Nondegradation policy, 75-5-303
Nonsignificant activities, 75-5-301, 75-5-317
Noxious weed management program, pesticide management goals and procedures, 7-22-2121, See also **WEEDS AND WEED CONTROL**
Ordinances, local
    administration, 7-13-4517
    adoption, 7-13-4518, 75-5-311
    requirements and limitations, 75-5-311
Outstanding resource waters, 75-5-103
    classification criteria, limitation, 75-5-316
    purpose, statement of, 75-5-315

WATER QUALITY (Continued)
Outstanding resource waters (Continued)

- rules, 75-5-301, 75-5-316

Penalties
- administrative, 75-5-201
- civil, 75-5-311, 75-5-631
- criminal, 75-5-311, 75-5-632
- false statements, 75-5-633
- recovery, action for, 75-5-611
- violators subject to, 75-5-615

Performance standards, See **Standards**
Permits, Title 75, chapter 5, part 4
- applications, 75-5-401, 75-5-403, 75-20-211
- denial or modification, 75-5-401 — 75-5-403
- enforcement of conditions or limitations, 75-5-612, 75-5-616
- facility siting act, application under, Title 76, chapter 5, part 11, See **FACILITY SITING, Air and water quality**
- fees, annual, 75-5-516, 75-5-517
- ground water exclusions, 75-5-401
- hearings, 75-5-202, 75-5-403 — 75-5-405
- issuance, 75-5-401, 75-5-402
- lack of, 75-5-605, 75-5-632
- ordinances, local, 75-5-311
- revocation or suspension, 75-5-401, 75-5-402, 75-5-404
- rules, 75-5-103, 75-5-401, 75-5-402, 75-6-102
- violations, See **Violations**
- water, appropriation
  - change in appropriation right, 85-2-402
  - permits, See **WATER USE, Appropriations**

Pesticides, application — short-term exemption, 75-5-308
Phosphorus compounds, model rule on sale and distribution, Title 75, chapter 7, part 4
Point source, 75-5-103, 75-5-602, 80-15-102
Policy of state, 75-5-101
Pollution, 75-5-103
- cities and towns, powers, 7-7-4405
- clean-up orders, 75-5-601
- county water and/or sewer district projects for, 7-13-2218
- emergency orders, 75-5-621
- energy emergencies, suspension of controls, 90-4-310
- enforcement, 75-5-612
- facilities, funds for construction, 75-5-501, See also **Wastewater treatment revolving fund**
- information, collection, 75-5-212
- investigation, 75-5-603
- local districts, creation to prevent, Title 7, chapter 13, part 45, See **Districts**
- metropolitan sanitary and/or storm sewer district boundaries, limitation on change, 7-13-113
- nondegradation policy, 75-5-303
- oil and gas activities, from, 82-11-101, 82-11-117, 82-11-127, 82-11-151
- prevention, abatement, and control — plan and orders for, 75-5-101, 75-5-213, 75-5-611
- reclamation of sites to prevent, 75-5-401, 75-5-402, 75-5-405
- remedies, 75-5-102
- research, 75-5-212
- solid waste landfills, ground water monitoring, 75-10-203, 75-10-204, 75-10-207
- sources
  - ordinances, local — to regulate, 75-5-311
  - records concerning, 75-5-105
- unlawful, 75-5-605, 75-5-632, 85-2-505

WATER QUALITY (Continued)
Pollution (Continued)

- water conservation or flood control projects for, Title 76, chapter 5, part 11, See **FLOODS, Control projects**
- water supply and sewer districts, watercourse or body of water, 7-13-3013

Prevention, abatement, and control of pollution, 75-5-101, 75-5-213, 75-5-611
Public water supplies, Title 75, chapter 6, See **WATER SUPPLY, PUBLIC**
Purity standards, 75-5-301, 75-5-302, 75-5-312, 80-15-201, See also **Standards**
Purpose of provisions, 7-13-4501, 75-5-102
Rangeland and range management, Title 76, chapter 14, See **RANGELAND RESOURCES**
Records

- advisory council, 75-5-221
- confidentiality when, 75-5-105, 80-15-108
- falsification, penalty, 75-5-633
- inspection, 75-5-603
- interagency cooperation, 75-5-106
- point source owners or operators, 75-5-602
- sewage system operators, 75-5-513
- wastewater treatment works revolving loans, financial records, 75-5-1113

Research, 75-5-212
River restoration program, 87-1-255 — 87-1-259, See **RIVERS AND STREAMS, Restoration**
Rural special improvement districts, Title 7, chapter 12, part 21, See **RURAL SPECIAL IMPROVEMENT DISTRICTS, Improvements**
Sewage lagoon construction, proximity to water wells restricted, 75-5-605
Sewage systems, 75-5-103, See also **Disposal systems**; **Permits**; **Wastes**

- charges and rates for users, 75-5-511, 75-5-513 — 75-5-515
- compliance with provisions, 75-5-514
- industrial users
  - cities and towns, agreements or contracts with, 7-7-4405
  - payments of costs, 75-5-511, 75-5-512
- metropolitan sanitary and/or storm sewer district boundaries, limitation on change, 7-13-113
- records, 75-5-513
- sludge from, management, Title 75, chapter 10, part 2, See **SOLID WASTE MANAGEMENT**
- violations, restraining, 75-5-514
- water quality districts, Title 7, chapter 13, part 45, See **Districts**

Short-term water authorization, 75-5-308
Special improvement districts, Title 7, chapter 12, part 42, See **SPECIAL IMPROVEMENT DISTRICTS**
Standards, 75-5-103

- adoption, 75-5-304, 80-15-201
- compliance schedules, 75-5-401
- effluent, 75-5-304
  - injunction, 75-5-614
  - monitoring data, relationship, 75-5-604
- exemptions, short-term, 75-5-308
- federal, rules more stringent than — adoption, 75-5-309
- hearings, 75-5-307
- nondegradation policy, 75-5-303
- ordinances, local, 75-5-311
- pretreatment, 75-5-304, 75-5-602
  - enforcement, 75-5-612
  - penalty for violations, 75-5-632
- site-specific for aquatic life, 75-5-310
- temporary, 75-5-302, 75-5-312
- water purity, 75-5-301, 75-5-302, 80-15-201

"State waters" defined, 75-5-103
Streamside management zones, forest practices in, 77-5-301 — 77-5-307

WATER QUALITY (Continued)

Summaries, publication, 75-5-105
Surety bond requirements, 75-5-401, 75-5-402, 75-5-405
Upper Clark Fork River Basin Steering Committee, representation on, 85-2-338
Violations, 75-5-605, 75-5-611, 75-5-632, 80-15-203
  accidental, 75-5-401
  complaints, 75-5-631
  compliance orders regarding, 75-5-613, 75-5-614, 80-15-203
  disposal systems, construction without permit, 75-5-605, 75-5-632
  emergency orders regarding, 75-5-621
  enforcement response, 75-5-617
  false statements, 75-5-633
  fines, 75-5-631 — 75-5-634
  injunctions to abate, prevent, or control, 75-5-614, 75-5-641
  monitoring devices or methods, falsifying, 75-5-633
  notice and hearings, 75-5-611
  orders, of, 75-5-605, 75-5-614, 75-5-621, 75-5-632
  ordinances, local, 75-5-311
  penalties, See **Penalties**
  permits
    conditions, investigation, 75-5-603, 75-5-635
    lack of, 75-5-605, 75-5-632
    local districts, documentation, 75-5-106
    provisions, of, 75-5-605, 75-5-614, 75-5-632
    revocation for, 75-5-401, 75-5-404
  pollution of waters, 75-5-605, 75-5-632
  prosecution, 75-5-616
  protests, 75-5-636
  settlement, considerations, 75-5-631
  sewage system operators, restraining violations, 75-5-514
  standards, 75-5-614, 75-5-632
Wastes, 75-5-103
  dams, treatment provisions, 75-5-306
  discharge into waters, 75-5-106, 75-5-605
  disposal requirements, 75-5-401, 75-5-402, 75-5-405
  ordinances, local — to regulate, 75-5-311
  treatment of, 75-5-103, See also **Sewage systems**
    new sources of pollution to provide, 75-5-303
    pretreatment standards, 75-5-304, 75-5-602, 75-5-612, 75-5-632
    requirements, minimum or variance from, 50-2-116, 75-5-305, 75-5-306
Wastewater treatment revolving fund
  agreement for program implementation, authorization and content, 75-5-1104
  appropriations, 75-5-1106, 75-5-1108, 75-5-1121
  audit procedures and requirements, 75-5-1104, 75-5-1113
  bond issues
    authorization for sale and issuance, limitation, 75-5-1121, 75-5-1122
    proceeds, 75-5-1106, 75-5-1107, 75-5-1121
  citation of wastewater treatment revolving fund act, 75-5-1101
  debt, creation, 75-5-1122
  definitions, 75-5-1102
  grants, 75-5-1104, 75-5-1106, 75-5-1113
  investment of accounts, 75-5-1106
  loans to municipalities or private concerns, 75-5-1113
    applications, form and content, 75-5-1105, 75-5-1111
    funding, 75-5-1106 — 75-5-1108
    projects, evaluation, 75-5-1112, 75-5-1113

WATER QUALITY (Continued)
Wastewater treatment revolving fund (Continued)

- projects, evaluation, 75-5-1112
- revolving fund, 75-5-1106
  - statutory appropriation, 75-5-1108
  - uses, 75-5-1104, 75-5-1107, 75-5-1113
- rulemaking, 75-5-1105

Water conservation projects, Title 76, chapter 5, part 11, See **FLOODS**, **Control projects**
Water Pollution Control Advisory Council, 2-15-2107, 75-5-221
Water purity standards, See **Standards**
Weed management program, pesticide management goals and procedures, 7-22-2121, See also **WEEDS AND WEED CONTROL**

WATER QUALITY DISTRICTS, Title 7, chapter 13, part 45
See **WATER QUALITY**

WATER STORAGE POLICY ACT, 85-1-701 — 85-1-704
See also **WATER USE**, **Storage of water**

WATER SUPPLY AND SEWER DISTRICTS, Title 7, chapter 13, part 30
See **WATER SUPPLY, PUBLIC**

WATER SUPPLY, PUBLIC
See also **UTILITIES**, generally; **WATER**, **Ground water**
Actions, 75-6-111
- corrective action, order for — noncompliance, 75-6-109
- enforcement response, 75-6-110
- water treatment plant operators, regarding, 37-42-203, 37-42-308

Administration of provisions, 75-6-104
- certification program, 37-42-202

Administrative enforcement, 75-6-103, 75-6-109
Administrative penalties, 75-6-103, 75-6-109
Agricultural chemical ground water protection, Title 80, chapter 15, See **AGRICULTURAL CHEMICAL GROUND WATER PROTECTION**
Analyses of water
- acceptability, 75-6-106
- agriculture, department of — by, 80-15-401
- rules and standards, 75-6-103

Appeals
- fee assessment, 75-6-108
- laboratory licensing decisions, 75-6-106
- orders, rules, or standards — from, 75-6-111
- variances or exemptions, decisions concerning, 75-6-107

Bottled water, regulation, 50-31-103, 50-31-236 — 50-31-238
Cemetery associations, free to, 35-20-215
Certification of treatment plant operators, See **Water treatment plant operators, certification**
Cities and towns
- appropriation limitations inapplicable, 85-2-317
- obtaining, 7-13-4402
- pedestrian malls, 7-14-4704
- port authorities, to, 7-14-1105
- private, acquisition, 7-13-4403
  - eminent domain, 7-13-4404
- regulation generally, 7-13-4105
- special improvement districts for construction, See **SPECIAL IMPROVEMENT DISTRICTS**
- territory occupied by, jurisdiction and control, 7-13-4406
- water rights and other property, acquisition, 7-13-4405

Civil penalty, 75-6-111, 75-6-114

WATER SUPPLY, PUBLIC (Continued)

Conservation of water for, 75-5-101, See also **WATER QUALITY**
  water conservancy districts, 85-9-101, 85-9-102, See **WATER CONSERVANCY DISTRICTS**
  water conservation and flood control projects, Title 76, chapter 5, part 11, See **FLOODS, Control projects**
Construction
  plans and specifications, review, 75-6-108
  prohibited when, 75-6-112
  rules and standards for, 75-6-103
Contaminant level, See **Maximum contaminant levels**
Contamination by facilities, recovery of damages, 75-20-405
County water and/or sewer district projects, 7-13-2218
Definitions, 37-42-102, 75-6-102
Development, 85-9-102; Title 76, chapter 5, part 11, See **FLOODS, Control projects**; **WATER CONSERVANCY DISTRICTS**
Distribution and treatment, 37-42-102, See also **Sewage**
  classification of plants and systems, 37-42-104
    basis for, 37-42-202
  operation of plants unlawful when, 37-42-302
  operators of plants, See **Water treatment plant operators, certification**
  waste from treatment plants, Title 75, chapter 10, See **SOLID WASTE MANAGEMENT**
Districts, Title 7, chapter 13, part 30
  administration, 7-13-3012
  bond issues, 7-13-3034, 7-13-3035, 7-13-3037 — 7-13-3039
  construction
    expenditures, records, 7-13-3016
    improvements, costs — term of assessment, 7-13-3022
    industrial users, payment of costs, 7-13-3032
  creation
    authorization, 7-13-3002
    protests, 7-13-3005, 7-13-3011
    recreate, resolution of intention to, 7-13-3019
    resolution for, 7-13-3011
    resolution of intention, 7-13-3003
      federal property, 7-13-3018
      improvements, estimates, 7-13-3019
      notice of passage, 7-13-3005, 7-13-3011
      sufficiency of description, 7-13-3004
  eminent domain, 7-13-3041
  federal property, status, 7-13-3018
  funding for
    federal funds, 7-13-3031, 7-13-3032
    general fund, local government — payment from, when, 7-13-3018
    operation and maintenance fund, 7-13-3035, 7-13-3036
    reserve fund, 7-13-3034 — 7-13-3039
    service charges, 7-13-3026, 7-13-3027, 7-13-3039
  lien, 7-13-3024, 7-13-3037
  loans
    bond fund, to, 7-13-3037
    federal funds, 7-13-3031
    operation and maintenance fund, from, 7-13-3036
    reserve fund, 7-13-3035 — 7-13-3039
      repayment, limitation, 7-13-3038
  "local government" defined, 7-13-3001
  operation and maintenance
    assessment of costs, 7-13-3017

WATER SUPPLY, PUBLIC (Continued)
Districts (Continued)
  operation and maintenance (Continued)
    budget, 7-13-3029
    responsibility, 7-13-3012
    revenue for, 7-13-3027
    tax levy for, 7-13-3016, 7-13-3028, 7-13-3029
  pollution of watercourse or body of water, 7-13-3012
  private water supply system, acquisition, 7-13-3041
  protests
    creation of district, 7-13-3005
    hearings, 7-13-3005, 7-13-3008, 7-13-3021, 7-13-3023
    improvements, making or maintenance, 7-13-3005
    insufficient, 7-13-3011
    right to, 7-13-3006
    sufficient to bar proceedings, 7-13-3007, 7-13-3008
    tax levy for improvements, 7-13-3021, 7-13-3023
  records, 7-13-3016
  reserve fund
    authorization, 7-13-3034
    covenants, 7-13-3039
    sources of money, 7-13-3035, 7-13-3039
    transfers to, 7-13-3035 — 7-13-3037
  rural special improvement districts, applicable provisions, 7-13-3043
  "system" defined, 7-13-3001
  tax levies
    delinquencies, 7-13-3016
    improvements, for, 7-13-3020, 7-13-3021, 7-13-3023
    loans, repayment, 7-13-3031
    operation and maintenance, for
      hearing, 7-13-3028, 7-13-3029
      records, 7-13-3016
    protests, 7-13-3021, 7-13-3023
    reserve fund, for, 7-13-3027
Drainage, 75-6-102, See **Sewage**
Drinking water
  plan for, 75-6-104
  sanitarians, duties, 37-40-101, See also **SANITARIANS**
Eminent domain for, 70-30-102, See **EMINENT DOMAIN**
Enforcement of provisions, 75-6-103, 75-6-104, 75-6-109 —75-6-111
Environmental standards, federal regulations or guidelines — comparable stringency requirement, 75-6-116
Examination of waters, 75-6-104
Exemptions, 75-6-103, 75-6-107
Experiment stations, 75-6-104
Facility operations contaminating, recovery of damages, 75-20-405
Fees for departmental services, 75-6-103, 75-6-104, 75-6-108, 75-6-115
Financial viability of proposed system, review, 75-6-103
Fines for violations, 75-6-113
Flood control projects, Title 76, chapter 5, part 11, See **FLOODS, Control projects**
Ground water appropriation limitations inapplicable, 85-2-317
Hazardous or deleterious substances, remedial action upon release, Title 75, chapter 10, part 7, See **HAZARDOUS WASTES, Remedial action upon release of hazardous substance**
Health, local boards of — agreements with, 75-6-104
Industrial wastes, See **Distribution and treatment**; **Sewage**
Injunction, 75-6-111, 75-6-114
Inspections, agreements for, 75-6-104
Inventory, 75-6-104

WATER SUPPLY, PUBLIC (Continued)

Investigations, 75-6-104, 75-6-111
Laboratories
  analyses, See **Analyses of water**
  licenses, requirements, 49-3-204, 75-6-103, 75-6-106
Landfills, solid waste — ground water monitoring, 75-10-203, 75-10-204, 75-10-207
Local boards of health, agreements with, 75-6-104
Local government review of small systems, 75-6-121
Local water quality districts, Title 7, chapter 13, part 45, See **WATER QUALITY**
Local water supply and sewer districts, Title 7, chapter 13, part 30, See **Districts**
Maximum contaminant levels, 75-6-102
  exceeding, prohibited when, 75-6-112
  rules and standards for, 75-6-103
Megalandfill siting
  facilities, damage by — recovery of damages, 75-10-941
  "solid waste" defined, 75-10-903, See **MEGALANDFILL SITING**
Modification
  prohibited when, 75-6-112
  review by local government when, 75-6-121
  rules and standards for, 75-6-103
Operation, rules and standards for, 75-6-103, 75-6-112
Operators, See **Water treatment plant operators, certification**
Ordinances, local — limitations, 75-5-311
Penalties for violations, 75-6-103, 75-6-109, 75-6-111, 75-6-113, 75-6-114
Plans and specifications, 18-2-122, 75-6-108
Plumbers, unlicensed — employment when, 37-69-102, 37-69-301, See also **PLUMBING AND PLUMBERS**
Policy of state, 75-6-101
Pollution, 75-6-102, 75-6-104
Prohibited acts, See **Violations**
Public buildings, rulemaking authority, 50-1-202, 50-2-116
Records, 75-6-105
Recreational use of streams, Title 23, chapter 2, part 3, See **RIVERS AND STREAMS**, **Recreational use**
Rural special improvement districts, Title 7, chapter 12, part 21, See **RURAL SPECIAL IMPROVEMENT DISTRICTS**, **Improvements**
Safe drinking water treatment revolving fund
  agreement, authorization and content, 75-6-204
  bond issues, authorization, 75-6-225
  citation of safe drinking water treatment revolving fund program act, 75-6-201
  definitions, 75-6-202
  loan and grant program, 75-6-221
    applications, 75-6-223
    conditions, 75-6-224
  program, 75-6-203
  projects, evaluation, 75-6-222
  revolving fund, 75-6-211, 75-6-212
  rulemaking authority, 75-6-205
  statutory appropriation, 75-6-214
  wellhead protection
    assessment and viability program, 75-6-213
    voluntary petitions, 75-6-120
Samples of water, See **Analyses of water**
Sanitation — precautions, plans, and specifications, 75-6-104, 75-6-112
Sewage, 75-6-102, See also **Distribution and treatment**
  discharge into waters, prohibited, 75-6-112
  disposal, consultations and advice, 75-6-104

WATER SUPPLY, PUBLIC (Continued)
Sewage (Continued)

- experiment stations, 75-6-104
- nonsignificant activities, 75-5-317
- "public sewage system" defined, 75-6-103
- rural special improvement districts, Title 7, chapter 12, part 21, See **RURAL SPECIAL IMPROVEMENT DISTRICTS, Improvements**
- special improvement districts, Title 7, chapter 12, parts 41 and 42, See **SPECIAL IMPROVEMENT DISTRICTS**

Small systems, review, 75-6-121
Solid waste landfills, ground water monitoring, 75-10-203, 75-10-204, 75-10-207
Special improvement districts, Title 7, chapter 12, parts 41 and 42, See **SPECIAL IMPROVEMENT DISTRICTS**
State waters, 75-6-102, 75-6-103
Stream access law, Title 23, chapter 2, part 3, See **RIVERS AND STREAMS, Recreational use**
Subdivisions, applicability of laws, 76-4-131, See also **SUBDIVISIONS, Sanitation**
Transient noncommunity water systems, 75-6-102, 75-6-108
Treatment plants, See **Distribution and treatment; Water treatment plant operators, certification**
Variances or exemptions, 75-6-103, 75-6-107
Violations, 75-6-112, 75-6-113

- corrective action, order for, 75-6-109
- investigation, 75-6-111
- notice to users concerning, 75-6-103, 75-6-109
- penalties, 75-6-111, 75-6-113, 75-6-114
- water treatment plants, 37-42-302, 37-42-321, 37-42-322

Water and Wastewater Operators' Advisory Council, 2-15-2105, 37-42-201 — 37-42-203
Water conservation projects, See **Conservation of water for**
Watersheds, building or operation prohibited on — when, 75-6-112
Water treatment plant operators, certification, Title 37, chapter 42, part 3

- applications, 37-42-304, 37-42-308
- continuing education requirements, 37-42-202
- definitions, 37-42-102
- disciplinary action, 37-42-321
- discrimination in issuance prohibited, 49-3-204
- examinations, 37-42-307, 37-42-308
  - not required when, 37-42-303, 37-42-305
  - procedures for, 37-42-202
- exemptions to provisions, 37-42-103, 37-42-303
- fees, 37-42-304, 37-42-306, 37-42-308
  - deposit, 37-42-309
- issuance and display, 37-42-301, 37-42-306
- notices, 37-42-307, 37-42-308
- purpose of provisions, 37-42-101
- qualifications, 37-42-301, 37-42-305
  - actions concerning, 37-42-203
  - establishment, 37-42-202
- reciprocity, 37-42-305
- renewal, 37-42-306, 37-42-308
- revocation or suspension, 37-42-308, 37-42-321
- temporary certificates, 37-42-302
- termination of employment, effect and notification, 37-42-307
- unlawful operation, 37-42-302
- violations, 37-42-302, 37-42-321, 37-42-322

Water works, defined as, 85-1-102, See **WATER USE, Projects and works**
Wells, public — record requirements, 75-6-105

WATER USE
Abandonment
  appropriation rights, 85-2-404, 85-2-405, 85-5-110
  canal projects, 85-1-211
  existing rights, 85-2-102, 85-2-212, 85-2-221, 85-2-226, 85-2-406
  state resources and facilities, property, 85-1-211
  water users' associations, water projects involving, 85-6-109
Actions
  adjudication, temporary preliminary decree — to enforce, 85-2-406
  authority of department of natural resources and conservation, 85-1-213
  distribution, request for judicial supervision, 85-2-114
  ground water, injunction to enforce order for controlled ground water area, 85-2-507
  lease of water, expiration — action to compel renewal, right not created, 85-2-436
  projects, foreclosure of trust indenture conveying in trust or mortgage, 85-1-308
  state projects, for acquisition of property for, 85-1-209
  surplus water, purchase — enforcement of right, 85-2-417
  transfer of water right, failure to file certificate — recovery of penalty, 85-2-431
  violations, injunction to restrain, 85-2-114
  water commissioners
    complaint by dissatisfied users, 85-5-301
    ditches, joint or corporate control — determination of water rights, 85-5-401
  water conservation revenue bonds, enforcement of bondholders' or trustees' rights, 85-1-309
  water users' associations, tort liability, 85-6-107
Adjudication of rights, Const., IX, 3, See also **WATER COURTS**
  abandonment of right, 85-2-102, 85-2-212, 85-2-221, 85-2-226, 85-2-404, 85-2-406
  administration, 3-7-204, 3-7-223, 85-2-112, 85-2-227
  administrative proceedings, 85-2-121
  advisory committee, 3-7-103
  appeals from
    compacts declared void, 85-2-233
    controversy settlement order, 85-2-406
    final decree, 85-2-234, 85-2-235, 85-2-237
    interlocutory ruling, 85-2-235
    preliminary decree, 85-2-237
  appropriation permits, issuance subject to, 85-2-312, 85-2-313
  assistance to claimants or water judges, 85-2-112, 85-2-243
  authority of department of natural resources and conservation, 85-1-213
  certificate of water right, 85-2-102, 85-2-112, 85-2-113, 85-2-117, 85-2-236, 85-2-306
  chronically dewatered watercourses, identification factors, 85-2-150
  commencement of action, 85-2-214
  consolidation of proceedings, 85-2-215, 85-2-233, 85-2-237, 85-2-806
  controversies, 85-2-406
  "declaration" defined, 85-2-102
  definitions, 85-2-102
  duties of department of natural resources and conservation, 85-2-112
  enforcement, 85-2-112
  evidence, claim constitutes, 85-2-227
  "existing right" defined, 85-2-102
  expenses, 85-2-241
  extensions of time
    filing of
      claim, 85-2-212
      objections, 85-2-237
    hearing requests, 85-2-233

WATER USE (Continued)
Adjudication of rights (Continued)

- federal reserved water rights with priority date of july 1, 1973, or later, 85-2-228
- federal waters, See **United States**
- fees, 85-2-113, 85-2-117, 85-2-225, 85-2-232, 85-2-241
- filing of claim, 85-2-221
  - assistance to claimants, 85-2-112, 85-2-243
  - exemptions, 85-2-212, 85-2-221, 85-2-222, 85-2-225
  - failure to file, 85-2-212, 85-2-213, 85-2-221, 85-2-226
  - federal reserved water rights with priority date of july 1, 1973, or later, 85-2-228
  - fees, 85-2-113, 85-2-225
  - ground water appropriator, notice of completion — filing as, 85-2-306
  - notice of order to file, 85-2-213
  - order to file, 85-2-212 — 85-2-214
  - petition to require, 85-2-211, 85-2-701
  - suspension of requirements, 85-2-217
  - voluntary, 85-2-222, 85-2-225
- final decree, 85-2-234, 85-2-702
  - appeals from, 85-2-234, 85-2-235
  - clerical mistakes, correction, 85-2-234
  - controversies, settlement, 85-2-406
  - enforcement, 3-7-212
  - filing with department of natural resources and conservation, 85-2-236
  - hearing on, modification, or reopening and review, 85-2-237
  - upper missouri river basin, partial closure, 85-2-343
- form of claim, 85-2-112, 85-2-212, 85-2-221
- fort peck-Montana compact, 85-20-201
- geothermal development, for, 77-4-108
- hearings, 3-7-212, 85-2-215, 85-2-227, 85-2-231, 85-2-233 — 85-2-235, 85-2-237
- indian waters, See **Indian waters**
- irrigation districts
  - creation by owners of
    - rights in common water supply, 85-7-301
    - water of adjudicated streams, 85-7-201 — 85-7-208
  - petitions to show, 85-7-103, 85-7-207
- joint proceedings, 85-1-213, 85-2-215
- jurisdiction of department of natural resources and conservation, 85-1-204
- late claim, 85-2-102, 85-2-221, 85-2-225
- leasing program, 85-2-141
- legal assistance to and by department of natural resources and conservation, 85-2-116
- measurement of water, 85-2-103, 85-2-112
- milk river basin, 85-2-231, 85-2-321
- national park service and state of Montana, compact, 85-20-401, 85-20-402
- natural flow of waters, diversion, 85-2-413
- northern cheyenne-Montana compact, 85-20-301, 85-20-302
- objections to decrees, 3-7-212, 85-2-227, 85-2-231, 85-2-233, 85-2-235, 85-2-237
- policy of state, 85-2-101
- powder river, specific provisions, 85-2-212, 85-2-222, 85-2-232, 85-2-234, 85-2-243
- preliminary decree, 3-7-311, 85-2-231, 85-2-233, 85-2-702
  - availability, 85-2-232
  - claim of existing right superseded by, 85-2-227
  - controversies, 85-2-406
  - enforcement, 3-7-212, 85-2-231, 85-2-406
  - hearings on, 85-2-233, 85-2-237
  - modification, 3-7-212, 85-2-227, 85-2-231, 85-2-234, 85-2-237
  - reopening and review, 85-2-237
- priority basins or subbasins, 85-2-218

WATER USE (Continued)
Adjudication of rights (Continued)

- priority, determination, 85-2-234, 85-2-321, 85-2-406, 85-2-701
- purpose of provisions, 85-2-101
- records, 85-2-101, 85-2-112
- recreational uses, water for, 85-2-223
- statement of claim, 85-2-224, 85-2-225, 85-2-227, 85-2-233
- suspension of adjudication, 85-2-217, 85-2-218
- temporary preliminary decree, 85-2-231
  - availability, 85-2-232
  - claim of existing right superseded by, 85-2-227
  - controversies, 85-2-406
  - enforcement, 3-7-212, 85-2-231, 85-2-406
  - hearing on, 85-2-233
  - milk river basin, priority, 85-2-321
  - modification, 3-7-212, 85-2-227, 85-2-231
- unified proceedings and necessary parties, 85-2-701
- venue, 85-2-214, 85-2-216, 85-2-221
- water commissioners, See **Water commissioners**
- water conservancy districts, 85-9-206, 85-9-405
- water right adjudication account, 2-15-212, 3-7-204, 3-7-222, 3-7-302, 85-2-213, 85-2-225, 85-2-241
- yellowstone river
  - diversions, consolidation of proceedings, 85-2-806
  - moratorium of action on appropriations, effect, 85-2-603

Affidavits

- appropriations
  - hearings on objections, service of notice, 85-2-309
  - permit application, service of notice, 85-2-307
  - yellowstone river, to accompany claim, 85-20-104
- ground water, controlled ground water area designation or modification — proofs of service of notice or order, 85-2-507
- transfer of water rights, 85-2-316
- violations, 85-2-114
- water commissioners, expenses — notice, 85-5-204

Aircraft landings and takeoffs, 67-1-204
Apportionment, See **Appropriations**; **Distribution**
Appropriations, Const., IX, 3

- abandonment of right, 85-2-404, 85-2-405, 85-5-110
- administrative costs, 85-2-318
- administrative proceedings, 85-2-121
- appeal from controversy settlement order, 85-2-406
- appeals, 85-2-125
- certificate of water right, 85-2-112, 85-2-113, 85-2-117, 85-2-306, 85-2-315
- change in appropriation right, 85-2-102, 85-2-402, 85-2-439
  - instream flow purpose, to, 85-2-402, 85-2-408, 85-2-409, 85-2-436, 85-2-439
  - objections, 85-2-308, 85-2-309
  - priority of appropriation does not include right to prevent, 85-2-401
  - report, 85-2-117
  - reservations, 85-2-316
  - salvaged water, 85-2-419
  - temporary, 85-2-402, 85-2-404, 85-2-407 — 85-2-409, 85-2-439
  - yellowstone river basin, 85-2-608, 85-2-806
- chronically dewatered watercourses
  - identification factors, 85-2-150
  - measuring devices, acquisition and installation, 85-2-113
- clark fork river, 85-1-122, 85-2-301
- conservation set-asides and resulting reduction, effect on right, 85-2-404

WATER USE (Continued)
Appropriations (Continued)

- controversies, 85-2-406
- definitions, 85-2-102, 85-2-306, 85-2-327, 85-2-329, 85-2-335, 85-2-340, 85-2-342
- distribution of water, supervision, 85-2-406, 85-5-101, See also **Water commissioners**
- duties of department of natural resources and conservation, 85-2-112
- emergency appropriations, 85-2-113, 85-2-328, 85-2-330, 85-2-341, 85-2-343
- enforcement, 85-2-114, 85-2-318
- environmental impact statements, 85-2-124, 85-2-141, 85-2-310
- first in time is first in right, 1-3-216, 85-2-401, 85-2-406
- fish, wildlife, and parks — department of, lease of existing rights, 85-2-102, 85-2-402, 85-2-404, 85-2-436 — 85-2-438, 87-1-257
- ground water, specific provisions, See **Ground water**
- hearings, 85-2-306, 85-2-309, 85-2-310, 85-2-402, 85-2-405
- highly appropriated basins and subbasins, 85-2-112, 85-2-113, 85-2-319
- injunctive relief, 85-2-406
- instream flow purpose, 85-2-402, 85-2-408, 85-2-409, 85-2-419, 85-2-436 — 85-2-439
- jurisdiction
  - department of natural resources and conservation, 85-1-204
  - district court, 85-2-114, 85-2-406
- land commissioners, board of — by, 85-2-304
- leasing program, for, 85-2-141
- legal assistance to and by department of natural resources and conservation, 85-2-116
- measuring devices, 85-2-113
- mediation, 85-5-110
- milk river moratorium, 85-2-321 — 85-2-323
- natural channels, water may be turned into, 85-2-411, 85-5-101
- objections, 85-2-307 — 85-2-310, 85-2-402, 85-2-408, 85-2-436
- oil and gas well, conversion to water well, 85-2-303
- out-of-state use, 85-2-311, 85-2-402
- permit, 85-2-102, 85-2-301
  - amendment of rights, 85-2-406
  - application, 85-2-302
    - beaverhead river and red rock river basins, partial closure, 85-2-327, 85-2-328
    - action on, 85-2-310
    - duties of department of natural resources and conservation, 85-2-112
    - environmental impact statement, 85-2-124
    - highly appropriated basins or subbasins, action on, 85-2-319
    - jefferson river and madison river basins, partial closure, 85-2-340, 85-2-341
    - milk river moratorium, 85-2-321 — 85-2-323
    - notice, preparation and publication, 85-2-307
    - objections, 85-2-307 — 85-2-310
    - oil and gas well, for conversion to water well, 85-2-303
    - teton river basin, partial closure, 85-2-329, 85-2-330
    - upper clark fork river basin, partial closure, 85-2-335 — 85-2-337
    - upper missouri river basin, partial closure, 85-2-342, 85-2-343
  - assistance to applicants, 85-2-112
  - attorney fees, 85-2-125, See also **ATTORNEYS' FEES**
  - conditional permit, 85-2-310, 85-2-312, 85-2-319
  - exceptions, 85-2-306
  - fees, 85-2-113, 85-2-310, 85-2-318
  - filing, 85-2-117
  - highly appropriated basins and subbasins, 85-2-319
  - interim permit, 85-2-113
  - issuance, 85-2-311, 85-2-319
  - lease does not constitute, 85-2-141
  - modification, 85-2-314, 85-2-319

WATER USE (Continued)
Appropriations (Continued)
  permit (Continued)
    oil and gas well, conversion to water well, 85-2-303
    out-of-state use, for, 85-2-311
    provisional permit, 85-2-113, 85-2-313
    reservoir, for, 85-2-305
    restrictions, 85-2-310, 85-2-312
    revocation, 85-2-314
    seasonal permit, 85-2-312
    stockwater provisional permit, 85-2-306
    temporary change in right, effect, 85-2-407
    temporary permit, 85-2-312
    terms of permit, 85-2-312, 85-2-406
    yellowstone river basin, diversions, 85-2-806
  policy of state, 85-2-101
  priority
    application for permit, 85-2-302, 85-2-310
    clark fork river dam, 85-1-122
    first in time is first in right, 1-3-216, 85-2-401
    fish, wildlife, and parks — department of, leases, 85-2-436
    ground water, notice of completion of well, 85-2-306
    reservation of water, 85-2-316
    temporary change in right, 85-2-407
    transfer of appropriation right, effect, 85-2-403
    water conservancy district hearings may not adjudicate, 85-9-206
  purpose of provisions, 85-2-101
  records, 85-2-101, 85-2-112, 85-2-307, 85-2-309; Const., IX, 3
  reservation of water, 85-2-316, See **Reservations**
  reservoir, appropriation by, 85-2-305
  right to appropriate, 85-2-301
    lease does not constitute, 85-2-141
  salvaged water, 85-2-102, 85-2-402, 85-2-419
  state water, 85-1-204; Const., IX, 3
  surplus water, return to stream, 85-2-412, See also **Surplus water**
  transfer of appropriation right, 85-2-117, 85-2-403
  upper clark fork river basin instream flow pilot program, 85-2-439
  waste, 85-2-102
  water commissioners, powers and duties, See **Water commissioners**
  water right appropriation account, 85-2-122, 85-2-123, 85-2-318, 85-2-426, 85-2-431
  yellowstone river, See **Yellowstone River**
Artesian water, 50-31-103, 50-31-236, 50-31-238, 85-2-401, 85-2-508
Assignment
  conservation projects, certificates of tax sale — effect, 15-6-205
  ground water, priorities of rights — effect of assignment of rights, 85-2-509
  project land leases, 85-1-807
  water conservation revenue bonds, protection of bondholders and assigns, 85-1-306
Atmospheric, Title 85, chapter 3; Const., IX, 3
Beaverhead River basin, 85-2-327, 85-2-328
Beneficial use, 85-2-102
  adjudication of rights, effect, 85-2-223, 85-2-224, 85-2-232
  appropriation for, 85-2-101, 85-2-102, 85-2-301, 85-2-306, 85-2-310, 85-2-311, 85-2-315; Const., IX, 3
    beaverhead river and red rock river basins, partial closure, 85-2-327, 85-2-328
    change in appropriation right, 85-2-402
    failure to apply water to, 85-2-314
    jefferson river and madison river basins, partial closure, 85-2-340, 85-2-341
    teton river basin, partial closure, 85-2-329, 85-2-330
    upper clark fork river basin, partial closure, 85-2-335 — 85-2-338

WATER USE (Continued)
Beneficial use (Continued)
  appropriation for (Continued)
    upper missouri river basin, partial closure, 85-2-342, 85-2-343
  conduction of water from or over land of another for, 85-2-414
  federal reservoirs, water from, 85-1-205
  fort peck-Montana compact, 85-20-201
  ground water
    agricultural chemical ground water protection management plans, consideration, 80-15-213, 80-15-214
    capping of wells when not put to beneficial use, 85-2-505
    controlled ground water areas, designation or modification, 85-2-506
  lease of water as and for, 85-2-102, 85-2-141
  navigable waters as public ways, not to abridge rights for, 85-1-111
  northern cheyenne-Montana compact, 85-20-301, 85-20-302
  policy of state, 85-1-101, 85-2-101
  recreational use, 23-2-302, 85-2-223
  renewable resource grant and loan program, Title 85, chapter 1, part 6
  reservation for, 85-2-316, 85-2-605
  salvaged water, 85-2-102, 85-2-419
  water conservancy districts to promote, 85-9-101, 85-9-102
  yellowstone river, protection for, 85-2-601, 85-2-605, 85-2-804, 85-2-805, 85-20-102 — 85-20-104
Big Horn River, 85-20-101, 85-20-103
Blackfoot River, 77-5-102
Boats, Title 23, chapter 2, part 5
Bonds
  broadwater power project, 85-1-220
  coal severance tax bonds, Title 17, chapter 5, part 7
  renewable resource bonds, 17-5-721, 85-1-603, 85-1-605, 85-1-617 — 85-1-620, 85-1-624
  water conservation revenue bonds, 85-1-206, 85-1-210, 85-1-211, 85-1-219; Title 85, chapter 1, part 3
Bottled water, regulation, 50-31-103, 50-31-236 — 50-31-238
Boundary Advisory Committee, Montana-Western Canadian Provinces — representation on, 1-13-103
Canals, See **CANALS, DITCHES, AND FLUMES**
Chronically dewatered watercourses
  identification, 85-2-113, 85-2-150
  measuring devices, acquisition and installation, 85-1-602, 85-2-113
Cities and towns
  cemeteries, free provision to, 35-20-215
  gift or devise, authority for acceptance, 7-8-103, 7-8-104
  regulation of water, See **CITIES AND TOWNS, Water**
  sewer and water systems, Title 7, chapter 13, parts 42 and 43
Clark Fork River, 3-7-102, 85-1-122, 85-2-301, 85-2-316
Commissioners, See **Water commissioners**
Compacts
  authorization, 85-1-223
  federal waters, apportionment, See **United States**
  fort peck-Montana, 85-20-201
  indian waters, apportionment, See **Indian waters**
  national park service and state of Montana, 85-20-401, 85-20-402
  northern cheyenne-Montana, 85-20-301, 85-20-302
  yellowstone river, Title 85, chapter 20, part 1
Companies, See **UTILITIES**, generally
Conduction from or over land of another, 70-17-101, 85-2-414
Conservation
  county water and/or sewer district projects for, 7-13-2218
  districts, Title 76, chapter 15; Title 85, chapter 9
  drainage districts for, 85-8-701
  easements, Title 76, chapter 6, part 2

WATER USE (Continued)
Conservation (Continued)

flood control projects, Title 76, chapter 5, part 11
floodplain and floodway management and development for, Title 76, chapter 5
out-of-state use of water not contrary to, 85-2-311, 85-2-316, 85-2-402
policy of state and purpose of provisions, 85-1-101, 85-2-101
public water supply, for, Title 75, chapter 6
renewable resource grant and loan program to enhance, Title 85, chapter 1, part 6
revenue bonds, Title 85, chapter 1, part 3
salvage of water, 85-2-419
state lands, resource development, 77-1-605
state water plan, 85-1-203
state waters, 85-1-204
upper clark fork river basin steering committee, representation on, 85-2-338
water storage projects, 85-1-704
water works for, 85-1-206, See **Projects and works**
wildlife, for, See **FISH AND WILDLIFE**, **Lands or waters**
Contracts
costs, 85-1-102
counties, with, 85-1-224
environmental impact statement information, for, 85-2-124
ground water assessment, 85-2-905
hydroelectric power generation facilities
sale of power, 85-1-510, 85-1-512
state-owned projects, at, 85-1-514
power of department of natural resources and conservation, 85-2-111
renewable resource grant and loan projects, 85-1-609
resources and facilities, sale or disposal, 85-1-211
state agencies, with, 85-1-224
state projects
construction, 85-1-219
hydroelectric power generation, 85-1-514
united states, with, 85-1-221, 85-1-222
Controversies, 3-7-211, 85-2-116, 85-2-218, 85-2-406
water mediators, 85-5-110, 85-5-111
Cooperation among governmental agencies, 85-1-101
federal agencies, 85-1-221, 85-1-223, 85-2-111, 85-2-112, See **United States**
interstate compacts, 85-1-223
local government and state agencies, 85-1-224, 85-2-111, 85-2-112
other states, 85-1-223
state water plan, for development, 85-1-203
County surveyor, employment, 85-1-218
County water and/or sewer districts, Title 7, chapter 13, parts 22 and 23
Courts, See **WATER COURTS**
Dams, Title 85, chapter 15
Definitions, 85-1-102, 85-2-102, 85-2-233, 85-2-306, 85-2-327, 85-2-329, 85-2-335, 85-2-408, 85-2-422, 85-2-501, 85-2-506, 85-2-602, 85-2-801, 85-2-903, 85-6-109
Detergent phosphorus compounds, model rule on sale and distribution, Title 75, chapter 7, part 4
Development of resources
appropriation right, change in, 85-2-402
bonds and notes for, See **Bonds**
conservation districts, Title 76, chapter 15
definitions, 85-1-102
environmental contingency account, 75-1-1101
flood control projects, Title 76, chapter 5, part 11
geothermal, See **Geothermal development**
policy of state, 85-1-101, 85-2-101

WATER USE (Continued)
Development of resources (Continued)

  projects and works, See **Projects and works**
  renewable resource grant and loan program, Title 85, chapter 1, part 6
  state lands, projects on, See **STATE LANDS, Development**
  state water plan, 85-1-203
  statute of limitation for injury during, 27-2-303
  water conservancy districts, by, 85-9-102
  water storage projects, 85-1-702 — 85-1-704
Distribution
  actions by department of natural resources and conservation, authority, 85-1-213
  appropriations, See **Appropriations**
  federal reservoirs, water from, 85-1-205
  interstate compacts for, 85-1-223
  rights, See **Rights**
  sale, by, See **Sale or rent**
  waste, 85-2-102
  water commissioners, authority, See **Water commissioners**
Ditches, See **CANALS, DITCHES, AND FLUMES**
Diversion of natural flow, 85-2-413
  appropriate, 85-2-102, See **Appropriations**
  authority of department of natural resources and conservation, 85-1-204, 85-1-213
  stream access provisions, Title 23, chapter 2, part 3
  upper clark fork river basin instream flow pilot program, 85-2-439
  yellowstone river, Title 85, chapter 2, part 8 and chapter 20, part 1
Docks and wharves, See **FERRIES AND WHARVES**
Drainage districts, Title 85, chapter 8
Easements, 70-17-101, 70-17-102, 85-1-211, 87-1-209; Title 76, chapter 6, part 2
Eminent domain for, See **EMINENT DOMAIN**
Entry on land
  ground water, well inspections, 85-2-514
  natural resources and conservation, department of, 85-1-204, 85-1-211, 85-2-115, 85-2-502, 85-2-514
  public use, Const., IX, 3
  stream access law, Title 23, chapter 2, part 3
  water commissioners, 85-5-106, 85-5-108, 85-5-404
Evidence
  adjudication of rights, 85-2-216
    abandonment of existing right, 85-2-102, 85-2-212, 85-2-226
    claim, 85-2-227
    late claims, of mailing or execution, 85-2-221
    objections to decrees allowed when, 85-2-233, 85-2-237
    statement of claim, contents, 85-2-224
    temporary preliminary decree or preliminary decree, notice — certificate of mailing, 85-2-232
  administrative proceedings, 85-2-121
  appropriation
    abandonment of right, 85-2-404, 85-2-405
    change in appropriation right, 85-2-402, 85-2-439
      temporary, renewal — adverse effects, 85-2-407, 85-2-408
    lease modification or revocation, water right adversely affected, 85-2-436
    permits, criteria for issuance, 85-2-311, 85-2-337
  ground water, hearings on controlled ground water area designation or modification, 85-2-507
  milk river basin, appropriation permits — suspension or closure actions, 85-2-322, 85-2-323
  out-of-state use, criteria for, 85-2-316, 85-2-402
  reservation of water, criteria for, 85-2-316
  water commissioners
    annual repair and maintenance, notice, 85-5-302
    expenses, notice, 85-5-204

WATER USE (Continued)
Evidence (Continued)

  watercourse, presumption that depression is, 76-5-104
Exportation, See **Sale or rent**
Federal government, See **United States**
Fees
  adjudication of rights, 85-2-113, 85-2-117, 85-2-225, 85-2-232, 85-2-241
  attorneys' fees, See **ATTORNEYS' FEES**
  deposit, 85-2-123, 85-2-241, 85-2-318, 85-2-426
  environmental impact statements, 85-2-124, 85-2-310
  natural resources and conservation, department of — set by, 85-2-113, 85-2-426
  records, filing — for, 85-2-117
  water users' associations, 85-6-108
Ferries, See **FERRIES AND WHARVES**
Fines and penalties, See **Violations**
Fish and wildlife, See **FISH AND WILDLIFE**
Floodplain and floodway management, Title 76, chapter 5
Floods, Title 76, chapter 5, part 11
Flumes, See **CANALS, DITCHES, AND FLUMES**
Forests, conservation and protection of resources, 76-13-101, 76-13-102, 76-13-104, 76-13-111
Fort Peck-Montana Compact, 85-20-201
Funding
  actions, costs and expenses, 85-1-213
  appropriations and contributions, 85-1-331, 85-1-332
  bonds, See **Bonds**
  broadwater replacement and renewal account, 85-1-220
  damaged property, restoration and repair, 85-1-217
  federal funds, 85-1-332, 85-2-905, 85-20-402
  gifts, 85-1-331, 85-1-332, 85-2-111, 85-2-905
  ground water assessment account, 15-37-117, 85-2-905
  miscellaneous revenue, 85-1-332
  natural resources and conservation, department of — authority, 85-2-111
  projects and works, See **Projects and works**
  project land lease account, 85-1-811
  renewable resource grant and loan program, Title 85, chapter 1, part 6
  state water project hydroelectric power generation special revenue account, 85-1-220, 85-1-510
  water right adjudication account, 2-15-212, 3-7-204, 3-7-222, 3-7-302, 85-2-213, 85-2-225, 85-2-241
  water right appropriation account, 85-2-122, 85-2-318, 85-2-426, 85-2-431
  water storage state special revenue account, 15-38-202, 85-1-631
Geothermal development
  facility siting act, Title 75, chapter 20
  injury caused by, statute of limitation, 27-2-303
  leases, Title 77, chapter 4, part 1
  tax incentives, energy-related, 15-32-102, 15-32-115
Ground water
  adjudication exemptions, 85-2-212, 85-2-222
  administration of provisions, 85-2-502
  agricultural chemical ground water protection, Title 80, chapter 15
  appeals, 85-2-507, 85-2-511
  appropriation, Const., IX, 3, See also **Appropriations**
    controlled ground water areas, within, 85-2-507, 85-2-508
    limitations, 85-2-317, 85-2-328, 85-2-336
    permit exceptions, 85-2-306
    priorities, determination, 85-2-509, 85-2-511
  assessment
    account, 15-37-117, 15-38-106, 85-2-905, 85-2-906
    characterization program and studies, 85-2-903, 85-2-906, 85-2-907

WATER USE (Continued)
Ground water (Continued)
  assessment (Continued)
    citation of Montana ground water assessment act, 85-2-901
    definitions, 85-2-903
    information — collection, management, and dissemination, 85-2-906, 85-2-907
    monitoring program, 85-2-902, 85-2-903, 85-2-906
    purpose and findings, 85-2-902
    steering committee, establishment and functions, 2-15-1523, 85-2-902, 85-2-903, 85-2-905, 85-2-906
  beaverhead river basin, partial closure, 85-2-327, 85-2-328
  contamination prohibited, 85-2-113, 85-2-505, 85-2-902
  controlled ground water areas
    designation or modification, 85-2-506, 85-2-507, 85-2-511
    fresh water, determination in, 85-2-504
    oil and gas wells, production of water from, 85-2-510
    permits to appropriate water, 85-2-508
    supervisors, 85-2-518
    yellowstone, funds for, 85-20-402
  definitions, 80-15-102, 85-2-102, 85-2-329, 85-2-340, 85-2-342, 85-2-501, 85-2-506, 85-2-903
  discharge permit requirements, exclusions, 75-5-401
  duties of department of natural resources and conservation, 85-2-112
  facility siting, evaluation of impact, 75-20-503
  fresh water, how determined, 85-2-504
  hazardous waste or regulated substance samples, 75-10-410
    controlled ground water areas, designation or modification, 85-2-506, 85-2-507
    fresh water, determination, 85-2-504
    oaths and subpoenas, 85-2-513
    oil and gas wells, on disposition of water produced by, 85-2-510
    priorities, for determination, 85-2-509, 85-2-511
    waste or contamination of water, 85-2-505
  inspections, 85-2-502, 85-2-514
  inventory of resources, 85-1-203
  investigations, 85-2-502, 85-2-512 — 85-2-514
  jefferson river basin, partial closure, 85-2-340, 85-2-341
  landfills, monitoring requirements, 75-10-204, 75-10-207
  madison river basin, partial closure, 85-2-340, 85-2-341
  measuring devices, 85-2-113, 85-2-502
  megalandfill siting application, evaluation — considerations, 75-10-920
  mines, metal
    damage by, action for, 82-4-355
    operating permit applications, contents, 82-4-335
    reclamation plan, 82-4-336
    water supply, damage to, 82-4-355
  mines, strip and underground
    damage by, suit for, 82-4-253
    mining permit, consideration for, 82-4-222
    reclamation plan, 82-4-231, 82-4-232
    water supply, damage to, 82-4-253
  mining, opencut
    reclamation plan, consideration in, 82-4-434
    restrictions, 82-4-431
  national park service and state of Montana, compact, 85-20-401, 85-20-402
  noncompliance with provisions, 85-2-520
  oaths, administration, 85-2-513
  policy of state, 37-43-101, 80-15-103, 85-1-101, 85-2-101
  pollution prohibited, 85-2-113, 85-2-505
  priorities of rights, 85-2-507, 85-2-509, 85-2-511

WATER USE (Continued)
Ground water (Continued)

- records, 85-2-515, 85-2-517
- red rock river basin, partial closure, 85-2-327, 85-2-328
- reports, 85-2-337, 85-2-516, 85-2-517, 85-2-906
- state ownership, Const., IX, 3
- subareas, 85-2-503 — 85-2-507, 85-2-509 — 85-2-511
- subdivisions, consideration in, 76-3-603, 76-4-104
- subpoenas, 85-2-513
- supervisors, 85-2-518
- teton river basin, partial closure, 85-2-329, 85-2-330
- upper clark fork river basin, partial closure, 85-2-336 — 85-2-338
- upper missouri river basin, partial closure, 85-2-342, 85-2-343
- violations of provisions, 85-2-520
- waste disposal sites, monitoring requirements, 75-10-204, 75-10-207
- waste prohibited, 85-2-113, 85-2-505, 85-2-520
- water well contractors and drillers, familiarity with laws, 37-43-305
- wells, 37-43-102, 85-2-102, See also **WATER WELLS AND WATER WELL CONTRACTORS**
  - basin closures, nonapplicability, 85-2-328
  - capping or plugging, 85-2-505
  - controlled ground water areas, designation or modification hearings — notice to drillers, 85-2-506
  - inspection, 85-2-514
  - meters required when, 85-2-113
  - monitoring wells, 37-43-102, 37-43-202, 37-43-302, 75-10-204, 75-10-207, 82-4-253, 82-4-355, 85-2-903
  - oil and gas wells, production of water from, 85-2-510
  - well logs, 85-2-516
- witnesses, 85-2-513

Hazardous or deleterious substances, remedial action upon release, Title 75, chapter 10, part 7
Hazardous waste or regulated substance disposal, 75-10-403
Headgates, See **Measurement**
Heritage properties, 22-3-421, See **ANTIQUITIES**
Hot springs, 50-53-102, See generally **Geothermal development**; **SWIMMING POOLS AND SWIMMING AREAS**
Hydroelectric power generation

- applications for development, 85-1-514
- clark fork river dam, priority of water use for, 85-1-122
- feasibility studies, 85-1-501, 85-1-502
- industrial development project, as, 90-5-101
- irrigation district undertakings, See **IRRIGATION DISTRICTS**, **Bond issues**, revenue bonds
- leases, See also **STATE LANDS, Power site leases or licenses**
  - application, 85-1-503, 85-1-504, 85-1-509
  - availability of sites, 85-1-502
  - conditions, 85-1-505
  - determinations by department of natural resources and conservation, 85-1-504
  - duration, 85-1-507
  - feasibility studies, 85-1-501
  - federal law, compliance, 85-1-506
  - supervision, 85-1-508
- negotiation process, 85-1-514
- rates and terms, determination by
  - federal regulatory agency, 85-1-513
  - parties to contract, 85-1-510
  - public service commission, 85-1-510 — 85-1-512
- revenue, 85-1-220, 85-1-501, 85-1-510
- sale of power, 85-1-509 — 85-1-513
- upper clark fork river basin closure, applicability, 85-2-336

WATER USE (Continued)
Hydroelectric power generation (Continued)

    water works, defined as, 85-1-102
Indian waters
    adjudication of rights
        filing of claim or late claim, 85-2-212, 85-2-213, 85-2-221
        final decree, 85-2-234, 85-2-237, 85-2-702
        preliminary decree, 85-2-231, 85-2-233, 85-2-237, 85-2-702
        priority basins or subbasins, 85-2-218, 85-2-701
        suspension, 85-2-217
        unified proceedings and necessary parties, 85-2-701
    compacts for apportionment of waters, 85-2-701
        decrees, terms included, 85-2-234, 85-2-702
        negotiation, 85-2-231, 85-2-702, 85-2-704, 85-2-705
            suspension of adjudication, 85-2-217
        objections, 85-2-233, 85-2-702
        void when, 85-2-233
    fort peck-Montana compact, 85-20-201
    northern cheyenne-Montana compact, 85-20-301, 85-20-302
    renewable resource development projects, 85-1-602
    reservation of waters, 85-2-311, 85-2-402
    rights generally, 2-1-304
    water storage projects, prioritization considerations, 85-1-704
Interpretation of laws, 85-1-103
Interstate compacts, See **Compacts**
Irrigation, See **IRRIGATION**; **IRRIGATION DISTRICTS**
Islands, 70-18-203 — 70-18-205, 77-1-102 — 77-1-105
Jefferson River basin, 85-2-340, 85-2-341
Judges, See **WATER COURTS**
Jurisdiction of Department of Natural Resources and Conservation, 85-1-214
Kootenai River, 3-7-102, 85-2-301, 85-2-316
Lakes, See **LAKES**
Lease of water
    appropriation of water, as, 85-2-102, 85-2-301
    approval, 85-1-204, 85-1-210, 85-1-211, 85-2-141, 85-2-436
    beneficial use, as, 85-2-102, 85-2-141
    environmental impact statement, 85-2-141
    fish, wildlife, and parks — department of, to maintain fisheries, 85-2-102, 85-2-402, 85-2-404, 85-2-436 — 85-2-438, 87-1-257
    out-of-state use, for, 85-2-311
    reservation of water, 85-2-316
    reservoirs owned by department, from, 85-2-413
    salvaged water, 85-2-419
    state water, 85-1-204
    term and extension, 85-2-141
    upper clark fork river basin instream flow pilot program, 85-2-439
Leases generally
    project lands, 85-1-801 — 85-1-811
    projects, property, and facilities, 85-1-302, 85-1-307, 85-1-332
    united states, with, 85-1-221
Leasing program, 85-1-204, 85-2-141
    reservations not subject to, 85-2-316
Legislative acts resulting in damage caused by contamination or alteration of water, liability, 2-9-111
Legislative authority, 85-2-101, 85-2-402; Const., IX, 3
Little Missouri River, 3-7-102, 85-2-301, 85-2-316, 85-2-331
Madison River basin, 85-2-340, 85-2-341
Marias River, 3-7-102

WATER USE (Continued)

Marketing, See **Sale or rent**
Measurement, 85-2-103
  assistance by department of natural resources and conservation, 85-2-112
  authority of department of natural resources and conservation, 85-1-204
  chronically dewatered watercourses, measuring devices, 85-1-602, 85-2-113, 85-2-150
  fish, wildlife, and parks — department of, 85-2-436
  instream flow to benefit fishery resource, 85-2-408
  required by department of natural resources and conservation, 85-2-113, 85-2-502
  surplus water, sale, 85-2-415
  techniques, annual seminar, 85-5-111
  upper clark fork river basin instream flow pilot program, 85-2-439
  water commissioners, authority, 85-5-106, 85-5-108, 85-5-201, 85-5-202, 85-5-302, 85-5-404, 85-5-406
  yellowstone river appropriations, 85-20-104 — 85-20-106
Mediation, 85-5-110, 85-5-111
Megalandfill siting
  application, evaluation — considerations, 75-10-920
  financial assurance for reclamation, restoration, or replacement, 75-10-950 — 75-10-954
Milk River, 85-2-231, 85-2-321 — 85-2-323, 85-20-201
Mining, effect, See **MINES AND MINING**
Missouri River, 3-7-102, 85-2-301, 85-2-316, 85-2-331, 85-20-201
Montana Conservation Corps work experience projects, Title 23, chapter 1, part 3
Moratoriums
  milk river, 85-2-321 — 85-2-323
  yellowstone river, Title 85, chapter 2, part 6
Names of watercourses, change
  hearing, 85-2-133
  judgment, filing, 85-2-134
  notice, 85-2-132
  petition, 85-2-131, 85-2-132
  publication, 2-15-401, 85-2-132
National Park Service and State of Montana, compact, 85-20-401, 85-20-402
Natural areas preservation, Title 76, chapter 12, part 1
Navigable waters, 85-1-112
  ferries, docks, and wharves, See **FERRIES AND WHARVES**
  fishing rights, subject to, 87-2-305
  irrigation districts not to interfere, 85-7-1932
  island formed in, ownership, 70-18-203, 70-18-205
  public ways, 85-1-111, 85-1-112, 87-2-305
  stream access provisions, Title 23, chapter 2, part 3
Northern Cheyenne Indian Reserved Water Rights Settlement Act of 1992, consent to, 85-20-302
Northern Cheyenne-Montana Compact, 85-20-301, 85-20-302
Nuisance
  obstruction, 27-30-101, 45-8-111
  open ditches, 7-31-4203 — 7-31-4207
Obstruction
  nuisance, as, 27-30-101, 45-8-111
  stream access provisions, Title 23, chapter 2, part 3
Off-highway vehicle provisions, nonapplicability, 23-2-801
Open-space lands, acquisition for, Title 76, chapter 6
Out-of-state use of Montana waters, 85-2-311, 85-2-316, 85-2-402
Ownership, 85-1-204, 85-2-403, See also **Adjudication of rights**; **Appropriations**; **PROPERTY, REAL**, **Watercourses**
Paleontological remains, 22-3-421, See **ANTIQUITIES**
Penalties, See **Violations**
Petroleum storage tank releases, cleanup, Title 75, chapter 11, part 3

WATER USE (Continued)

Phosphorus compounds, model rule on sale and distribution, Title 75, chapter 7, part 4
Pollution control, Title 7, chapter 13, part 45; Title 75, chapter 5
Powder River, 85-2-212, 85-2-222, 85-2-232, 85-2-234, 85-2-243, 85-20-101, 85-20-103
Power generation, See **Hydroelectric power generation**
Principal and income determinations, nonapplicability, 72-34-410
Projects and works, 85-1-102
  accounting records and financial statements, 85-1-215
  approval, 85-1-206, 85-1-219
  bids for, 85-1-206, 85-1-219
  bondholders, protection, 85-1-306, 85-1-307
  canal projects, disposal, 85-1-211
  construction, 85-1-206, 85-1-215, 85-1-306
    contracts, 85-1-219
    highways, streams, and other obstacles — crossing, 85-1-208, 85-2-414
    permit required when, 85-2-302
  costs, 85-1-102, 85-1-206, 85-1-207, 85-1-211, 85-1-220, 85-1-301, 85-1-303, 85-1-306, 85-1-307, 85-1-323, 85-1-510
  dams and reservoirs, Title 85, chapter 15
  emergency improvements, 85-1-206, 85-1-219, 85-1-605
  federal regulations, compliance, 85-1-222
  funding, 85-1-102
    approval, 85-1-219
    environmental contingency account, 75-1-1101
    federal funds, 85-1-206, 85-1-221, 85-1-222
    grants, 85-1-102, 85-1-206, 85-1-207, 85-1-307, 85-1-308, 85-1-322, 85-1-631
    loans, 85-1-206, 85-1-211, 85-1-631
    property, purchases, 85-1-209
    revenue bonds, 85-1-206, 85-1-210, 85-1-211, 85-1-219; Title 85, chapter 1, part 3
  hydroelectric power generation, small-scale, Title 85, chapter 1, part 5
  leasing of project lands, 85-1-802
    administration, 85-1-803, 85-1-811
    appraisals, 85-1-801, 85-1-804
    assignment of lease, 85-1-807
    cancellation of lease, 85-1-803, 85-1-808
    fees, 85-1-804, 85-1-807, 85-1-808, 85-1-811
    full market value required, 85-1-805
    improvements, 85-1-808, 85-1-809
    pledge or mortgage of leasehold interest prohibited, 85-1-810
    policy, 85-1-801
    project land lease account, 85-1-811
    rulemaking, 85-1-803
    subleasing, 85-1-807, 85-1-808
    use of land, change not authorized, 85-1-808
    withdrawal of land from, 85-1-806
  limitation on obligations and liabilities for, 85-1-216
  mortgage of, 85-1-308
  operations, 85-1-215
  policy of state, 85-1-101
  property for, actions to acquire and hold, 85-1-209, 85-1-213
  rates and charges, 85-1-211, 85-1-215, 85-1-307
  records, 85-1-102, 85-1-215
  renewable resource grant and loan program, 85-1-602, 85-1-604, 85-1-605
  revenue from, 85-1-206, 85-1-211, 85-1-215, 85-1-220, 85-1-302, 85-1-306, 85-1-307, 85-1-332
  sale or disposal, 85-1-210, 85-1-211, 85-1-302, 85-1-307, 85-1-332
  state-owned, 85-1-219, 85-1-514, 85-1-604

WATER USE (Continued)
Projects and works (Continued)

    tax exemption, 15-6-205
    trust, conveyance in, 85-1-308
    water storage projects, 85-1-631, 85-1-702 — 85-1-704
    water users' associations, operation, Title 85, chapter 6, part 1
Public use, 70-30-102, 85-2-101; Const., IX, 3, See also **EMINENT DOMAIN, Water use**
Public water supplies, Title 75, chapter 6
Rangeland and range management, Title 76, chapter 14
Records
    centralized records system, 85-2-101, 85-2-112; Const., IX, 3
    ground water, 85-2-507, 85-2-515
    reservation of water to conservation districts, 85-2-316
    state projects, 85-1-215
    water commissioners, 85-5-107
    yellowstone river appropriations, 85-20-106, 85-20-111
Recreational use, See **RIVERS AND STREAMS**
Recreational waters, See **RECREATION, Water**
Red Rock River basin, 85-2-327, 85-2-328
Renewable resource grant and loan program
    administration, 85-1-602, 85-1-604, 85-1-616, 85-1-631
    applications for grants or loans, 85-1-612
    appropriations, 85-1-604 — 85-1-606, 85-1-614, 85-1-619, 85-1-621
    bonds, 85-1-617, 85-1-619, 85-1-624
        proceeds, 85-1-603, 85-1-605, 85-1-617, 85-1-618
        refunding bonds, 85-1-617, 85-1-620
    bribery of public officers, 85-1-622
    emergency projects, 85-1-605
    environmental quality council, duties, 85-1-621, 85-2-105
    governmental entities, to, 85-1-605, 85-1-612, 85-1-613
    lien on projects, 85-1-615, 85-1-618
    limits on loans or grants, 85-1-613, 85-1-614, 85-1-631
    losses on loans, 85-1-603, 85-1-613
    objectives, 85-1-602, 85-1-604, 85-1-609, 85-1-610, 85-1-612
    private persons, to, 85-1-606, 85-1-608 — 85-1-610, 85-1-612 — 85-1-614
    purpose and policies, 85-1-601, 85-1-602, 85-1-604, 85-1-609, 85-1-610
    renewable resource grant and loan program state special revenue account, 85-1-102, 85-1-604
        revenue sources, 15-38-106, 15-38-202, 17-5-702, 85-1-332, 85-1-603, 85-1-604, 85-1-616, 85-1-619
        use, 15-38-202, 85-1-604 — 85-1-606, 85-1-613 — 85-1-615
    renewable resource loan debt service fund, 85-1-102, 85-1-603, 85-1-604, 85-1-617, 85-1-619, 85-1-620
    renewable resource loan loss reserve fund, 85-1-603, 85-1-613, 85-1-617
    renewable resource loan proceeds account, 85-1-102, 85-1-605, 85-1-606, 85-1-613, 85-1-615, 85-1-617
    repayment of loans, 85-1-603, 85-1-613, 85-1-617
    report, biennial, 85-1-621
    rules, 85-1-606, 85-1-608, 85-1-612
    security interests, 85-1-604, 85-1-612, 85-1-613, 85-1-615, 85-1-616, 85-1-618, 85-1-620
    servicing of loans, 85-1-604, 85-1-612, 85-1-616
    views of persons and entities, solicitation, 85-1-611
    water development projects, 85-1-102
    water storage projects, 85-1-631
Rent, See **Sale or rent**
Reservations, 85-2-316, 85-2-331
    adjudication of rights, 85-2-232
    appropriate, 85-2-102
    appropriation permit applications, notice to public agencies reserving waters, 85-2-307
    appropriation right, change not to adversely affect, 85-2-308, 85-2-316, 85-2-402, 85-2-403

WATER USE (Continued)
Reservations (Continued)

    environmental impact statement, 85-2-316
    fort peck-Montana compact, 85-20-201
    jefferson river basin, 85-2-341
    madison river basin, 85-2-341
    milk river, 85-2-321
    national park service and state of Montana, compact, 85-20-401, 85-20-402
    northern cheyenne-Montana compact, 85-20-301, 85-20-302
    out-of-state use, for, 85-2-311, 85-2-316
    priority, 85-2-316
    teton river basin, 85-2-330
    upper clark fork river basin, 85-2-336
    upper clark fork river basin steering committee, representation of applicants, 85-2-338
    upper missouri river basin, 85-2-343
    water-related projects for utilization or development, 85-1-610
    water storage projects, 85-1-704
    yellowstone river, 85-2-316, 85-2-601, 85-2-602
        diversions, effect, 85-2-804, 85-2-805
        moratorium, effect, 85-2-603, 85-2-605
Reserved Water Rights Compact Commission, 2-15-212
    federal waters, negotiations, 85-2-228, 85-2-701, 85-2-703, 85-2-704
    indian waters, negotiations, 85-2-701, 85-2-702, 85-2-704
    status reports, submission, 85-2-705
Reservoirs, Title 85, chapter 15
Residence
    appropriation disputes involving foreign jurisdiction, state legal assistance, 85-2-116
    renewable resource grant and loan projects, preference, 85-1-610
Resources
    administration of provisions, Title 85, chapter 1, part 2
    appropriation, See **Appropriations**
    beneficial use, See **Beneficial use**
    data management system, 85-2-105, 85-2-112
    definitions, 85-1-102
    development, See **Development of resources**
    distribution, See **Distribution**
    environmental quality council, duties, 85-2-105
    facility siting, evaluation of impact, 75-20-503
    finance, Title 85, chapter 1, part 3
    interpretation of laws, 85-1-103
    inventory, 85-1-203
    limitation on obligations and liabilities for, 85-1-216
    policy considerations, 85-1-101
    renewable resource grant and loan program, Title 85, chapter 1, part 6
    sale or disposal, 85-1-211
    state water plan, 85-1-203, See **State water plan**
Rights, 85-2-422; Const., IX, 3
    abandonment
        appropriation rights, 85-2-404, 85-2-405
        existing rights, 85-2-102, 85-2-212, 85-2-226, 85-2-406
    adjudication, See **Adjudication of rights**; **WATER COURTS**
    administration, 85-2-102; Const., IX, 3
    appropriations, See **Appropriations**
    authority of department of natural resources and conservation, 85-1-213
    certificate of water right, 85-2-102, 85-2-112, 85-2-117, 85-2-306
        adjudicated rights, 85-2-236
        appropriated right, 85-2-315

WATER USE (Continued)
Rights (Continued)
  certificate of water right (Continued)
    fees, 85-2-113
  changes in use, 85-2-316, 85-2-402, 85-2-407
  cities and towns
    acceptance of gift or devise, authority, 7-8-103, 7-8-104
    acquisition, 7-7-4404, 7-13-4405
  conduction of water from or over land of another, 85-2-414; Const., IX, 3
  county water and/or sewer district projects, 7-13-2218
  duties of department of natural resources and conservation, 85-2-112
  federal rights, See **United States**
  fort peck-Montana compact, 85-20-201
  geothermal development, application, 77-4-108
  indian rights, See **Indian waters**
  interference with use, 85-2-114
  leasing program, 85-2-141
  legal assistance to and by department of natural resources and conservation, 85-2-116
  national park service and state of Montana, compact, 85-20-401, 85-20-402
  navigable waters as public ways, preexisting rights, 85-1-111
  northern cheyenne-Montana compact, 85-20-301, 85-20-302
  priority
    adjudicated, 85-2-234, 85-2-406
    appropriations, 85-2-401, 85-2-403, 85-2-406, See also **Appropriations**
  projects or works, acquired for, 85-1-209
  property interest, lease or contract — exemption of party from utility regulation, 69-3-111
  public utility, 69-3-101, See **UTILITIES**, generally
  records, 7-4-2613, 7-4-2619, 85-2-101; Const., IX, 3
  renewable resource loan or grant projects, lien on rights, 85-1-615
  reserved water rights compact commission, See **Reserved Water Rights Compact Commission**
  sale of water, See **Sale or rent**
  salvaged water, 85-2-419
  smith river management provisions, effect, 23-2-402
  state land lessees, acquisition when, 77-6-115
  stream protection provisions, applicability, 75-7-104, 87-5-506
  surplus water, right of purchaser, 85-2-417
  transfer of right, See **Transfer of water rights**
Rivers, See specific river; **RIVERS AND STREAMS**
Rulemaking authority of department of natural resources and conservation, 85-1-201, 85-1-803, 85-2-112, 85-2-113, 85-2-122, 85-2-225, 85-2-306, 85-2-312, 85-2-319, 85-2-426, 85-2-502, 85-2-520, 85-20-109, 85-20-113
St. Mary River, 85-2-301, 85-2-316
Sale or rent, See also **UTILITIES**, generally
  canal projects, 85-1-211
  conservation districts, by, 76-15-410
  contracts for, 85-1-211
  federal reservoirs, water from, 85-1-205
  property or facilities, 85-1-211, 85-1-307
  revenue, disposition, 85-1-307, 85-1-332
  salvaged water, right to, 85-2-419
  state projects, by, 85-1-308
  state water, 85-1-204
  surplus water, 85-2-415 — 85-2-418
  uses permissible, 85-1-204, 85-1-210
  water conservation revenue bonds, security, 85-1-302, 85-1-307
Salvaged water, 85-2-102, 85-2-402, 85-2-419
Seismic operations for geophysical exploration, 82-1-104, 82-1-107
Smith River management, Title 23, chapter 2, part 4

WATER USE (Continued)

State land development projects, See **STATE LANDS, Development**
State projects, See **Projects and works**
State water plan, 85-1-203
    environmental quality council, duties, 85-2-105
    policy of state, 85-1-101, 85-2-101
    renewable resource grant and loan program, support, 85-1-601, 85-1-602
    water conservancy districts, consistency with, 85-9-201, 85-9-204, 85-9-205
State water generally, 85-1-204; Const., IX, 3
    actions to acquire and protect, 85-1-213
    reservations, 85-2-316, See **Reservations**
    sale of water, 85-1-210
Storage of water, See also **DAMS AND RESERVOIRS**; **FLOODS, Control projects**
    change in appropriation right, 85-2-102
    citation of water storage policy act, 85-1-701
    contracts for, 85-1-211
    distribution by water commissioners, 85-5-101, See also **Water commissioners**
    jefferson river basin closure, applicability, 85-2-341
    loans and grants for projects, 85-1-631
    madison river basin closure, applicability, 85-2-341
    policy of state, 85-1-703, 85-2-101
    prioritization of projects, 85-1-704
    purpose of provisions, 85-1-702
    revenue, disposition, 85-1-307, 85-1-332
    teton river basin closure, applicability, 85-2-330
    upper clark fork river basin closure, applicability, 85-2-336
    upper missouri river basin closure, applicability, 85-2-343
    water conservation revenue bonds, security, 85-1-307
    water storage state special revenue account, 15-38-202, 85-1-631
Streams, See specific stream; **RIVERS AND STREAMS**
Surface owner's rights, 85-2-403; Const., IX, 3, See also **Adjudication of rights**; **Appropriations**; **PROPERTY, REAL, Watercourses**
Surplus water
    adjudication, 85-1-213
    return to stream, 85-2-412
    sale, 85-2-415 — 85-2-418
Surveys
    county surveyor, by, 85-1-218
    projects, 85-1-102, 85-1-218, 85-1-332, See also **Projects and works**
    regulation by department of natural resources and conservation, for, 85-1-204
    state water, 85-1-204
Teton River basin, 85-2-329, 85-2-330
Tongue River, 85-20-101, 85-20-103, 85-20-301, 85-20-302
Transfer of water rights
    appropriation right, 85-2-403
    certificate, 85-2-117, 85-2-316, 85-2-423, 85-2-424
    fee, 85-2-426
    filing, 85-2-316, 85-2-421, 85-2-424, 85-2-431
    purpose of provisions, 85-2-421
    reservations, transfer, 85-2-316
    "water right" defined, 85-2-422
Transport outside state, 85-2-311, 85-2-316, 85-2-402
Treatment plants and distribution systems, Title 75, chapter 6
Trespass, See **Entry on land**
Underground storage tank installation or closure to protect, 75-11-202

WATER USE (Continued)

United States
  adjudication of rights
    federal waters, on, 85-2-224, 85-2-228
      filing of claim or late claim, 85-2-212, 85-2-213, 85-2-221
      final decree, 85-2-234, 85-2-237
      preliminary decree, 85-2-231, 85-2-233, 85-2-237
      priority basins or subbasins, 85-2-218, 85-2-701
      suspension, 85-2-217
    public recreational uses, federal representation for, 85-2-223
  appropriation disputes, parties to proceedings, 85-2-116
  compacts for apportionment of waters
    fort peck-Montana, 85-20-201
    indian tribes, filing, 85-2-702
    negotiation, 85-2-228, 85-2-703 — 85-2-705
    northern cheyenne-Montana, 85-20-301
    objections, 85-2-233
  cooperation among governmental agencies, 85-1-221, 85-1-223, 85-2-111, 85-2-112
  ground water
    assessment program, Title 85, chapter 2, part 9
    controlled ground water areas, notice of designation or modification hearings, 85-2-506
    investigations, 85-2-512
  hydroelectric power generation facilities
    applications for development, 85-1-514
    compliance with federal law, 85-1-506
    federal licenses, permits, or exemptions, 85-1-502, 85-1-509
    rate determination by federal regulatory agency, 85-1-513
  national park service and state of Montana, compact, 85-20-401, 85-20-402
  renewable resource grant and loan projects, 85-1-602, 85-1-611
  reservation of waters, 85-2-311, 85-2-316, 85-2-402
  reservoirs, federal
    acquisition of water from, 85-1-205
    lease of water from, 85-2-141
  resource development and utilization plans and projects, 85-1-101, 85-1-332
  state project financing, 85-1-206, 85-1-221, 85-1-222
  water or water rights held by, contracts for, 85-1-224
  water storage projects, prioritization considerations, 85-1-704
  yellowstone river basin diversions, legal proceedings, 85-2-807
Upper Clark Fork River basin, 85-2-102, 85-2-125, 85-2-335 — 85-2-338
Upper Clark Fork River basin instream flow pilot program, 85-2-338, 85-2-439
Upper Clark Fork River Basin Steering Committee, establishment and duties, 85-2-338, 85-2-439
Upper Missouri River basin, 85-2-342, 85-2-343
Users' associations, See **Water users' associations**
Violations, 85-2-122
  fines and penalties, 85-1-622, 85-2-122, 85-2-123, 85-2-317, 85-2-431, 85-2-520
  ground water provisions, 85-2-520
  judicial enforcement, 85-2-114
  renewable resource grant and loan projects, bribery of public officer, 85-1-622
  transfer of water right, failure to file certificate, 85-2-431
  wells, failure to fence, 45-8-113
  yellowstone river appropriation or compact violations, 85-20-113
Waste, 85-2-102, 85-2-113, 85-2-114, 85-2-406
  ground water, prohibited, 85-2-113, 85-2-505
Wastewater pretreatment, See **WATER QUALITY, Standards**
Water commissioners
  appointment, 3-7-211, 85-5-101, 85-5-401, 85-5-402, 85-5-407

WATER USE (Continued)
Water commissioners (Continued)

- arrest authority, 85-5-108
- bond, 85-5-103
- chief commissioner, 85-5-102, 85-5-107
- compensation, 85-5-101, 85-5-107, 85-5-206, 85-5-405, 85-5-408
- complaint by dissatisfied users, 85-5-301
- contempt, 85-5-109, 85-5-301, 85-5-406
- distribution of water, authority, 85-5-101, 85-5-105, 85-5-107, 85-5-201, 85-5-301, 85-5-401 — 85-5-408
- ditches under joint or corporate control, 85-5-401 — 85-5-408
- ditch maintenance and repairs, 85-5-106, 85-5-202, 85-5-302
- educational program, 85-5-111
- emergency authority and duties, 85-5-203, 85-5-302
- entry on land, right of, 85-5-106, 85-5-108, 85-5-404
- expenses
    - apportionment, 85-5-204, 85-5-408
    - compensation of commissioners, 85-5-101, 85-5-405
    - complaint hearings, 85-5-301
    - distribution of water, 85-5-201
    - ditch repair or maintenance, 85-5-106, 85-5-201, 85-5-202, 85-5-302
    - emergencies, 85-5-203
    - objections and hearing, 85-5-204, 85-5-205
    - order fixing, effect, 85-5-206
    - repairs and maintenance, 85-5-201, 85-5-202, 85-5-302
    - telephone, 85-5-203
- failure to perform duties, 85-5-109, 85-5-301
- headgates and measuring devices, requirements, 85-5-302, 85-5-406
- hearings, 85-5-205, 85-5-301
- irrigation districts, creation when administration by commissioners inadequate, 85-7-201, 85-7-207, 85-7-301
- oath, 85-5-103, 85-5-402
- records, 85-5-107
- removal, 85-5-301
- supervision, 3-7-211, 85-2-406
- term of office, 85-5-104
- water users, rights and duties, 85-5-301, 85-5-302
- withholding of water when, 85-5-206, 85-5-302

Water conservation revenue bonds, 85-1-206, 85-1-301

- actions by trustee and bondholder, 85-1-210, 85-1-309
- administration fund, 85-1-304, 85-1-321
- bondholders, 85-1-210, 85-1-304, 85-1-306, 85-1-309
- broadwater power project, 85-1-220
- construction capital projects funds, 85-1-322
- construction funds and accounts, 85-1-321
- debt service funds and accounts, 85-1-220, 85-1-304, 85-1-307, 85-1-321 — 85-1-323
- insufficient proceeds, 85-1-303
- interest and principal, 85-1-206, 85-1-211, 85-1-301 — 85-1-303, 85-1-307, 85-1-322, 85-1-323
- issuance and sale, 85-1-301 — 85-1-303, 85-1-307, 85-1-309, 85-1-323
- liability of state, 85-1-302
- lien on proceeds, 85-1-304
- redemption, 85-1-301, 85-1-323
- refunding, 85-1-310
- security, 85-1-206, 85-1-302, 85-1-305 — 85-1-308
- special funds, 85-1-302, 85-1-307
- temporary bonds, 85-1-303
- trustees, 85-1-304, 85-1-306, 85-1-307, 85-1-309

WATER USE (Continued)
Water conservation revenue bonds (Continued)

- trust indenture, 85-1-206, 85-1-303, 85-1-305 — 85-1-309, 85-1-323
- water funds and accounts, 85-1-307, 85-1-321, 85-1-323

Water lines, Title 69, chapter 4, part 5
Water mediators, 85-5-110, 85-5-111
Water users' associations

- appeals, 85-6-109
- assessments
  - equitable, to be, 85-6-102
  - extent, 85-6-104
  - new assessments, power to levy, 85-6-101
  - special, exempt from, 7-12-1151, 7-12-2196, 7-12-4124, 7-12-4345, 7-12-4436, 7-12-4511, 7-12-4621
- bid acceptance, approval, 85-1-206
- canal projects, transfer to, 85-1-211
- costs, 85-1-102
- districts, division of irrigation project into, 85-6-105
- employees, immunity and indemnification, 27-1-731
- fees, 85-6-108
- landowner's liability to recreationists, 70-16-302
- liability, 27-1-731, 85-6-107
- operation of project with department of natural resources and conservation, 85-6-109
- plumbing installations, exemption from licensing provisions, 37-69-102
- shares, transfer upon transfer of land, 85-6-103
- state project properties or interests, transfer to, 85-1-211
- upper clark fork river basin steering committee, representation on, 85-2-338
- vacancies in board of directors, 85-6-106

Waterworks, See **Projects and works**; **DAMS AND RESERVOIRS**
Weather modification, Title 85, chapter 3
Weirs, See **Measurement**
Wells and well contractors, 85-2-102; Title 37, chapter 43, See **Ground water**; **WATER WELLS AND WATER WELL CONTRACTORS**
Wharves, See **FERRIES AND WHARVES**
Wildlife, See **FISH AND WILDLIFE**
Works, See **Projects and works**
Yellowstone River

- appropriation of water
  - adjudicated and nonadjudicated water, applicability of laws, 85-20-110
  - change of use, 85-2-608
  - definitions, 85-20-103
  - diversions, Title 85, chapter 2, part 8
  - exemptions, 85-20-108
  - legal services, 85-20-112
  - measuring of water, 85-20-104 — 85-20-106
  - moratorium, Title 85, chapter 2, part 6
  - permit, 85-2-301
  - prior rights, status, 85-20-107
  - purpose of provisions, 85-20-102
  - records, 85-20-106, 85-20-111
  - rulemaking authority, 85-20-109
  - statement, written — filing, 85-20-104
  - utilities, applicability of laws, 85-2-607
  - violations and penalties, 85-20-113
- compact, 85-20-101
  - commission, 85-20-101, 85-20-102, 85-20-111

WATER USE (Continued)
Yellowstone River (Continued)
  compact (Continued)
    diversions under
      application, notice, objections, and hearing, 85-2-804, 85-2-806
      approval, 85-2-802, 85-2-805, 85-2-806
      consolidation of proceedings, 85-2-806
      definitions, 85-2-801
      legislative review, 85-2-803
      representation of state in other jurisdictions, 85-2-807
    obligations unimpaired, 85-20-121
    rulemaking authority, 85-20-109
    violations and penalties, 85-20-113
  duties of department of natural resources and conservation, 85-2-112
  ground water, controlled area — funding, 85-20-402
  moratorium of action on appropriations
    applicability of laws, 85-2-606
    applications, no action, 85-2-603, 85-2-604
    change of use, when allowed, 85-2-608
    definitions, 85-2-602
    legislative findings and policy, 85-2-601
    reservations, priority, 85-2-603, 85-2-605
    utilities, applicability of laws, 85-2-607
  reservations, 85-2-316, 85-2-601, 85-2-602
    diversions, effect, 85-2-804, 85-2-805
    moratorium, effect, 85-2-603, 85-2-605
  water division boundaries, 3-7-102

WATER WELLS AND WATER WELL CONTRACTORS
  See also **WATER SUPPLY, PUBLIC**
Actions by contractors, drillers, and monitoring well constructors, 37-43-401
Administrative costs, payment, 37-43-309, 37-43-310, 37-43-313
Agricultural chemical ground water protection, Title 80, chapter 15, See **AGRICULTURAL CHEMICAL GROUND WATER PROTECTION**
Agriculture, Department of — samples, 80-15-401
Apprenticeship, 37-43-102
  exemption from licensing requirement, 37-43-302
  requirements, 37-43-202, 37-43-305, 37-43-308
Appropriation permits, See **WATER USE, Appropriations**
Board of Water Well Contractors, 2-15-3307; Title 37, chapter 43, part 2
Cities and towns, regulation of wells, 7-13-4401
Complaints regarding licensees, 37-43-309
Construction
  standards and enforcement provisions, 37-43-202, 37-43-302
  supervision, 37-43-104, 37-43-301
Continuing education, 37-43-202
Contracts
  completion by successor in interest, 37-43-402
  contractors, authority, 37-43-301
Contractors or drillers, 37-43-102, See also **Licensing**
  authority, 37-43-301
  training, 37-43-202
Counterclaims by contractors, drillers, and monitoring well constructors, 37-43-401
Damages, compensation, 37-43-204
Disciplinary action
  authority for, 37-43-313
  complaints and investigations, 37-43-309
  injunction, 37-43-314

WATER WELLS AND WATER WELL CONTRACTORS (Continued)
Disciplinary action (Continued)

  order and hearing, 37-43-310
  powers of board, 37-43-202
  procedure, 37-43-310
Enforcement, 37-43-202, 85-2-318
Explosives, use — exemption and rule compliance under construction blasting provisions, 37-72-101
Failure to cover or fence well, cistern, cesspool, or other hole, 45-8-113
Fees, 37-43-202, 37-43-303, 37-43-305, 37-43-307
Fines, 37-43-312
Ground water, specific provisions, See **WATER USE, Ground water**
Injunction, 37-43-314
Inspections, 37-43-202
Investigations, 37-43-309, 37-43-310
Licensing, Title 37, chapter 43, part 3
  applications, 37-43-202, 37-43-303, 37-43-305, 37-43-307
  apprenticeship requirement, 37-43-305, 37-43-308
  bond requirements, 37-43-306
  continuing education, 37-43-202
  discrimination in issuance prohibited, 49-3-204
  disciplinary action of licensee, See **Disciplinary action**
  examination and qualifications, 37-43-202, 37-43-305, 37-43-308
  exemptions, 37-43-302
  fees, 37-43-202, 37-43-303, 37-43-305, 37-43-307
  issuance, 37-43-202, 37-43-303
  purpose of provisions, 37-43-101
  reciprocity, 37-43-202, 37-43-308
  renewal, 37-43-202, 37-43-307
  required, 37-43-301, 37-43-302
  revocation or suspension, 37-43-307, 37-43-313
Logs, 37-43-310, 85-2-516
Monitoring wells and constructors, 37-43-102
  construction or installation, supervision, 37-43-104
  inspections, 37-43-202
  licensing, See **Licensing**
  standards for construction, use, and abandonment, 37-43-202, 37-43-302
  training, 37-43-202
Negligence of contractor, driller, or monitoring well constructor, 37-43-307
Nonresidents, 37-43-202, 37-43-308
Penalty for violations, 37-43-312
Permits for well, under licensee exemption, 37-43-302
Public wells, record requirements, 75-6-105
Purpose of provisions, 37-43-101
Records, 37-43-202
Reports, 37-43-310, 85-2-517
Sewage lagoons, construction — proximity restricted, 75-5-605
Successor in interest, completion of contracts, 37-43-402
Training programs, 37-43-202
Violations, 37-43-312
  damages caused by, compensation, 37-43-204
  injunction, 37-43-314
  license, failure to have, 37-43-302, 37-43-312
  penalty, 37-43-312

WEAPONS
Amusement games, shooting games, 23-6-104
Armed men, bringing into the state, 45-8-106; Const., II, 33

WEAPONS (Continued)

Assault, offenses of, 45-5-201, 45-5-202
Bail, conditions upon, 46-9-108
Bow and arrow, See **FISH AND WILDLIFE**
Civil disorder, prohibited activities and exceptions, 45-8-107 — 45-8-109
Concealed weapons, 45-8-315
  carrying unlawful when, 45-8-316, 45-8-327, 45-8-328; Const., II, 12
    exceptions, 45-8-317
  local government powers, 7-1-111, 45-8-351
  permit to carry, 45-8-317, 45-8-321
    appeal of denial or revocation, 45-8-324
    application, 45-8-321, 45-8-322
    county of residence, change — notice, 45-8-325
    defense, not as, 45-8-322, 45-8-327, 45-8-328
    federal handgun purchase background check and waiting period, exemption for permittee, 45-8-330
    fees, 45-8-322
    liability, 45-8-326
    reciprocity agreements and advisory council, 45-8-329
    renewal, 45-8-322 — 45-8-324, 45-8-326
    revocation, 45-8-323, 45-8-324, 45-8-326
  prisoners, possession of deadly weapon unlawful, 45-8-318
  probation and parole officers, 45-8-317, 46-23-1002
  prohibited place, carrying in, 45-8-321, 45-8-328
  under the influence, carrying while, 45-8-321, 45-8-327
"Crime of violence" defined, 45-8-302, 46-18-104, 53-30-303
Definitions, 45-2-101, 45-8-302, 45-8-315, 45-8-322
Destructive device, 45-8-332, See also **EXPLOSIONS AND EXPLOSIVES**
  possession, 45-8-334, 45-8-337
Drugs, dangerous — property subject to criminal forfeiture, 45-9-206
Escape, use of weapon, 45-7-306
Explosives, 45-8-332, See **EXPLOSIONS AND EXPLOSIVES**
Firearms
  armor-piercing bullets, use during offense, 46-18-224
  bail, conditions upon, 46-9-108
  blank ammunition, 50-37-101, 50-37-102, See also **FIREWORKS**
  city or town
    powers, 7-33-4205, 45-8-343, 45-8-351
    shooting within, unlawful, 45-8-343, 87-3-305
  civil disorder, prohibited activities and exceptions, 45-8-107 — 45-8-109
  convicted person, unlawful possession by — offense of, 45-8-313
    lifetime supervision, 45-8-314
  disabled persons, hunting, 87-2-803
  discharging or firing, 45-8-343, 45-8-351
  disorderly conduct with, 45-8-101
  execution, exemption, 25-13-609, 25-13-613
  fish and game wardens, permits to carry, 87-1-201
  force, justifiable use of, 45-8-343; Title 45, chapter 3, See **CRIMES**
  forest fire caused by use, 50-63-102
  game preserves, carrying or discharging within, 87-5-401, 87-5-404
  gunpowder, storage or handling — regulation, 7-33-4205
  handguns, 45-8-315, 45-8-316, 45-8-318, 45-8-351, 46-18-224, See also **Concealed weapons**
  highways, shooting from or across, 61-8-369, 87-2-803, 87-3-101
  hunter safety education, 45-8-321, 87-2-105
  identity, obscuring unlawful, 45-6-326
  individual licensure for lawful possession, establishment, 45-8-360
  innkeepers, eviction of guests or refusal of services when, 70-6-511, 70-6-512

WEAPONS (Continued)
Firearms (Continued)

- law enforcement reserve officers
  - carrying, restrictions, 7-32-217
  - training, 7-32-214
- local government regulation, 7-1-111, 45-8-343, 45-8-351
- machine guns, See **Machine guns**
- mental illness or incompetency
  - concealed weapon, permit to carry — ineligibility, 45-8-321
  - possession, local government regulation, 45-8-351
- minors
  - possession, local government regulation, 45-8-351
  - unlawful use by children under age 14, 45-8-344, 45-8-345
- motor vehicle struck by bullets, reporting, 61-7-113
- outfitters, examination requirements, 37-47-305
- park rangers, carrying prohibited when, 23-2-806
- partner or family member assault, offense of, 40-15-103, 40-15-201, 45-5-206, 46-6-602
- private investigators or security guards
  - approval of weapons, 37-60-202, 37-60-405
  - carrying or possession, 37-60-101
  - training programs, 37-60-202, 37-60-303
- probation and parole officers, carrying, 46-23-1002
- products liability actions, defect in design — considerations, 27-1-720
- public reservoirs or waters, rules regarding use, 87-1-303
- rifles
  - bird hunting restrictions, 87-3-401
  - local government regulations, 45-8-351
  - purchase, applicable laws, 45-8-341, 45-8-342, 45-8-351
  - sawed-off, possession unlawful, 45-8-340
- safety instructors, immunity from liability, 27-1-721
- safety or training courses, 45-8-321, 87-2-105
- sawed-off firearm, possession unlawful, 45-8-340
- school districts, expulsion of students when, 20-5-202
- shooting ranges, 45-8-343, 76-9-101 — 76-9-105
- shotguns
  - hunting with shotguns, 23-2-302, 87-3-301, 87-3-401
  - local government regulation, 45-8-351
  - purchase, applicable laws, 45-8-341, 45-8-342, 45-8-351
  - sawed-off, possession unlawful, 45-8-340
- silencers, possession or use, 45-8-336, 45-8-337, 87-3-123
- snowmobile, discharging prohibited from, 23-2-633
- toy pistols and guns, 7-33-4206, 50-37-101
- trademarks, classification, 30-13-331
- trains, carrying on — unlawful, 45-8-339
- transportation, department of — authorized personnel to carry when, 61-12-203
- university system security guards, authority for use, 20-25-324
- wounds from, reporting, 37-2-302, 37-2-303

Fireworks, applicability of laws, 50-37-102
Guns, See **Firearms**; **Machine guns**
Knives, 45-8-315, 45-8-316, 45-8-318, 45-8-331, See also **Concealed weapons**
Law enforcement officers, carrying
- auxiliary officers, prohibited, 7-32-232
- concealed weapons, 45-8-317
- reserve officers, restrictions, 7-32-217

Machine guns
- crime, possession or use in connection with a, 45-8-303
- definitions, 45-8-302

WEAPONS (Continued)
Machine guns (Continued)

- evidence of possession or use, 45-8-306
- exceptions to provisions, 45-8-307
- manufacturer's register, 45-8-308
- offensive or aggressive purpose
  - possession or use for, 45-8-304, 45-8-309
  - presumption of, 45-8-305
- registration, 45-8-305, 45-8-309
- uniformity of laws, 45-8-301

MX missile development and deployment, public opposition, 90-5-211
Partner or family member assault, 45-5-206, 46-6-311, 46-6-603
Prisoners
- possession of deadly weapon unlawful, 45-8-318
- smuggling to, 45-7-307

Right to bear arms, 1-1-224, 7-1-111, 45-8-107 — 45-8-109; Const., II, 12
School pupils, possession — physical restraint to obtain, 20-4-302
Sentencing of offenders, 46-18-202, 46-18-221, 46-18-222, 46-18-224
Shooting ranges, 45-8-343, 76-9-101 — 76-9-105
Smokeless powder and small arms primers, storage, 50-3-103, 50-61-102, 50-61-120, 50-61-121
State lands, recreational use restrictions, 77-1-804
Stop and frisk, officer may take possession, 46-5-402
Switchblade knives unlawful, 45-8-331
Wounds from, reporting, 37-2-302, 37-2-303
Youth correctional facility, furnishing to residents of, 52-5-114

WEATHER MODIFICATION
County weather modification authorities, 85-3-401
- abolishment, 85-3-416, 85-3-417
- affidavits, 85-3-412, 85-3-417
- annual report, 85-3-421
- appropriation, initial — county budget waived when, 85-3-423
- commissioners, 85-3-401, 85-3-411, 85-3-412, 85-3-414, 85-3-417, 85-3-421
- creation by
  - election, 85-3-413, 85-3-415
  - petition, 85-3-411, 85-3-412
  - resolution, 85-3-412, 85-3-414, 85-3-415
- emergencies, 85-3-423, 85-3-424
- expenditures, 85-3-421, 85-3-423
- expiration, 85-3-411, 85-3-412, 85-3-414
- funds, 85-3-411, 85-3-412, 85-3-416, 85-3-417, 85-3-421 — 85-3-423
- hearings, 85-3-411, 85-3-415, 85-3-424
- minutes of meetings, 85-3-421
- renewal, 85-3-411
- tax levy, 85-3-412 — 85-3-415, 85-3-422, 85-3-423

Definitions, 85-3-101, 85-3-401
Emergencies, 85-3-202, 85-3-423, 85-3-424
Environmental impact statement, 85-3-202
Fines, disposition, 85-3-213
Funding, 85-3-103, 85-3-213
Interpretation of laws, 85-1-103
Liability of state, 85-3-104
Licenses and permits, 85-3-201
- application, review, 85-3-202
- evidence, criteria for issuance, 85-3-206
- exemptions, 85-3-202, 85-3-302
- fees, 85-3-205, 85-3-206, 85-3-212, 85-3-213

WEATHER MODIFICATION (Continued)
Licenses and permits (Continued)

  financial responsibility, proof of, 85-3-206, 85-3-211
  hearings, 85-3-206, 85-3-214
  issuance, 49-3-204, 85-3-201, 85-3-203, 85-3-205, 85-3-206, 85-3-212
  notice of intention, 85-3-206 — 85-3-210
  qualifications, 85-3-203, 85-3-206
  revocation or suspension, 85-3-214
  separate permit for each operation, 85-3-207
  term and renewal, 85-3-204, 85-3-205, 85-3-214
Ownership of atmospheric water, Const., IX, 3
Permits, See **Licenses and permits**
Powers of Department of Natural Resources and Conservation, 85-3-103
Records and reports, 85-3-202, 85-3-301 — 85-3-303
Research and development, 85-3-101 — 85-3-103, 85-3-202
Rulemaking authority, 85-3-102, 85-3-202, 85-3-203, 85-3-206
Violations, 85-3-105, 85-3-214

WEEDS AND WEED CONTROL
Administrative procedure, 7-22-2110, 7-22-2123, 7-22-2124, 80-7-909, 80-7-910
Agricultural seeds, Title 80, chapter 5, See **AGRICULTURAL SEEDS**
Appeals, 7-22-2110
Biological agents for control, expenditures for, 80-7-720, 80-8-116
Bonds, fines, and penalties, 7-22-2117, 7-22-2124
Chemicals, materials, and equipment, 7-22-2109
  sale proceeds, 7-22-2142
Cities and towns, See also **Persons responsible for control**
  cooperative agreements, when, 7-22-2151
  grants or contracts to, 80-7-814
  land or rights-of-way, management, 7-22-2121
  nuisance weeds, responsibility, 7-3-4453, 7-22-2151, 7-22-4101
Complaints, procedures, 7-22-2123
Contracts, 7-22-2142, 80-7-813, 80-7-814
Cooperative agreements with state agencies, 7-22-2151
Cost-share programs or projects, 7-22-2146, 80-7-810, 80-7-814
Counties, See also **Persons responsible for control**
  districts, See **Management districts**
  land or rights-of-way, management, 7-22-2121
  mines, metal — reclamation plan, 82-4-336
  noxious weed management trust fund, termination — division of money, 80-7-814
  roads, control along, 7-14-2132, 7-22-2101, 7-22-2153
Crop dusting for, 80-8-204, See **PESTS AND PESTICIDES**, **Applicators**; **Insect control programs**; **LIENS**, **Crop dusting, liens for**
Damages, liability when, 7-22-2111
Districts, See **Management districts**
District weed board, Title 7, chapter 22, part 21
Ditches, 7-22-2101, 7-22-2152
Embargo programs, 7-22-2126
Emergencies, noxious weed, 80-7-814, 80-7-815
Eminent domain, responsibility of plaintiff, 70-30-314
Federal funds, 7-22-2142, 80-7-712
Federal government, cooperative agreements with, 7-22-2151
Federal lands, management program for, 7-22-2109
Federal programs, 7-22-2150
Fines, bonds, and penalties, 7-22-2117, 7-22-2124, 80-7-921, 80-7-922
Forage, See **Noxious weed seed free forage**

WEEDS AND WEED CONTROL (Continued)

Funding, 23-2-803, 61-3-510, 80-7-712, 80-7-810, 80-7-816, 80-8-116, See also **Noxious weed fund; Noxious weed management trust fund**
Gifts or grants, 7-22-2142, 80-7-810, 80-7-813, 80-7-814
Herbicides
  surcharge and disposition of proceeds, termination when, 80-7-812, 80-7-815
    collection costs, 80-7-814
    violation, 80-7-821
  use, 7-22-2111, 7-22-2112
Highways, control along, 7-14-2132, 7-22-2101, 7-22-2144, 7-22-2153
Hunting access enhancement program, benefits — application, 87-1-267
Importation of materials containing noxious weed seeds or plants, regulation, 80-7-701, 80-7-702
Inspections, 7-22-2123
Liability of management district and personnel, 7-22-2111
Management
  control programs, 80-7-711
    funding, 80-7-712, 80-8-116
  districts, See **Management districts**
  municipal weed control, 7-22-4101
  nonchemical methods, research and development, 80-7-810
  program, See **Noxious weed management program**
  projects, funding, 80-7-810, 80-7-813, 80-7-814
  reports regarding, 80-7-713
  rules to implement, 80-7-714
  technical assistance, 80-7-711
  trust fund, See **Noxious weed management trust fund**
  voluntary agreements, 7-22-2153
Management districts
  audits, Title 2, chapter 7, part 5
  costs of control within, 7-22-2143
  damages, liability when, 7-22-2111
  defined, 7-22-2101
  employees, 7-22-2109
    supervision, 7-22-2101
  establishment, 7-22-2102
  financial reports, Title 2, chapter 7, part 5
  grants or contracts to, 80-7-814
  herbicides, use and information, 7-22-2111, 7-22-2112
  liability, 7-22-2111
  noxious weed management program, See **Noxious weed management program**
  state agencies, lands controlled by — cooperative agreements, 7-22-2151
  supervisor training, 7-22-2130
  transition, 7-1-202
  zones, establishment and criteria, 7-22-2121, 7-22-2146
Mint and mint oil production, integrated pest management program, 80-11-411
Motor vehicles, weed control fee, 61-3-510, 80-7-810
Municipal weed control, 7-22-4101
Natural areas, responsibilities, 76-12-121
Neglect by property owners to exterminate or remove, 7-22-4101
Negligence by management districts or personnel, 7-22-2111
Noncompliance, procedures, 7-22-2123
Noxious weed emergencies, 80-7-814, 80-7-815
Noxious weed forage account, deposit, 80-7-908
Noxious weed fund
  authorization, 7-22-2141
  claims against lessees, collection, 7-22-2148

WEEDS AND WEED CONTROL (Continued)
Noxious weed fund (Continued)

  cost-share programs, 7-22-2146
  expenditures, 7-22-2145
  fines, bonds, and penalties — deposit, 7-22-2117
  material and services provided by board, payment, 7-22-2148
  program costs, payment, 7-22-2109, 7-22-2144
  sources of money generally, 7-22-2142
  tax levy to fund, 7-22-2142
  work or chemical sales, proceeds to, 7-22-2142
Noxious Weed Management Advisory Council, 80-7-508, 80-7-805, 80-7-814
Noxious weed management program, 7-22-2121
  administration, 7-22-2109
  agriculture, department of — duties, 80-7-712
  chemicals, materials, and equipment, 7-22-2109
  cooperative agreements, 7-22-2151
  costs, 7-22-2109, 7-22-2143, 7-22-2144
  cost-share programs, 80-7-814
  federal funds, 80-7-712
  federal lands, 7-22-2109
  propagation of noxious weeds as violation, nonapplicability, 7-22-2116
  revegetation plans, compliance, 7-22-2152
  state lands, recreational use, 77-1-810
  supervisor, 7-22-2101, 7-22-2123, 7-22-2130, 7-22-2153
  voluntary compliance, 7-22-2123, 7-22-2146
Noxious weed management projects, 80-7-814
Noxious weed management trust fund
  creation and administration, 80-7-811
  deposit and investment, 80-7-816
  expenditures and limitations, 80-7-814, 80-7-815
  funding, 23-2-803, 60-3-201, 80-7-811 — 80-7-813
  termination, effect, 80-7-814
"Noxious weeds" defined, 7-22-2101, 80-7-801
Noxious weed seed free forage
  administration, 80-7-905
  advisory council, composition, 80-7-904
  certification, 80-7-906
  citation of noxious weed seed free forage act, 80-7-901
  definitions, 80-7-903
  embargo, 7-22-2126, 80-7-911, 80-7-924
  fees and funds, investment, 80-7-905 — 80-7-907, 80-7-921, 80-7-922
  findings and purpose, 80-7-902
  injunction, 80-7-923
  investigation and enforcement authority, 80-7-910
  penalties, 80-7-921, 80-7-922
  prohibited acts, 80-7-912
  rules, 80-7-909
  violations — stop sale, use, or removal order, 80-7-911
Noxious Weed Seed Free Forage Advisory Council, 80-7-903, 80-7-904, 80-7-907, 80-7-909
Nuisance
  noxious weeds declared as, 7-22-2115
  weeds, control, 7-3-4453, 7-22-2151, 7-22-4101
Off-highway vehicle fee in lieu of tax, allocation to, 23-2-803
Penalties, fines, and bonds, 7-22-2117, 7-22-2124, 80-7-921, 80-7-922
Persons responsible for control
  bill for materials or services provided by board, 7-22-2124, 7-22-2146, 7-22-2148
  chemicals, materials, and equipment, 7-22-2109

WEEDS AND WEED CONTROL (Continued)
Persons responsible for control (Continued)

  compliance measures, proposals, 7-22-2123
  cost of control, 7-22-2143, 7-22-2144
  cost-share programs, 7-22-2146
  inspections, noncompliance, and notices, 7-22-2123
  revegetation of rights-of-way and disturbed areas, 7-14-2131, 7-22-2152
  voluntary compliance, 7-22-2123, 7-22-2146, 7-22-2153
Pesticides Act, Title 80, chapter 8, parts 1 — 3, See **PESTS AND PESTICIDES**
Pesticide use, information concerning, 80-7-711
Professional land surveyors, entry on land — vehicle to be clean, 70-16-111
Propagation of noxious weeds, allowing — unlawful, 7-22-2116
Quarantine programs, 80-7-711
Rangeland improvement loan program, 76-14-111, See also **RANGELAND RESOURCES**
Reports, 80-7-713
Revegetation of rights-of-way and disturbed areas, 7-14-2131, 7-22-2152
Sale of materials containing noxious weed seeds or plants, regulation, 80-7-701, 80-7-702
Spraying for, 80-8-204, See **LIENS, Crop dusting, liens for; PESTS AND PESTICIDES, Applicators; Insect control programs**
State agencies, lands controlled by — cooperative agreements, 7-22-2151
State lands
  assessments and taxes, 7-22-2149
  leases, provisions concerning, 77-6-113, 77-6-114
  management responsibilities and program, 7-22-2151, 76-12-121, 77-1-810
  recreational use, closure of land, 77-1-804
State programs, 7-22-2150
Tax levy for, 7-22-2142, 7-22-4101, 76-12-121, 77-6-114, 80-7-814
Tax liability, unpaid bills for materials and services as, 7-22-2146, 7-22-2148
Trust fund, See **Noxious weed management trust fund**
Violations
  district weed board, interference with or refusal to obey order or notice by, 7-22-2117
  noxious weed seed free forage, 80-7-910 — 80-7-912, 80-7-921 — 80-7-924
  noxious weeds, propagation — allowing, 7-22-2116
Voluntary agreements for control, 7-22-2123, 7-22-2146, 7-22-2153
Water project land lessees, payment, 85-1-803
"Weed" defined, 7-22-2101, 80-8-102
Wildlife habitat, acquisition policies, 87-1-241

WEIGHTS, MEASURES, AND GRADES
Agricultural chemical ground water protection, point of standards application, 80-15-102
Agricultural seeds
  dealers, packages, 80-5-202
  noxious weed seeds, numbers per pound allowed, 80-5-105
  percentages by weights, 80-5-102, 80-5-104
  potatoes, seed — inspections, 80-5-403, 80-5-404
Airports and landing fields, regulation of building heights and structures, 67-1-101, 67-5-201
Alcoholic beverages
  beer
    alcohol content, 16-1-102, 16-1-106, 16-3-244
    warehouses, dock sales — quantity allowed, 16-3-219
  licenses
    fees, calculation, 16-4-501
    quota system — distance from corporate limits, how measured, 16-4-105, 16-4-201
  out-of-state purchases, amount, 16-6-301
  retail licensees, proximity to churches and schools — how measured, 16-3-306
Amusement games, 23-6-104
Asbestos projects, nonapplicable projects, 75-2-502

WEIGHTS, MEASURES, AND GRADES (Continued)

Attorneys at law, measure of compensation, 25-10-301
Banks
  certificate of authorization applications, notice to banks within specific distance, 32-1-204
  drive-in and walk-up facilities, location, 32-1-372
Beef patty mix, listing of ingredients by weight, 50-31-208
Bingo cards, description, 23-5-112
Boats
  identification number, height, 23-2-512
  length, 23-2-502, 23-2-508, 23-2-510, 23-2-512, 23-2-515 — 23-2-518, 23-2-521
  license decals, location on boat, 23-2-515
  noise, measurement, 23-2-521, 23-2-526
  recreational use of streams, moorage restrictions, 23-2-302
  restricted areas, operation of boat near, 23-2-525
  sirens, distance audible, 23-2-521
Boiler and steam engine operators, grade of license, 50-74-301, 50-74-312, 50-74-313
Boilers, safe working pressure, 50-74-218
Boxing matches, weight of gloves — rules, 23-3-405
Building regulations, extension of jurisdictional areas — distances, 50-60-101
Bushel, 80-4-302, 80-4-304, 80-4-530, 80-11-206, 80-11-207
Carnival games, 23-6-104
Carriers
  messages, delivery, 69-11-301
  passenger's baggage allowance, 69-11-204
Cities and towns
  bus services, distance limitations, 7-14-4401
  commissioner of weights and measures, 7-3-4254
  commodities — authority to weigh, measure, and regulate, 7-21-4203
  explosives and inflammable materials, storage regulations, 7-33-4205
  new, boundaries — distance from present city or town, 7-2-4103
  public safety, director of — duties, 7-3-4464
  utility services, measurement, 7-13-4104
Claim and delivery, affidavit of plaintiff — description of property, 27-17-202
Coal
  mine personnel, change of measurement references or monuments prohibited, 50-73-305
  state land leases, royalty based on grade, 77-3-316
Commercial feeds, percentage by weight or net weight, 80-9-101, 80-9-202
Commercial fertilizers
  grade, 80-10-101, 80-10-102, 80-10-201 — 80-10-204, 80-10-212
  percentage by weight or net weight, 80-10-101, 80-10-204
Commodities
  cities and towns, authority, 7-21-4203
  generally, See **TRADE REGULATION AND COMPETITION, Weights, measures, and grades**
Corporation shareholders, effect of distributions to — how measured, 35-1-712
Cosmetics, misbranded, 50-31-402
Counties
  road improvement district assessments, how measured, 7-14-2736
  timber, sale — units of measure, 7-8-2609
County commissioners, board of — calculation of mileage allowance for members, 7-4-2108
Dairies and dairy products, See **DAIRIES AND DAIRY PRODUCTS, Graders and grading; Measuring provisions; Weight**
Damages, measure of
  bank deposits and collections, failure to exercise ordinary care, 30-4-103
  cigarette sales violations, actions for damages, 16-10-402
  contempt, arrest for — action for prosecution when party fails to appear, 3-1-521
  contracts, breach, 27-1-311

WEIGHTS, MEASURES, AND GRADES (Continued)
Damages, measure of (Continued)

  insurance, property, 33-24-102
  leases, 30-2A-503, 30-2A-519, 30-2A-528
  motor vehicle accidents, repair or replacement of vehicle, 27-1-306
  obligation other than contract, breach, 27-1-317
  property, real
    timber, injury to, 70-16-108
    willfully holding over, 27-1-319
  sales, 30-2-708, 30-2-713, 30-2-714, 30-2-719
Dams, measurement as inspection method, 85-15-106
Deceptive business practices, 45-6-318
Drugs or devices, label contents, 50-31-306
Drugs, dangerous
  criminal possession, amount required, 45-9-102
  paraphernalia, 45-10-101
Eggs, grade or weight, 81-20-206, See **POULTRY AND EGGS**, **Egg graders**
Eminent domain, measure of compensation, 70-30-302
Estates, insufficiency — running of statute of limitation, how measured, 72-3-802
Firearm, sawed-off — length, 45-8-340
Fire districts, rural — contracts for services, boundary limitations, 7-33-2107
Fireworks
  discharge, proximity to sales location restricted, 50-37-103
  sale or display areas, "no smoking" sign — size of letters, 50-37-104
Flag, state — height of lettering on, 1-1-502
Folio measurement, 1-1-203, 18-7-203
Food
  adulterated or misbranded, 50-31-202, 50-31-203
  donated, nonmarketability due to grade, 27-1-716
Forests
  forest land, grassland and agricultural areas — location for inclusion, 76-13-102
  sawdust piles, amount of accumulation, 76-13-126
  sawmill, portable — rated capacity, 76-13-501
Frozen food lockers, declaration requirement for stored meat, 50-50-401
Game animal contests based on size or weight unlawful, 87-3-307
Grain, grades or weighing, Title 80, chapter 4, part 7, See **AGRICULTURAL COMMODITIES**, **Grain**
Hamburger or ground beef, grades, 50-31-103, 50-31-208
Hazardous substances, "highly toxic" defined, 50-30-205
Hazardous waste or substance samples, volume or weight, 75-10-410
Hearing aid dispensers, measurement of hearing power or range, 37-16-102
Highway patrol officers, grade, 44-1-303
Highways
  effects of weight on, analysis, 60-2-207
  motorist information signs, business distance requirements, 60-5-512, 60-5-520
  parks, state — connecting roads, limitation, 23-1-104
Hunting licenses and permits, elk — landowner preference requirement, 87-2-501, 87-2-705
Insurance
  language simplification, measurement of test score, 33-15-325
  property
    damages, measure of, 33-24-102
    indemnity, measure of, 33-24-101
    insurable interest, measure of, 33-15-205
Land surveying, practice of — measurement of land, 37-67-101
Liability
  documents of title
    bills of lading, misdescription of weight, 30-7-301
    warehousemen, limitation, 30-7-204

WEIGHTS, MEASURES, AND GRADES (Continued)
Liability (Continued)

  measure of
    negotiable instrument, drawee, 30-3-419
    trust, breach of, 72-34-508, 72-34-509
Libraries, public — state aid, basis for distribution, 22-1-327, 22-1-330
Line trucks, length of telescoping boom, 50-76-101
Livestock
  dealers, misrepresentation in weighing — effect, 81-8-273
  diseased animals, classification for slaughter, 81-2-201
  markets, misrepresentation of weights — effect, 81-8-254
  purebred graded bulls, 81-4-211
Meat and meat products, 30-12-401, 81-9-217, 81-9-220
Midwifery services, distance from nearest hospital — disclosure, 37-27-311
Military personnel, grade, 10-1-201, 10-1-203, 10-1-502
Mining, opencut — measure of compensation for condemned property, 82-2-223
Mint oil, assessment and invoices — calculation and quantity statements, 80-11-412 — 80-11-414
Motor carriers
  certificate applications, inclusion, 69-12-311 — 69-12-313
  class C carriers, contract provisions — nonapplicability when, 69-12-302
  gross vehicle weight, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
  identification required for operation on highways when, 69-12-408
Motor oil recycling centers, notice of location required when, 75-10-1101
Motorist information signs, business distance requirements, 60-5-512, 60-5-520
Motor vehicles and traffic regulations
  accidents, repair or replacement of vehicle — measure of damages, 27-1-306
  auto auctions, business signs, 61-4-120
  brakes, performance ability — braking force and stopping distance, 61-9-312
  "business district" defined, 61-1-408
  campers, weight, 61-1-129
  child safety restraint systems, size of child, 61-9-420
  county junk vehicle budget, yearly payment limited to vehicles under specific weight, 75-10-534
  "crosswalk" defined, 61-1-209
  dealers and wholesalers, business signs, 61-4-101
  fenders, splash aprons, or flaps — construction or attachment, 61-9-407
  funeral escort or lead vehicles, amber lamps — visibility, 61-8-381
  gross vehicle weight, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
  heavy equipment, moving at railroad grade crossings — description, 61-8-350
  license plates, dimensions, 61-3-332
  lighting equipment, mounted height, 61-9-202, 61-9-203, 61-9-205
  motor carriers, display of name, 61-3-709
  motorcycles, decibel limitations, 61-9-418
  pole trailers, weight, 61-9-208, 61-9-305
  registration or registration fees according to weight, 61-3-313, 61-3-321, 61-3-411
  "residence district" defined, 61-1-409
  "road tractor" defined, 61-1-110
  sales tax on new vehicles, exemption when, 61-3-502
  signal devices, description of vehicle requiring, 61-8-337
  size, weight, and load provisions, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
  speed of vehicle
    radar measurement, 61-8-702 — 61-8-704
    restrictions, weight or length of vehicle as condition, 61-8-303, 61-8-312
  tax classifications according to weight, See generally **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Taxes**
  tow trucks, warning signs, 61-9-416
  trailers or semitrailers, weight, 61-1-111, 61-1-112, 61-8-367, 61-9-208, 61-9-305
  "truck tractor" defined, 61-1-108

WEIGHTS, MEASURES, AND GRADES (Continued)
Motor vehicles and traffic regulations (Continued)

- "urban district" defined, 61-1-410
- warranty on new vehicles, exemption from provisions, 61-4-501
- weigh stations, 15-24-203, 15-24-206, 60-4-103, 61-10-141
- wrecking facility, definition, 75-10-501

Mustard seed, grade or weight, Title 80, chapter 4, part 3, See **AGRICULTURAL COMMODITIES, Mustard**
Naturopathic physicians, drugs — sale when drugs not available within specific distance from business, 37-26-301
Optometrists, measurements taken for purpose of adapting lenses to the eye prohibited when, 37-10-301
Outdoor advertising
- standards and location, measurements, 75-15-113
- unzoned commercial or industrial area — location, how measured, 75-15-103

Parking, disabled persons' special spaces — requirements, 49-4-302
Parks, state — acquisitions and designation, 23-1-102, 23-1-201
Personal services contracts, presumptive measure of compensation when, 28-2-722
Pesticide containers, label requirements, 80-8-202
Petroleum products, See **PETROLEUM PRODUCTS, Weight and measure provisions**
Physical therapy evaluations, measurement of bodily functions and structures, 37-11-104
Pipeline carriers, limitation on receipt of petroleum products, 69-13-303
Polygraph examinations, measurement of bodily responses, 37-62-101
Printing and publications
- Montana code annotated, grade of publication, 1-11-301
- state printing, grade, 18-7-101

Produce, Title 80, chapter 3, part 3, See **PRODUCE**
Property, personal — owner of materials wrongfully used — restitution in same quantity, weight, measure, or quality, 70-4-205
Property, real — description of conveyances, inconsistent measurements, 70-20-201
Public markets, duties of market master, 7-21-3322
Public scales or weigher, Title 7, chapter 21, part 31, See **PUBLIC SCALES**
Quiet title, order for survey or measurement, 70-28-113
Railroads
- leasehold site, distance from track centerline for purchase or lease offer purpose, 69-14-932
- locomotive headlights, measurement of candlepower, 69-14-236
- "paralleling" defined, 69-14-101
- scales for weighing, erection, 69-14-804

Rivers and streams, recreational use — limitations, 23-2-302
Salary grades
- city-county consolidated government employees or officers, 7-3-1250, 7-3-1254
- city employees or officers, 7-3-4417
- military personnel, 10-1-502
- public employees, See **PUBLIC OFFICERS OR EMPLOYEES, Compensation determination**

Sales
- damages, measure of, 30-2-708, 30-2-713, 30-2-714, 30-2-719
- fungible goods, bulk or quantity of, 30-2-105
- price based on weights, 30-2-321

Scales for weighing
- public, See **PUBLIC SCALES**
- railroads, erection, 69-14-804

School buses
- child seating capacity rules, 20-10-111
- mileage distances, determination, 20-10-106

Seals, diameter
- district court, 3-1-203
- executive or state officers, 2-16-113
- historical society, 22-3-109

WEIGHTS, MEASURES, AND GRADES (Continued)
Seals, diameter (Continued)

  motor vehicles, state, 2-17-402
  state, 1-1-501
  supreme court, 3-1-202
Securities registration, measurement of issuer's average net earnings, 30-10-203
Smokeless powder and small arms primers, storage restrictions, 50-61-121
Snowmobiles
  "dbA" defined, 23-2-601
  sound levels, measurement, 23-2-601, 23-2-634
  streets or highways, crossing angle, 23-2-631
  width, 23-2-601
Speech-language pathology and audiology, practice of — measurements relating to disorders or impairment, 37-15-102
Standards and systems, See **TRADE REGULATION AND COMPETITION, Weights, measures, and grades**
State lands
  coal leases, royalty based on grade, 77-3-316
  conservation easements — restrictions concerning lakes, rivers, and streams, 77-2-319
  easement applications, plats and measurements required when, 77-2-102
  nonmetallic mineral leases, royalty basis — calculation, 77-3-204
  oil and gas leases, transportation expenses — rate, 77-3-432
  shore lands, survey and plat, 77-2-311
  surface leases, subleases, 77-6-212
  timber, units of measure, 77-5-206, 77-5-212, 77-5-213
Stream access, limitations, 23-2-302
Streamside management zone, 77-5-302
Taxation
  cement and gypsum products, extent of gypsum as component part, 15-59-101
  electric energy producers' license tax, measure of electricity and electrical energy generated, 15-51-101
  gasoline distributors, record of gasoline on hand — measurement to determine, 15-70-222
  land classification, grades within, 15-7-103
  liquefied petroleum gas, vehicles self-propelled by — license tax fee schedule, 15-71-101
  mines and mining, commercially valuable constituents — how measured, 15-23-502, 15-23-802, 15-37-104, 15-37-109, 15-38-105
  swine, classification, 15-24-931
Timber, units of measure, 7-8-2609, 77-5-201, 77-5-204, 77-5-206, 77-5-212, 77-5-213
Trespass, criminal — posting of land, requirements, 45-6-201
Utilities
  services or products, See **UTILITIES, Measurement of units; Territorial integrity for electric suppliers**, generally
  small power production facilities, qualification, 69-3-601
  underground conversion, special improvement districts
    frontage on easement, 69-4-311
    high voltage transmission lines, exclusion, 69-4-304
  underground, excavations near — marking or location of facility, 69-4-501
Water, measurement, See **WATER USE**
Workers' compensation benefits for occupational deafness, measurement of hearing loss, 39-71-805

WELFARE, Title 53, chapter 2, part 3
  See **COUNTY WELFARE**; **PUBLIC ASSISTANCE**

WELLS
Bottled water, regulation, 50-31-103, 50-31-236 — 50-31-238
Failure to cover or fence, 45-8-113
Oil and gas, See **OIL AND GAS**

WELLS (Continued)

Water
  public supply, distribution, and treatment, Title 75, chapter 6, See **WATER SUPPLY, PUBLIC**
  well contractors, certification, Title 37, chapter 43, See **WATER WELLS AND WATER WELL CONTRACTORS**
Well-boring apparatus, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Special mobile equipment**

WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION, 20-26-1502; Title 20, chapter 25, part 8
  See **HIGHER EDUCATION**

WESTERN INTERSTATE CORRECTIONS COMPACT, Title 46, chapter 19, part 3
  See **CRIMINAL PROCEDURE, Commitment**

WESTERN INTERSTATE NUCLEAR COMPACT, Title 90, chapter 5, part 2
  See **RADIOACTIVE SUBSTANCES, Nuclear Compact, Western Interstate**

WESTERN REGIONAL HIGHER EDUCATION COMPACT, 20-26-1502; Title 20, chapter 25, part 8
  See **HIGHER EDUCATION**

WETLANDS PROTECTION ADVISORY COUNCIL
  See **FISH AND WILDLIFE**

WHARVES
  See **FERRIES AND WHARVES**

WHEAT
  See also **AGRICULTURAL COMMODITIES; AGRICULTURAL SEEDS**
Wheat and Barley Committee, 2-15-3002, 2-18-103; Title 80, chapter 11, part 2

WHEELCHAIRS
  See **DISABLED PERSONS**

WILDLIFE
  See **FISH AND WILDLIFE**

WILLS
  See **ESTATES AND PROBATE**; See also **LIVING WILLS**

WINE DISTRIBUTION ACT, Title 16, chapter 3, part 4
  See **ALCOHOLIC BEVERAGES, Table wine**

WIRE TRANSFERS, Title 30, chapter 4A
  See **FUNDS TRANSFERS**

WITNESSES
  See also **EVIDENCE**
Accused as, Title 26, chapter 10, M.R.Ev., Rule 104
Affidavits
  arrested witness, to claim exoneration, 26-2-404
  concealment of witness, proof by, 26-2-103
  declarations by, 26-1-101, 26-1-1002
  jurors, witnesses as, Title 26, chapter 10, M.R.Ev., Rule 606
  prisoner, to secure testimony of witness who is, 26-2-202
  refusal to subscribe as contempt, 26-2-104
Affirmation in lieu of oath, Title 25, chapter 20, M.R.Civ.P., Rule 43(d); Title 26, chapter 10, M.R.Ev., Rule 603
Answer required, 26-2-302, See also **Examination**

WITNESSES (Continued)

Arrest of witness
  affidavit to claim exoneration and liability of arresting officer, 26-2-404
  criminal proceedings
    depositions, to take, 46-11-601, 46-15-201
    exemption when, 46-15-112, 46-15-120
  discharge, 26-2-404, 26-2-405
  disobedient witness, 26-2-106, 26-2-107
  exoneration from, 26-2-402, 26-2-403, 46-15-112, 46-15-120
  legislative witness, 5-5-104
  void when, 26-2-403
Attendance, 26-2-301
  accused's right to compel, Const., II, 24
  administrative proceedings, agencies conducting — power to compel, 2-4-104
  arrest to secure, 5-5-104, 26-2-106, 26-2-107, 46-11-601, 46-15-112, 46-15-113
  attorney general, power to compel, 26-2-508
  cities and towns, power to compel, 7-1-4124
  city commission, power to compel, 7-3-4365
  city councils, power to compel, 7-3-4260
  city manager, power to compel, 7-3-4366
  civil service board, power to compel, 7-3-4414
  commerce, department of — power to compel, 30-14-114, 30-14-221, 31-1-211, 32-5-404, 32-7-123
  conservation district board of adjustment chairman, power to compel, 76-15-722
  corrections, department of — power to compel, 53-1-406
  county attorney, power to compel, 13-37-125, 26-2-508
  county auditor, power to compel, 7-6-2408
  county commissioners, board of — power to compel, 7-2-2242, 7-5-2127, 7-5-2128
  court's power to compel, 3-1-111, 15-31-505, 37-4-324, 40-5-212, 50-71-303
  criminal proceedings, 3-5-505, 3-5-510, 3-5-511, 46-11-601, See also **Criminal proceedings, in**
  dentistry, board of — power to compel, 37-4-324
  environmental quality council, power to compel, 75-1-312
  environmental quality, department of, 75-2-111, 75-2-401, 75-10-707, 82-4-232, 82-4-422
  hearsay, admissibility based on, Title 26, chapter 10, M.R.Ev., Rule 804
  housing authorities, municipal — power to compel, 7-15-4458
  inheritance tax appraiser, power to compel, 72-16-412
  insurance, commissioner of — power to compel, 33-1-315, 33-1-704
  insurers, liquidator's power to compel, 33-2-1345
  judge or justice, power to compel, 3-1-402
  justice, department of — power to compel, 44-1-802, 61-4-203, 61-4-206
  labor and industry, commissioner of or his deputy — power to compel, 39-1-103, 39-3-210
  labor and industry, department of — power to compel, 39-51-301, 50-71-106
  labor appeals, board of — power to compel, 39-51-301
  legislative council, power to compel, 5-11-107
  legislature, power to compel, 5-5-104
  livestock, department of — power to compel, 81-1-102, 81-2-102, 81-2-506, 81-9-305
  masters, power to compel, Title 25, chapter 20, M.R.Civ.P., Rule 53(d)
  passenger tramway safety, board of — power to compel, 23-2-721
  police commission, power to compel, 7-32-4159
  political practices, commissioner of — power to compel, 13-37-111
  professions and occupations, board authority to compel, 37-1-307
  public health and human services, department of, 40-5-202, 50-6-314, 50-70-110, 50-70-116
  public service commission, power to compel, 69-3-326, 69-12-204, 69-13-203
  realty regulation, board of — power to compel, 76-4-1207
  revenue, department of — power to compel, 15-31-504
  securities commissioner, power to compel, 30-10-304
  state tax appeal board, power to compel, 15-2-201

WITNESSES (Continued)
Attendance (Continued)

- transportation, department of — power to compel, 67-2-502
- subpoena to secure, See **SUBPOENAS**
- workers' compensation judge, power to compel, 39-71-2901
- zoning boards of adjustment, chairmen — power to compel, 76-2-221, 76-2-321

Authentication or identification of evidence, Title 26, chapter 10, M.R.Ev., Rules 901, 903
Bias or prejudice, 26-1-302; Title 26, chapter 10, M.R.Ev., Rules 408, 411
Character evidence, Title 26, chapter 10, M.R.Ev., Rule 404
- degradation by answer not required, 26-2-302
- opinion and reputation, Title 26, chapter 10, M.R.Ev., Rule 608
- truthfulness presumed, how controverted, 26-1-302; Title 26, chapter 10, M.R.Ev., Rule 608

City courts, specific provision, Title 25, chapter 24, M.U.R.J.C.C., Rule 9
Compensation, See **Fees**
Competence, Title 26, chapter 10, M.R.Ev., Rule 601
- criminal proceedings, 46-16-211, 46-16-212
- depositions, effect of objections to competency, Title 25, chapter 20, M.R.Civ.P., Rule 32(d)
- expert witnesses, Title 26, chapter 10, M.R.Ev., Rule 702
- hearsay declarant, Title 26, chapter 10, M.R.Ev., Rule 804
- personal knowledge, Title 26, chapter 10, M.R.Ev., Rule 602
- preliminary questions, Title 26, chapter 10, M.R.Ev., Rule 104
- wills, who may witness, 72-2-525

Concealed witness, 1-5-302, 26-2-103
Confidential relationships and communications, See **EVIDENCE**, **Privileges**
Confrontation, Const., II, 24; Title 26, chapter 10, M.R.Ev., Rule 611
- criminal proceedings
  - arraignment, rights of defendant — advisement, 46-12-210
  - depositions, at, 46-15-202; Const., II, 23
  - preliminary examination, 46-10-202
- guardianship proceedings, 72-5-315
- highway patrol officers, in disciplinary proceedings, 44-1-803
- mentally ill persons, commitment, 53-21-115
- youth aftercare violation hearings, 52-5-129
- youth court proceedings, 41-5-513

Contempt
- acts or omissions which constitute, See **CONTEMPT**, **Acts or omissions which constitute**
- criminal contempt, 45-7-309
- criminal proceedings, sanctions, 46-15-329
- hearings for, 3-1-518

Contradictory evidence, See **Inconsistent statements**
Coroner's inquest, before, 26-2-503, 46-4-112, 46-4-201, 46-4-203, 46-4-206
Court, powers
- admissibility, writings to refresh memory, Title 26, chapter 10, M.R.Ev., Rule 612
- calling of witnesses, Title 26, chapter 10, M.R.Ev., Rule 614
- credibility of witness, judge in absence of jury, 26-1-302
- examination of witnesses
  - by court, Title 26, chapter 10, M.R.Ev., Rule 614
  - control, Title 26, chapter 10, M.R.Ev., Rule 611
- exclusion of witnesses, Title 26, chapter 10, M.R.Ev., Rule 615
- expert testimony, disclosure of underlying facts or data, Title 26, chapter 10, M.R.Ev., Rule 705

Credibility
- attack, Title 26, chapter 10, M.R.Ev., Rules 607, 608
- character evidence on, Title 26, chapter 10, M.R.Ev., Rule 608
- court may judge when, 26-1-302; Title 25, chapter 20, M.R.Civ.P., Rule 52(a)
- criminal conviction, effect, Title 26, chapter 10, M.R.Ev., Rule 609
- cross-examination, Title 26, chapter 10, M.R.Ev., Rules 608, 611
- false testimony, 26-1-302, 26-1-303

WITNESSES (Continued)
Credibility (Continued)

- jury exclusive judge, 26-1-302
  - instructions to the jury, 26-1-303
- oil and gas conservation, board of — adjudication of decisions by, 82-11-144
- presumption, 26-1-302, 26-1-601
- relevant evidence, Title 26, chapter 10, M.R.Ev., Rule 401
- religious beliefs or opinions, effect, Title 26, chapter 10, M.R.Ev., Rule 610

Crime victims and witnesses — treatment, protection, and services, See **CRIME VICTIMS AND WITNESSES**
Criminal proceedings, in, 46-1-202; Const., II, 23

- accused's right to compel attendance, Const., II, 24
- arrest to secure attendance, 46-11-601, 46-15-112, 46-15-113
- bail to secure attendance, 46-11-601, 46-15-113; Const., II, 23
- charge, place of filing — objections waived when, 46-3-111
- codefendant as witness, 46-11-405
- competence, 46-16-211, 46-16-212
- complaint for arrest of defendant, examination of witness, 46-6-201
- death penalty, witnesses to, 7-4-2911, 46-19-103
  - pregnancy of defendant, inquiry, 46-19-203
- defendant
  - identification, 46-15-323
  - unable to pay, 46-15-115
- depositions, 46-11-601, 46-15-201; Const., II, 23
- detention to secure testimony, 7-32-2203, 46-11-601, 46-15-201; Const., II, 23
- discovery of, 46-15-322, 46-15-323, 46-15-325
- exclusion, 3-1-313, 46-15-329
- expert testimony, 46-11-315, 46-11-319, 46-15-116
- failure to call, 46-15-325
- fees, costs, and expenses, 3-5-901, 3-5-903, 46-15-116
  - advance payment, 46-15-107
  - courts not of record, 26-2-503
  - courts of record, 26-2-501
  - defendant unable to pay, 46-15-115
  - grand jury, before, 46-11-313, 46-11-319, 46-15-116
  - record, 3-5-505, 3-5-510
  - witness warrants, 3-5-510, 3-5-511
- former prosecutions, bar to prosecution, 46-11-503
- grand jury, 46-1-202, 46-11-304, 46-11-308, 46-11-313 — 46-11-316, 46-11-319, 46-15-112, 46-15-113, 46-15-116, 46-15-120
- immunity of witness, 46-15-331
- indictment or information, names of witnesses included on, 46-11-401
- investigative subpoena, See **SUBPOENAS**
- list of witnesses, 46-15-322, 46-15-323, 46-15-325, 46-15-326
- material witness, recognizance by or deposition of, 46-11-601
- mental disease or defect of defendant, testimony by psychiatrists or psychologists, 46-14-213
- out-of-state testimony by in-state witnesses, 46-15-112
- out-of-state witnesses, 46-15-113, 46-15-120
- preliminary examination, at, 46-10-202, 46-10-204
- prisoner, when witness is, 46-15-105
- record of attendance, 3-5-505, 3-5-510, 3-5-511
- release of defendant, conditions to include avoiding contact with potential witness, 46-9-108
- sanctions, 46-15-329
- self-incrimination, 46-12-210, 46-15-331; Const., II, 25
- sentence
  - deferred or suspended, revocation hearing, 46-18-203
  - exceptions, hearing, 46-18-223

WITNESSES (Continued)
Criminal proceedings, in (Continued)

- spouses, competency, 46-16-212
- state's witness, 46-11-405

Cross-examination, 26-1-101, See also **Examination**

- administrative procedure, contested cases, 2-4-612
- banks and trust companies, protesting banks to new bank authorization, 32-1-204
- character evidence, Title 26, chapter 10, M.R.Ev., Rules 405, 608
- child custody hearings, waiver not allowed when, 40-4-215
- court, witnesses called by, Title 26, chapter 10, M.R.Ev., Rule 614
- criminal proceedings
  - depositions, at, 46-15-202
  - mental disease or defect of defendant, expert testimony, 46-14-213, 46-14-221
  - preliminary examination, 46-10-202
  - sentencing
    - exceptions hearing, 46-18-223
    - revocation hearing, 46-18-203
- depositions, on, 1-1-202, 46-15-202; Title 25, chapter 20, M.R.Civ.P., Rules 27(a), 30(c)
- developmental disabilities, persons with — commitment to residential facility, hearing, 53-20-112
- expert witness, facts or data underlying testimony, 46-14-213, 46-14-221; Title 26, chapter 10, M.R.Ev., Rules 705, 803
- guardianship proceedings, 72-5-315
- hearsay
  - declarant, credibility, Title 26, chapter 10, M.R.Ev., Rule 806
  - exceptions, Title 26, chapter 10, M.R.Ev., Rules 801, 803, 804
- highway patrol officers, disciplinary proceedings, 44-1-803
- insurers, holding company systems — discovery proceedings, 33-2-1105
- leading questions, 26-1-101; Title 26, chapter 10, M.R.Ev., Rule 611
- mentally ill persons, commitment, 53-21-115
- partial introduction of evidence, effect, Title 26, chapter 10, M.R.Ev., Rule 106
- preliminary examination, at, 46-10-202
- preliminary testimony of accused, not subject to, Title 26, chapter 10, M.R.Ev., Rule 104
- scope, Title 26, chapter 10, M.R.Ev., Rule 611
- sentencing exceptions, hearings, 46-18-223
- workers' compensation subsequent injury benefits disputes, 39-71-910
- writings to refresh memory of witness, on, Title 26, chapter 10, M.R.Ev., Rule 612
- youth aftercare violation hearings, 52-5-129
- youth court proceedings, 41-5-513, 41-5-522

Deaf persons as, interpreters for, 49-4-503
Death

- deposition, use, Title 25, chapter 20, M.R.Civ.P., Rule 32(a)
- hearsay declarant, Title 26, chapter 10, M.R.Ev., Rule 804

Death penalty, witnesses to, 7-4-2911, 46-19-103

- pregnancy of defendant, inquiry, 46-19-203

Definitions, 1-1-202, 1-1-203, 26-1-101, 45-2-101, 46-1-202
Depositions, See **CIVIL PROCEDURE**; **CRIMINAL PROCEDURE**
Detaining

- contempt, as, 3-1-501
- harassment, as, 26-2-401

Direct examination, 26-1-101; Title 26, chapter 10, M.R.Ev., Rules 611, 804, See **Examination**
Discovery, 46-15-322, 46-15-323, 46-15-325; Title 25, chapter 20, M.R.Civ.P., Rule 26(d)
Disobedience, 26-2-104, See also **SUBPOENAS, Disobedience**

- administrative proceedings, 2-4-104
- arrest, See **Arrest of witness**
- contempt, as, See **CONTEMPT**, **Acts or omissions which constitute**, witnesses
- county commissioners, board of — proceedings before, 7-5-2127
- criminal proceedings, out-of-state witnesses for, 46-15-113

WITNESSES (Continued)
Disobedience (Continued)

- dentistry, board of — investigations, 37-4-324
- environmental quality council hearings, 75-1-312
- hazardous waste violation hearings or investigations, 75-10-413
- hearsay declarant, Title 26, chapter 10, M.R.Ev., Rule 804
- inheritance tax proceedings, 72-16-204
- labor and industry, department of — safety hearings, 50-71-303
- legislative council proceedings, 5-11-107
- legislative proceedings, 5-5-103
- metal mines license tax hearings, 15-37-109
- oil and gas conservation and regulation hearings and investigations, 82-11-142
- paternity proceedings, 40-6-111
- retail installment sales investigations, 31-1-211
- revenue, department of — investigative proceedings, 15-1-302
- securities investigations, 30-10-304
- state tax appeal board proceedings, 15-2-201
- tax assessment information, taxpayer's failure to testify, 15-8-309
- unfair trade practices investigations, 30-14-221
- utility hearings, 69-3-327
- workers' compensation proceedings, 39-71-304

Disqualification, Title 26, chapter 10, M.R.Ev., Rule 601
Examination, See also **Cross-examination**
- affidavit to obtain, 26-1-1002
- answer required, 26-2-302
- court
  - by, Title 26, chapter 10, M.R.Ev., Rule 614
  - control of, Title 26, chapter 10, M.R.Ev., Rule 611
- direct examination, 26-1-101; Title 26, chapter 10, M.R.Ev., Rules 611, 804
- expert witnesses, See **Expert testimony**
- leading questions, 26-1-101; Title 26, chapter 10, M.R.Ev., Rule 611
- oral examination, 1-1-202
- preliminary examination, at, 46-10-202
- prior statements, Title 26, chapter 10, M.R.Ev., Rules 613, 801
- privacy when, 3-1-313; Title 26, chapter 10, M.R.Ev., Rule 615
- recall or reexamination, Title 26, chapter 10, M.R.Ev., Rule 611
- scope, 26-2-401
- writings to refresh memory, Title 26, chapter 10, M.R.Ev., Rules 612, 803

Exclusion from proceedings
- court's discretion, 3-1-313
- party's request, Title 26, chapter 10, M.R.Ev., Rule 615
- preliminary examination, 46-10-202

Expert testimony, Title 26, chapter 10, M.R.Ev., Rule 702
- authentication of evidence by comparison, Title 26, chapter 10, M.R.Ev., Rule 901
- criminal proceedings, 46-11-315, 46-11-319, 46-15-116
- disclosure of underlying facts or data, Title 26, chapter 10, M.R.Ev., Rule 705
- discovery, 46-15-322, 46-15-323; Title 25, chapter 20, M.R.Civ.P., Rule 26(b)
- fees, 26-2-505, 46-11-319, 46-15-116, 69-4-1104, 70-30-306, 82-4-252; Title 25, chapter 20, M.R.Civ.P., Rule 26(b)
- hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 803
- identification for trial, Title 25, chapter 20, M.R.Civ.P., Rule 26(e)
- interpreters, applicability of laws, Title 26, chapter 10, M.R.Ev., Rule 604
- mental disease or defect of defendant, on, 46-14-213, 46-14-221
- opinion testimony, Title 26, chapter 10, M.R.Ev., Rules 602, 703
- ultimate issue, opinion on, Title 26, chapter 10, M.R.Ev., Rule 704

False swearing, 45-7-202

WITNESSES (Continued)

Fees
  administrative proceedings, 2-4-104
  advance payment, 7-2-2242, 26-2-507, 46-15-107; Title 25, chapter 20, M.R.Civ.P., Rule 45(c)
    exception, 7-5-2128, 26-2-508, 26-2-510
  arbitration hearings, 27-5-215
  attorneys at law, disbarment or suspension proceedings, 37-61-308
  child custody proceedings, 40-7-108, 40-7-109, 40-7-116
  coroner's inquests, 26-2-503
  costs, as, 25-10-201, 25-10-205, 26-2-506, 26-2-507, 41-5-207
  county auditor's investigations, 7-6-2408
  county commissioners, board of — attendance before, 7-2-2242, 7-5-2128
  courts not of record, in, 26-2-502, 26-2-503
  courts of record, in and before certain court officers, 26-2-501
  criminal proceedings, 3-5-901, 3-5-903, 46-15-107, 46-15-116
    courts not of record, 26-2-503
    courts of record, 26-2-501
    defendant unable to pay, 46-15-115
    grand jury, before, 46-11-313, 46-11-319, 46-15-116
    record, 3-5-505, 3-5-510
    witness warrants, 3-5-510, 3-5-511
  dentistry, board of — hearings, 37-4-325
  expert witnesses, 26-2-505, 46-11-319, 46-15-116, 69-4-1104, 70-30-306, 82-4-252; Title 25, chapter 20, M.R.Civ.P., Rule 26(b)
  grazing district investigations, 76-16-105
  hail insurance, disputed appraisals, 80-2-243
  hazardous or deleterious substances, remedial action upon release — information gathering, 75-10-707
  inheritance tax determinations, 72-16-205, 72-16-413
  insurance examinations, investigations, or hearings, 33-1-315
  insurers, liquidation claims — priority, 33-2-1371
  interpreters paid as witnesses, 26-2-504; Title 25, chapter 20, M.R.Civ.P., Rule 43(f)
  investigative subpoena, 46-4-306
  labor and industry, department of — authority, 50-71-106
  medical examiners, board of — hearings, 37-3-327
  mentally ill persons
    commitment hearings, 53-21-128
    extension of conditions for release, hearings, 53-21-198
  mileage, allowance and computation, 2-18-503, 2-18-504
  military courts, 10-1-406
  oil and gas conservation and regulation hearings and investigations, 82-11-142
  public employees, 2-18-619
  railroad investigations, 69-14-113
  revenue, department of — investigative proceedings, 15-1-302, 72-16-205
  statement to board of county commissioners, 3-5-512
  state tax appeal board proceedings, 15-2-201
  state or county, witnesses on behalf of, 26-2-508 — 26-2-510
  tuberculosis, court proceedings for treatment or examination, 50-17-114
  unemployment insurance benefits appeals, 39-51-2409
  utility hearings, 69-3-326
  witness warrants, 3-5-510, 3-5-511, 26-2-509, 26-2-510
  youth court costs, 41-5-207
Former testimony, See also **Inconsistent statements**
  examination concerning, Title 26, chapter 10, M.R.Ev., Rule 613
  hearsay declarant or exceptions, Title 26, chapter 10, M.R.Ev., Rules 801, 804
Harassment, protection from, 26-2-401; Title 26, chapter 10, M.R.Ev., Rule 611
Hearsay declarants, Title 26, chapter 10, M.R.Ev., Rules 803, 804, 806

WITNESSES (Continued)

Hostile witnesses, Title 26, chapter 10, M.R.Ev., Rule 611
Illness
    depositions
        signing, Title 25, chapter 20, M.R.Civ.P., Rule 30(e)
        use due to, Title 25, chapter 20, M.R.Civ.P., Rule 32(a)
    hearsay declarant, Title 26, chapter 10, M.R.Ev., Rule 804
Immunity when, See also **Self-incrimination**
    chiropractic malpractice review panel, 27-12-106
    criminal proceedings, 46-15-331
    election contests, 13-36-208
    execution, in proceedings in aid of, 25-14-106
    insurance examinations, investigations, or hearings, 33-1-316
    investigative subpoena, 46-4-302, 46-4-305
    legislative testimony, 5-5-105
    medical malpractice review panel, 27-6-106
    paternity proceedings, 40-6-111
    securities investigations, 30-10-304
    unfair trade practices investigations, 30-14-221
    utility hearings, 69-3-329
Impeachment of witness, Title 25, chapter 20, M.R.Civ.P., Rule 32(a); Title 26, chapter 10, M.R.Ev., Rules 607, 608, 609
Inconsistent statements
    extrinsic evidence, admissibility, Title 26, chapter 10, M.R.Ev., Rule 613
    hearsay declarant, Title 26, chapter 10, M.R.Ev., Rules 801, 806
    instructions to jury, 26-1-403
    truthfulness of witness, presumption repelled by, 26-1-302
Informant as
    criminal proceedings, discovery, 46-15-322, 46-15-324
    tampering with, 45-7-206
    testimony, Title 26, chapter 10, M.R.Ev., Rule 502
Instruments, to, See **INSTRUMENTS**, generally
Interrogation, See **Examination**
Judge as, Title 26, chapter 10, M.R.Ev., Rule 605; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
Jurors
    as witnesses, Title 25, chapter 20, M.R.Civ.P., Rule 47(a); Title 26, chapter 10, M.R.Ev., Rule 606
        witness to previous action, ground for challenge as juror, 25-7-223
    ballots for jurors, witnesses to drawing of, 25-7-202, 25-7-206
Justices' courts, specific provisions, Title 25, chapter 24, M.U.R.J.C.C., Rule 9
    arrest, prejudgment, 27-16-1003
    docket, contents, 3-10-501
    interpleader actions, 25-31-119
    small claims court, 25-35-602, 25-35-702
Justices of the peace as, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
Legislature, before, 5-5-101 — 5-5-105, 5-5-201
Masters, before, Title 25, chapter 20, M.R.Civ.P., Rules 53(c), 53(d)
Media Confidentiality Act, 26-1-901 — 26-1-903
Mileage, See **Fees**, generally
Military court, before, 10-1-406
Oaths, Title 26, chapter 10, M.R.Ev., Rule 603
    investigative subpoenas, 46-4-304
    variation to accommodate witness' belief, 1-6-103
Objections, Title 26, chapter 10, M.R.Ev., Rules 605, 606, 614
Opinion testimony
    character evidence, Title 26, chapter 10, M.R.Ev., Rules 405, 608
    expert witnesses, Title 26, chapter 10, M.R.Ev., Rules 602, 703, 705

WITNESSES (Continued)
Opinion testimony (Continued)

- habit or routine practice, Title 26, chapter 10, M.R.Ev., Rule 406
- handwriting or voice identification, Title 26, chapter 10, M.R.Ev., Rule 901
- lay witness, Title 26, chapter 10, M.R.Ev., Rule 701
- religious opinion of witness, Title 26, chapter 10, M.R.Ev., Rule 610
- ultimate issue, on, Title 26, chapter 10, M.R.Ev., Rule 704

"Oral examination" defined, 1-1-202, See **Examination**
Out-of-state witnesses, See **Criminal proceedings, in**
Perjury, 45-7-201
- election contests, testimony, 13-36-208
- insurance examinations, investigations, or hearings, 33-1-315
- investigative subpoenas, 46-4-304
- legislature, witnesses before, 5-5-105
- municipal commission-manager government, testimony before commission, 7-3-4365
- number of witnesses sufficient to prove a fact, 26-1-301
- paternity proceedings, 40-6-111
- revenue, department of — false testimony to, 15-1-302, 72-16-206
- state tax appeal board, false testimony to, 15-2-201
- unemployment insurance proceedings, 39-51-3101
- utility hearings, 69-3-329

Personal knowledge of matter, Title 26, chapter 10, M.R.Ev., Rule 602
Postponement of trial, depositions, 25-4-504
Prejudice of, 26-1-302; Title 26, chapter 10, M.R.Ev., Rules 408, 411
Presence in court, requirements to testify, 26-2-303
Pretrial procedure, Title 25, chapter 19, M.U.Dist.Crt.Rule 5; Title 25, chapter 20, M.R.Civ.P., Rule 16(c)
Prisoner, to secure testimony of witness who is
- criminal proceeding, 46-15-105
- deposition, by, 26-2-201 — 26-2-203; Title 25, chapter 20, M.R.Civ.P., Rules 30(a), 31(a), 32(a)
- motion and affidavit, 26-2-202
- order for, 26-2-201
- production of witness, 26-2-203

Privilege, claim of, See **EVIDENCE, Privileges**
Protection, 26-2-401 — 26-2-405, 46-15-112, 46-15-120; Title 26, chapter 10, M.R.Ev., Rule 611, See also **CRIME VICTIMS AND WITNESSES**
Public employees, service as, 2-18-619
Public servant, witness excluded from definition, 45-2-101
Qualifications, See **Competence**
Recall or reexamination, Title 26, chapter 10, M.R.Ev., Rule 611, See also **Examination**
Referees, on objection to, 25-7-703
Refusal to be, 3-1-501; Title 26, chapter 10, M.R.Ev., Rule 501
Refusal to testify, See **Disobedience**; See also **Self-incrimination**
Release of defendant, conditions to include avoiding contact with potential witness, 46-9-108
Religious beliefs or opinions, Title 26, chapter 10, M.R.Ev., Rule 610
Revenue, Department of — investigations, 15-1-302
Self-incrimination, See also **Immunity when**
- answer not required, 26-2-302
- character evidence, effect, Title 26, chapter 10, M.R.Ev., Rule 608
- child support enforcement hearings, 40-5-175
- city commission, testimony before, 7-3-4365
- criminal proceeding, 46-12-210, 46-15-331; Const., II, 25
- election contests, testimony, 13-36-208
- execution, information obtained in proceedings in aid of, 25-14-106
- insurance examinations, investigations, or hearings, 33-1-316
- investigative subpoenas, 46-4-302, 46-4-305
- legislative testimony, 5-5-105
- paternity proceedings, 40-6-111

WITNESSES (Continued)
Self-incrimination (Continued)
    railroad investigations, 69-14-113
    securities investigations, 30-10-304
    unemployment insurance proceedings, 39-51-3101
    unfair trade practices investigations, 30-14-114, 30-14-221
    utility hearings, 69-3-329
Signature or subscription, 1-1-203
Small claims court
    interpleader actions, 25-34-106, 25-35-508
    justice's court, 25-35-602, 25-35-702
Subpoena of, See **SUBPOENAS**
Subscribing witness, 1-1-203, See also **INSTRUMENTS, Proof of execution**
    authentication of writing, testimony not required, Title 26, chapter 10, M.R.Ev., Rule 903
    instruments, proof of execution, 1-5-301 — 1-5-303, 70-21-203, 72-26-801
    notarial acts, Title 1, chapter 5, part 6, See **NOTARIES PUBLIC**
    redemptioner, affidavit of attachment, 25-13-807
Tampering with, 45-7-206
Testimony of and to testify, 1-1-202
Threat, 45-2-101
Transportation, free or reduced rates when, 69-11-208, 69-14-113
Travel expenses, See **Fees**, generally
Treason, number to convict, 26-1-301, 46-16-202; Const., II, 30
Truthfulness, See **Credibility**
Venue, change to accommodate, 25-2-201
Writings and recordings, authentication, Title 26, chapter 10, M.R.Ev., Rule 1005

WOMEN'S CORRECTIONAL SYSTEM
    See **CORRECTIONAL FACILITIES**

WOOD AND WOOD PRODUCTS
    See **FORESTS AND FORESTRY**

WORKERS' COMPENSATION
Accidents, 39-71-119
    further accident to one receiving benefits, 39-71-907, See also **Subsequent injury when vocationally handicapped**
    notice, 39-71-307, 39-71-603, 39-71-908, 50-71-325
    reports, 39-71-307
        failure to file, 39-71-307, 50-71-325
        subsequent injury, 39-71-908
        time, 39-71-603
Actions
    attorney's fees, 39-71-414, 39-71-515, 39-71-611 — 39-71-614, 39-71-1032, 39-71-2914
    benefits, disputes, See **Disputes**
    employer, nonliability, 39-71-411
    evidence, collection of penalty assessment for failure to produce, 39-71-304, 39-72-402
    false claims, collection of money owed, 39-71-316
    fellow employee
        damages from, 39-71-413, 39-71-414, 39-71-511, 39-71-519
        liability, 39-71-413, 39-72-402
    inspection of records, collection of penalty for refusal, 39-71-304
    investigation and prosecution services, 2-15-2015, 39-71-206, 39-71-211, 39-71-316
    plan no. 3, collection of premiums in default, 39-71-2340
    premiums, collection when default, 39-71-2340
    public corporation payroll reports, collection of penalty for failure to file, 39-71-308
    safety consultation services, insurers' negligence or malice — damages, 39-71-1508

WORKERS' COMPENSATION (Continued)
Actions (Continued)

- self-insurers guaranty fund
  - delinquent assessments, collection by board of directors, 39-71-2615
  - party in interest, 39-71-2611
  - recovery of compensation paid and liability assumed, 39-71-2616
- signing of petitions, pleadings, motions, and other papers, 39-71-2914
- state fund, power to sue and be sued, 39-71-2316
- subrogation of insurer, 39-71-414
- third party
  - damages from, 39-71-412, 39-71-414, 39-71-511, 39-71-519
  - liability, 39-71-412, 39-72-402
- uninsured or underinsured employer
  - cease operation order, enforcement, 39-71-507, 39-71-532
  - damages from, 39-71-508, 39-71-509, 39-71-515
  - independent cause of action by employee, 39-71-515
  - liability, 39-71-508
  - penalty assessments, collection, 39-71-506, 39-71-532, 39-71-533

Actuarial services, 39-71-116, 39-71-2330, 39-71-2361, 39-71-2363
Adjusters, failure to file accident reports, 39-71-307
Administration, 39-71-2315, 39-71-2316, 39-71-2351, 39-71-2503; Title 39, chapter 71, part 2
Aid and sustenance, coverage of employment for, 39-71-401
Air search and rescue volunteers, coverage, 39-71-118, 67-2-105
Aliens, 39-71-118, 39-71-724
Amount of benefits, See **Benefits**
Appeals
- benefits, See **Disputes**
- calendar precedence, 39-51-2410; Title 25, chapter 21, M.R.App.P., Rule 39
- decisions of department, 39-71-204
- independent contractor status, 39-71-401, 39-71-415
- occupational disease reports inadmissible, 50-70-107
- orders of department, 39-71-2401
- self-insurers guaranty fund, party in interest, 39-71-2611
- statute of limitations, 39-71-520
- vocational rehabilitation, 39-71-1003, 39-71-1032
- workers' compensation judge, from, 39-71-2904

Applicability of laws
- canadian employers and workers, 39-71-428
- compensation provisions, 39-71-102, 39-71-103
- confidential records, disclosure, 39-71-224
- construction of laws, 39-71-105
- coverage, 39-71-401, 39-71-411
- deafness, occupational, 39-71-801, 39-71-803
- disability insurance laws, 33-22-101
- employer's election of plan, 39-71-401, 39-71-411
- exclusive remedy, 39-71-411
- exemptions from coverage, 39-71-401
- federal laws, 39-71-401
- judge, 39-71-2901, 39-71-2903 — 39-71-2905
- mineral and oil industry wage agreements, 39-3-519
- Montana insurance code, nonapplicability, 33-1-102
- occupational disease, See **OCCUPATIONAL DISEASE, Workers' compensation**
- out-of-state applicability, 39-71-118, 39-71-402
- plan nos. 1, 2, 3 — references to, 39-71-102, 39-71-103, 39-71-2363
- subsequent injury, 39-71-903, 39-72-402
- territorial extent, 39-71-402
- uninsured employers, 39-71-505

WORKERS' COMPENSATION (Continued)
Applicability of laws (Continued)

- vocational rehabilitation, 39-71-1003

Assessments
- administrative costs, 39-71-201
- industrial accident rehabilitation account, 39-71-1004
- judge, jurisdiction, 39-71-2905
- penalty
  - accident reports, failure to file, 39-71-307
  - plan no. 2, 39-71-2205
  - plan no. 3, 39-71-2337
  - underinsured employer, 39-71-532
  - uninsured employers, 39-71-504, 39-71-506
  - wage reports of public corporations, failure to file, 39-71-308
- premiums collected as base for, 39-71-435
- self-insurers guaranty fund, 39-71-2602, 39-71-2615
- subsequent injury fund, 39-71-504, 39-71-902

Assigned risk plan, 33-2-119, 39-71-431, 39-71-2314

Assignment
- benefits, prohibited when, 39-71-743
- uninsured employers' fund, funds to employee, 39-71-504

Attachment of benefits prohibited when, 39-71-743, 71-3-1118

Attorneys, fees and signatures, 39-71-414, 39-71-515, 39-71-611 — 39-71-614, 39-71-1032, 39-71-2914

Audits, 39-71-116, 39-71-2361, 39-71-2503

Bankruptcy
- benefits exempt from, 31-2-106
- employer, of — effect, 39-71-408, 39-71-411, See also **Self-insurers guaranty fund**

Barbers, coverage exclusion when, 39-71-401

Benefits
- adjustment, 39-71-739, 39-71-2905, 39-71-2907
- assignment prohibited when, 39-71-743
- attachment prohibited when, 39-71-743, 71-3-1118
- "average weekly wage" defined, 39-71-116
- bankruptcy exemption, 31-2-106
- calendar precedence, 39-51-2410
- change in degree of injury, 39-71-739
- child support, 39-71-743, 40-5-242
- claims
  - arbitration laws, nonapplicability, 27-5-114
  - cost control, 39-71-1502
  - death certificate to accompany, 39-71-604
  - denial, 39-71-606, 39-71-609, 39-71-611
  - expenditure codes, review and modification, 39-71-226
  - filing, 39-71-316, 39-71-317, 39-71-604
  - insurers to act promptly, 39-71-107
  - medical, payment without proof of liability acceptance, 39-71-615
  - mental stress, noncompensability, 39-71-105
  - notice of decision, 39-71-606, 39-71-608, 39-71-609
  - notice of injuries required, 39-71-603
  - occupational disease, applicability of laws, 39-72-204
  - physician's examination, 39-71-605, 39-71-607
  - statutes of limitations, 39-71-601, 39-71-602
  - termination of worker for filing not allowed, 39-71-317
  - true claim, filing, 39-71-316
  - who may file, 39-71-604
- commencement of payments, 39-71-736
- compromise and release settlements, 39-71-741

WORKERS' COMPENSATION (Continued)
Benefits (Continued)

- computation, 39-71-302, 39-71-303
- cost-of-living adjustment, 39-71-701, 39-71-702, 39-71-721
- court calendar precedence, 39-51-2410
- "days" defined, 39-71-116
- death benefits, See **Death**
- delay, 39-71-2907
- denial, 39-71-606, 39-71-609, 39-71-611
- disability compensation
  - definitions, 39-71-116, 39-71-703
  - impairment awards, 39-71-710, 39-71-737
  - impairment evaluations, 39-71-605, 39-71-703, 39-71-711
  - incarceration of claimant, benefits not due, 39-71-744
  - maximum healing, 39-71-116, 39-71-701
  - occupational disease, applicability of laws, 39-72-701, 39-72-709
  - permanent partial disability, 39-71-116, 39-71-703, 39-71-741, 39-71-1006
  - permanent total disability, 39-71-702, 39-71-703, 39-71-710, 39-71-741, 39-71-1006
  - preponderance of medical evidence, 39-71-701, 39-71-702
  - rehabilitation benefits, See **Benefits**, rehabilitation
  - retirement, termination upon, 39-71-710
  - subsequent injury, 39-71-703, 39-71-907
  - temporary partial disability, 39-71-116, 39-71-712
  - temporary total disability, 39-71-701, 39-71-703, 39-71-710, 39-71-736, 39-71-1006
  - unemployment insurance, effect on, 39-51-201
  - wage supplements, 39-71-737
- disfigurement, 39-71-708
- disputes, See **Disputes**
- examination by physician or panel of physicians, 39-71-605, 39-71-607
- fellow employee liability, effect, 39-71-413, 39-71-511, 39-71-519
- fraud or deception, obtaining by, 39-71-316, 45-6-301, 53-2-105, 53-2-211, 53-3-111
- garnishment prohibited when, 39-71-743
- hospital expenses, 39-71-704, 39-71-736
  - deductible, 39-71-434
  - separate benefit, 39-71-708, 39-71-710
- impairment awards, 39-71-118, 39-71-710, 39-71-737
- impairment evaluations, 39-71-605, 39-71-703, 39-71-711
- incarceration of claimant, benefits not due, 39-71-744
- liability of insurer, 39-71-407, 39-71-741, 39-71-744, 39-71-907, 39-71-909
- lien for medical, therapy, chiropractic, dentistry, and hospital services, 71-3-1118
- lump-sum payments, 39-71-721, 39-71-741, 39-71-743, 39-71-2356
- managed care, See **Managed care**
- mediation of disputes, See **Mediation of disputes**
- medical examination, 39-71-605, 39-71-607
- medical expenses, 39-71-704, 39-71-710, 39-71-736, 39-71-744
  - community service participants, 39-71-118
  - deductible, 39-71-434
  - fee schedule, 39-71-704
  - lien for services, 71-3-1118
  - report, 39-71-306
  - prescription drugs, payment limitations, 39-71-727
  - separate benefit, 39-71-708, 39-71-710
  - subsequent injury, 39-71-907
- medical treatment required, termination for noncompliance, 39-71-1106
- mental stress claims, noncompensability, 39-71-105
- noneligibility when, 39-71-407

WORKERS' COMPENSATION (Continued)
Benefits (Continued)

- notice
    - acceptance or denial of claim, 39-71-606, 39-71-608
    - charges to employer's account, 39-71-606
    - injuries, 39-71-603
    - reduction or termination, 39-71-609, 39-71-1106
- occupational disease, applicability of laws, 39-72-701, 39-72-709
- overpayments, 39-71-721
- payments
    - adjustment, 39-71-739, 39-71-2907
    - admission of liability, not to be, 39-71-608
    - biweekly, 39-71-740
    - commencement, 39-71-736
    - concurrent when, 39-71-737
    - consecutive, to be — and exceptions, 39-71-737
    - directly from employer, 39-71-2101, 39-71-2103, See also **Plan No. 1**
    - encumbrance prohibited when, 39-71-743
    - failure to pay, 39-71-2108, 39-71-2907
    - intervals, 39-71-740
    - lump-sum payment, 39-71-721, 39-71-741, 39-71-743, 39-71-2356
    - manner of, order, 39-71-2905
    - mentally incompetent persons, to, 39-71-742
    - minors, to, 39-71-742
    - occupational disease, applicability of laws, 39-72-701, 39-72-709
    - overpayments, 39-71-721
    - rehabilitation plan, 39-71-1006
    - representative, to, 39-71-742
    - suspension, 39-71-607
    - third party recovery, reduction, 39-71-416
    - waiver of defense, not to be, 39-71-608
- physicians or panel of, examination, 39-71-605, 39-71-607
- prescription drugs, payment limitations, 39-71-727
- prostheses, expenses, 39-71-704
- public employees' retirement system
    - disability retirement and benefits, effect on, 19-3-1002, 19-3-1007
    - injuries of member, payments — qualification of service for period of absence, 19-3-504
- recreational activity, injury during participation — nonapplicability, 39-71-118
- reduction, 39-71-416, 39-71-609
- refusal, 39-71-2907
- rehabilitation, 39-71-710, 39-71-1006, 39-71-1011
    - auxiliary or partial, 39-71-737, 39-71-1025
    - incarceration of claimant, benefits not due, 39-71-744
    - termination, 39-71-1032
- report by insurer, 39-71-306
- retirement, effect, 39-71-710
- return to work, effect, 39-71-609
- review of award, 39-71-2909
- sick leave benefits, effect, 39-71-736
- social security payments, effect, 39-71-701, 39-71-702, 39-71-710
- statutes of limitations, 39-71-601, 39-71-602
- subsequent injury, 39-71-703, 39-71-907, 39-71-909, 39-71-910, 39-71-913, 39-72-402
- tax exemption, 15-30-111
- teachers' retirement system, injured members — qualification of service for period of absence, 19-20-411
- temporary partial disability, 39-71-116, 39-71-712
- temporary total disability, 39-71-701, 39-71-703, 39-71-710, 39-71-736, 39-71-1006

WORKERS' COMPENSATION (Continued)
Benefits (Continued)

termination of benefits, 39-71-609 — 39-71-611, 39-71-739, 39-71-1032, 39-71-1106
third party liability, effect, 39-71-412, 39-71-416, 39-71-511, 39-71-519
underinsured employers, benefits to employees of, 39-71-532 — 39-71-534, See also **Underinsured employers**
uninsured employers, benefits to employees of, 39-71-502, 39-71-503, 39-71-508, 39-71-510, See also **Uninsured employers**
unreasonable delay or refusal, 39-71-2907
vacation leave benefits, effect, 39-71-736
"wages" defined, 39-71-123
wage supplements, 39-71-737
Board of directors
self-insurers guaranty fund, See **Self-insurers guaranty fund**
state compensation mutual insurance fund, See **Plan No. 3**
Books and records, See **Records**
Business entity, 39-71-432, 39-71-433
Canadian provinces, reciprocal agreements, 39-71-426 — 39-71-428
Casual employment, coverage exclusion, 39-71-116, 39-71-118, 39-71-401, 39-71-405
Certified copies of documents and records, 39-71-205, 39-71-223, 39-71-301
Child support
assignment, attachment, or garnishment of benefits when, 39-71-743
lien, 40-5-242
Chiropractors
impairment evaluations, 37-12-201, 39-71-711
lien for services, subject to, 71-3-1118
managed care providers, 39-71-116
Citation of Workers' Compensation Act, 39-71-101
Claims for benefits, See **Benefits**
Community service participants, coverage, 39-71-117, 39-71-118, 45-9-204
Compensation, See **Benefits**; **Managed care**; **Plan No. 1**; **Plan No. 2**; **Plan No. 3**
Compromises
premiums, when default, 39-71-2340
subrogation of insurer, 39-71-414
underinsured employers, 39-71-533
uninsured employers, penalty assessments, 39-71-506
Confidentiality of records and information, 39-71-224, 39-71-225, 39-71-2410, 39-71-2503, 39-71-2610, 50-16-527
Construction of laws, 39-71-105, 39-71-2602, See also **Applicability of laws**
Construction contracts, successful bidders — failure to pay premiums, 27-1-520
Construction industry, 39-71-116
canadian provinces, reciprocal agreements — exception, 39-71-426
out-of-state employees, eligibility, 39-71-118, 39-71-402
premium rates, filing required, 39-71-2211
Contact lenses, coverage, 39-71-119, 39-71-704
Contractors, See **Independent contractors**
Contracts
attorney's fees, for, 39-71-613
governmental agencies, between, 39-71-402
managed care, 39-71-1103, 39-71-1104
plan no. 3, state fund — power, 39-71-2316
self-insurers guaranty fund, power, 39-71-2610
Copies of documents and records, 39-71-205, 39-71-223, 39-71-301
Corporations
injury to officers, insurer notification required, 39-71-603
old fund liability tax, 39-71-2503 — 39-71-2505
Cosmetologists, coverage exclusion when, 39-71-401

WORKERS' COMPENSATION (Continued)

Counsel for department, 39-71-116, 39-71-206
Counselors, lien for services — subject to, 71-3-1118
Court, See **Judge**
Covered employment, 39-71-401
Crime victims compensation benefits, effect on, 53-9-103, 53-9-125
Criminal charges, See **Violations**
Damages
  employer, nonliability, 39-71-411; Const., II, 16
  fellow employee, from, 39-71-413, 39-71-511, 39-71-519
  insurer's immunity, 39-71-1508
  subrogation of insurer, 39-71-414
  third parties, from, 39-71-412, 39-71-511, 39-71-519
  uninsured employee, remedy, 39-71-508, 39-71-509, 39-71-515
Data base system, required, 39-71-225
Deafness, occupational
  amount of benefits, 39-71-808, 39-71-812
  applicability of laws, 39-71-801, 39-71-803
  definitions, 39-71-802, 39-71-807, 39-71-808
  exposure requirements, 39-71-806, 39-71-810, 39-71-811
  frequencies for which loss compensable, 39-71-804
  liability of employer, 39-71-809
  limitation of benefits, 39-71-812
  percent of loss compensable, 39-71-805
  preexisting deafness, 39-71-809
  prolonged exposure to noise required, 39-71-806
  statute of limitation, 39-71-813
  transfer of employee, 39-71-807
  traumatic loss of hearing distinguished from, 39-71-803
Death
  benefits, 39-71-721
    alien beneficiary, 39-71-724
    apportionment of compensation among beneficiaries, 39-71-723
    beneficiary, 39-71-116
      determination, 39-71-722
      eligibility, commencement, 39-71-721
    burial expense, payment, 39-71-725, 39-71-907
    certificate, filing with claim, 39-71-604
    compensation, 39-71-721
    injury, when death not caused by, 39-71-726
    nonresident beneficiary, 39-71-724
    subsequent injury, 39-71-907
    who may file, 39-71-604
  deafness, occupational — statute of limitation, 39-71-813
  exemptions from coverage, 39-71-401, 39-71-407
  injury, applicability, 39-71-119, 39-71-726
  occupational disease as cause, payment of expenses, 39-72-605, 39-72-608
  safety consultation service, during — liability, 39-71-1508
  subsequent injury fund assessment, 39-71-504, 39-71-902
  third party recovery, benefit reductions, 39-71-416
  uninsured employers, penalty assessments, 39-71-504
Definitions, generally, 39-71-116
Denial of benefits, 39-71-606, 39-71-609, 39-71-611
Dentists
  lien for services, subject to, 71-3-1118
  managed care providers, 39-71-116

WORKERS' COMPENSATION (Continued)

Dentures, coverage, 39-71-119, 39-71-704
Disability, 39-71-116
    benefits, See **Benefits**
    firefighter injured in performance of duty, partial salary payment, 7-33-4133
    insurance law inapplicable, 33-22-101
    maximum healing, 39-71-116, 39-71-701
    medically determined physical restriction, 39-71-116
Disaster and emergency services personnel, liability — effect, 10-3-111
Disputes
    appeals, 39-71-204, 39-71-415
    benefits, regarding
        attorney's fees, 39-71-611 — 39-71-614, 39-71-1032
        costs, 39-71-611, 39-71-612
        occupational disease reports inadmissible, 50-70-107
        order for payment prior to hearing, 39-71-610
        physical condition of claimant, 39-71-605
        reimbursement of benefits, 39-71-610
        uninsured employers' appeals, statute of limitation, 39-71-520
    compromise and release settlements, 39-71-741
    impairment ratings, 39-71-711
    independent contractor status, 39-71-415
    jurisdiction, 39-71-204, 39-71-741, 39-71-2401
    labor appeals, board of — function, 39-51-310
    lump-sum payments, conversion to, 39-71-741
    managed care medical services, resolution, 39-71-1105
    mediation, See **Mediation of disputes**
    rehabilitation plan, injured worker returning to job, 39-71-1006
    settlement requirements prior to mediation, 39-71-2401
    subsequent injury benefit liability, 39-71-909, 39-71-910
Domestic employment, coverage exclusion, 39-71-118, 39-71-401
Domiciliary care, requirements, 39-71-1107
Drug offenses, community service as sentencing alternative — liability for defendant's injuries, 45-9-204
Drugs, prescription — payment limitations, 39-71-727
Election of
    compensation plan, 39-71-401, 39-71-403, 39-71-2101, 39-71-2201, 39-71-2336
    coverage, 39-71-118, 39-71-401
Emergency hazardous material incidents, response team members, 10-3-1207
Employee, 39-71-118, 39-71-120
    community service participants, 39-71-117, 39-71-118, 45-9-204
    compensation plan of employer binding on, 39-71-409
    coverage not applicable when, 39-71-407
    deduction from wages prohibited, 39-71-406
    injuries, liability of insurers, 39-71-407
    preference to injured worker when, 39-71-317
    private corporation officers, election of noncoverage, 39-71-401
    rehabilitation of disabled workers, See **Vocational rehabilitation of disabled workers**
    temporary worker, 39-71-116, 39-71-117
    termination for filing claim not allowed, 39-71-317
    underinsured, See **Underinsured employers**
    uninsured, See **Uninsured employers**
    waiver of rights, invalid, 39-71-409
Employer, 39-71-117
    accident report, filing and penalty for failure to file, 39-71-307
    bankruptcy, effect on liability, 39-71-408
    community service participants, 39-71-117, 39-71-118, 45-9-204

WORKERS' COMPENSATION (Continued)
Employer (Continued)

- compensation plans, See **Managed care**; **Plan No. 1**; **Plan No. 2**; **Plan No. 3**
- contractor as, 39-71-405
- data base system, 39-71-225
- deafness, occupational — liability, 39-71-809
- deductions from employees' wages prohibited, 39-71-406
- insurance classification and review committee, representation on, 33-16-1011
- judgments against, 39-71-506
- liability insurance, optional deductibles, 39-71-435
- misconduct, offense of, 45-7-501
- motor carrier, 39-71-117
- nonliability when insured, 39-2-703, 39-2-704, 39-71-411, 39-71-911; Const., II, 16
- old fund liability tax, 39-71-2501 — 39-71-2505
- posting of provisions, 39-71-401
- preference to injured worker when, 39-71-317
- presumption, rebuttable, 39-71-117, 39-71-118
- procurement, state — removal or suspension from vendor's list when, 18-4-241
- property of, lien, 39-71-506
- safety educational programs and services, 39-71-1507
  - financial incentives, 39-71-421
  - high-loss, criteria for determining, 39-71-2341
  - insurance policies, required for, 33-15-318
  - notification, 39-71-1506
  - records, effect, 39-71-2311
  - required, 39-71-1503, 39-71-1504
- self-insured, 2-15-1019, 39-71-117, 39-71-2103, 39-71-2106
- self-insurers guaranty fund, Title 39, chapter 71, part 26, See **Self-insurers guaranty fund**
- subsequent injury, nonliability, 39-71-911
- temporary service contractor, 39-71-116, 39-71-117
- underinsured, See **Underinsured employers**
- uninsured, See **Uninsured employers**

Evidence
- alien beneficiary, identity, 39-71-724
- certification of department, 39-71-301
- disclosure of records, burden of proof, 39-71-224
- employer, presumption and rebuttal, 39-71-117, 39-71-118
- foreign law, 39-71-402
- hearings before department, nonapplicability of rules of evidence, 39-71-318
- mediation proceedings, 39-71-2401, 39-71-2406, 39-71-2411
- mediator's report, nonadmissibility, 39-71-2410
- physical examination of claimant, 39-71-605
- plan no. 1, direct payment by employer — solvency and financial ability to pay liabilities, 39-71-2106
- refusal to produce records, 39-71-304
- subsequent injury benefits disputes, 39-71-910
- uninsured employers, prima facie liability, 39-71-515
- workers' compensation judge, inapplicability of rules of evidence, 39-71-2903

Examination of employee by physician or panel of physicians, 39-71-605, 39-71-607
- reimbursement of employee's travel expenses, 39-71-704

Exclusive remedy, 39-71-411
Exempt employment, 39-71-401, 39-71-415
Extent of laws, 39-71-401, 39-71-402
Eyeglasses
- damage to, 39-71-119
- repair or replacement, 39-71-704

Falsification of records or information, employer misconduct, 45-7-501

WORKERS' COMPENSATION (Continued)

Families achieving independence in Montana (FAIM) project, 53-4-603, See also **PUBLIC ASSISTANCE**
Family employment, coverage exclusions, 39-71-401
Federal laws, applicability, 39-71-401
Fees
- accident reports, failure to file, 39-71-307
- attorneys, 39-71-414, 39-71-515, 39-71-611 — 39-71-614, 39-71-1032, 39-71-2914
- authority to charge, 39-71-205, 39-71-223
- benefit payments, liability — effect of acceptance, 39-71-743
- certified copies, 39-71-205, 39-71-223
- employer's payroll tax in addition to, 39-71-2503
- managed care, prescription drug dispensing fee, 39-71-727
- medical expenses, schedule, 39-71-704
- payroll reports, failure to file, 39-71-308
- physical examination of claimant, 39-71-605
- publications, 39-71-205
- self-insurers guaranty fund, 39-71-2615
- uninsured employer, penalty assessment, 39-71-504
- workers' compensation administration fund, deposit to, 39-71-201

Fellow employee, liability, 39-71-413, 39-71-509, 39-71-511, 39-71-519
Fines and disposition, 39-71-401, 39-71-2327
Firefighter injured in performance of duty, partial salary payment, 7-33-4133
Firefighters' Unified Retirement System, benefits included in compensation, 19-2-905
Firefighters, volunteer — coverage, 19-17-501, 39-71-118, 39-71-123
Foreign laws, reciprocity, 39-71-402, 39-71-426 — 39-71-428.
Forms, provision, 39-71-208
Fraud in obtaining benefits, 39-71-316, 45-6-301
- attorney fees, return, 39-71-613
- awards — diminish, review, or increase, 39-71-2902
- eligibility data, availability requirements, 53-2-105, 53-2-211, 53-3-111
- investigation and prosecution, office of
  - establishment, 2-15-2015, 39-71-211
  - expenditure accounting, 39-71-211
  - funding, 39-71-316
  - legal advisers, 39-71-206
- revenue, department of — information from employers' payroll withholding reports, 15-30-303
- stay of proceedings, 39-71-2911
- suspension of professional license when, 37-1-131, 39-71-316
- theft, as, 39-71-301, 39-71-316, 39-71-701, 39-71-702, 39-71-1006

Free-lance correspondents, coverage exclusion, 39-71-401
Funding
- certified copies, deposit of fees, 39-71-205
- claim expenditure codes, review, 39-71-226
- industrial accident rehabilitation account, 39-71-1004
- industrial insurance account, 39-72-310
- investment, 39-71-403
- judge, 39-71-2902
- old fund liability tax, 39-71-2351, 39-71-2354, 39-71-2355, 39-71-2501 — 39-71-2506
- public agencies, establishment of fund under plan no. 1, 39-71-403
- self-insurers guaranty fund, 39-71-2609, 39-71-2615, 39-71-2616
- subsequent injury fund, See **Subsequent injury when vocationally handicapped**
- unfunded liability of state fund, 39-71-2316, 39-71-2321, 39-71-2351, 39-71-2352, 39-71-2354, 39-71-2355, 39-71-2501 — 39-71-2505
- underinsured employers' fund, See **Underinsured employers**
- uninsured employers' fund, See **Uninsured employers**

WORKERS' COMPENSATION (Continued)
Funding (Continued)

  vocational rehabilitation, 39-71-907, 39-71-1004, 39-71-1006
  workers' compensation administration fund, 39-71-201, 39-71-2407, 39-71-2902
Game wardens' retirement benefits, applicability, 19-2-905
Garnishment of benefits prohibited when, 39-71-743
Glasses, coverage, 39-71-119, 39-71-704
Group purchase, 39-71-432
  forms, criteria, and procedures, 39-71-433
  security required, 39-71-2106
Guardian ad litem, appointment for claimant, 39-71-602
Hazardous or deleterious substance, release — remedial action, contractor's liability, 75-10-718
Health care information, disclosure, 39-71-224, 50-16-527
Hearing aids, coverage, 39-71-119, 39-71-704
Hearing loss, See **Deafness, occupational**
Hearings
  benefit disputes
    attorneys' fees, 39-71-612, 39-71-614
    managed care, 39-71-704
    order for payment prior to hearing, 39-71-610
    subsequent injury, 39-71-910
  common law, applicability, 39-71-318, 39-71-2903
  evidence, rules of — applicability, 39-71-318, 39-71-2903
  judge, before, 39-71-2903, 39-71-2905
  plan no. 1, revocation of order or approval for proof of solvency, 39-71-2105
  plan no. 2, penalty assessment — contest, 39-71-2205
  vocational rehabilitation, benefits — termination, 39-71-1032
Highway patrol officers
  injury while on duty, effect on salary benefit, 44-1-511
  retirement benefits, applicability, 19-2-905
Hospitals
  benefits
    deductible, 39-71-434
    expenses, 39-71-704, 39-71-736
    separate benefit, 39-71-708, 39-71-710
  lien for services, 71-3-1118
  medical advisory committees, composition, 39-71-1109
  rates, establishment, 39-71-704
  records or information, confidentiality, 39-71-224, 50-16-527
Impairment awards or evaluations, See **Benefits**
Incarceration of claimant, benefits not due, 39-71-744
Indemnity, See **Benefits**
Independent contractors, 15-30-201, 39-71-120
  covered employment, 39-71-401
  "employee" defined, 39-71-118
  "employer" defined, 39-71-117
  exemption from coverage — application, effective period, or denial, 39-71-401, 39-71-415
  motor carrier drivers, 39-71-117
  status, disputes, 39-71-415
  unemployment insurance coverage exclusions, 39-51-204, 39-51-604
Indians, coverage exclusions, 39-71-401
Industrial insurance program, See **Plan No. 3**
Industrial noise, See **Deafness, occupational**
Injunction, 39-71-507
"Injury" or "injured" defined, 39-71-119
Insolvency of
  employer, effect, 39-71-408, 39-71-411

WORKERS' COMPENSATION (Continued)
Insolvency of (Continued)

- plan no. 1 insurers, See **Self-insurers guaranty fund**
- plan no. 2 insurers, See **INSURANCE GUARANTY ASSOCIATION, CASUALTY AND PROPERTY, Insolvent insurers**

Inspection of records
- confidentiality, 39-71-224
- department records, 39-71-221 — 39-71-224
- employer records, 39-71-304, 39-71-2503

Insurers, 39-71-116, See also **Managed care**; **Plan No. 1**; **Plan No. 2**; **Plan No. 3**; **Underinsured employers**; **Uninsured employers**
- accident
  - notice to, 39-71-603
  - report, filing and penalty for failure to file, 39-71-307
- benefits
  - action on claim, See **Benefits**
  - document describing, availability, 39-71-606
  - reports, 39-71-306
- consent and concurrence required, receipt of benefits and wages together, 39-71-316, 39-71-701, 39-71-702, 39-71-1006
- data base system, 39-71-225
- election of coverage by employer, allowance, 39-71-401
- impairment evaluations, 39-71-605, 39-71-711
- law enforcement agencies, premiums for officers, 7-32-203
- liability, 39-71-407, 39-71-408, 39-71-435, 39-71-608, 39-71-712, 39-71-741, 39-71-744, 39-71-907, 39-71-909, 39-71-911
- reciprocal insurers, surplus fund requirements, 33-5-401
- rehabilitation of disabled workers, See **Vocational rehabilitation of disabled workers**
- safety consultation services, 39-71-1503
  - financial incentives to employers, 39-71-421
  - immunity from liability, 39-71-1508
  - notification of availability, 39-71-1506
  - program as provision of contract, 39-71-1507
- subrogation, 39-71-405, 39-71-414, 39-71-2616
- third party action, notice and commencement by, 39-71-414
- unreasonableness, findings of — effect, 39-71-611, 39-71-612, 39-71-2907
- vocational rehabilitation
  - benefits, termination when, 39-71-1032
  - provider, designation, 39-71-1011, 39-71-1014, 39-71-1006
  - rehabilitation plan, 39-71-1013, 39-71-1006
- workers' compensation advisory organization as agent, recognition, 39-71-2204, 39-71-2205, See **INSURANCE, Workers' compensation, plan no. 2 insurers**

Investigations, 15-30-303, 39-71-609, 39-71-905, 39-71-2611

Investment of funds, 39-71-403, 39-71-2505

Judge, 2-15-1707
- appeal of decisions, 39-71-2904, 39-71-2910
- applicability of laws, 39-71-2901, 39-71-2903 — 39-71-2905
- contested cases, petition for judicial review, 2-4-702
- jurisdiction
  - department orders, appeal, 39-71-2401
  - mediation process, resolution of disputes following, 39-71-2401, 39-71-2411
  - occupational disease benefits, 39-71-317, 39-72-610, 39-72-612, 39-72-613

WORKERS' COMPENSATION (Continued)
Judge (Continued)
    jurisdiction (Continued)
        workers' compensation benefits, 39-71-2905, 39-71-2907, 39-71-2909
            attorney's fees, 39-71-611, 39-71-612, 39-71-614
            compromise and release settlements, 39-71-741
            costs, 39-71-611, 39-71-612
            disputes
                appeal, 39-71-204
                independent contractor's status, 39-71-415
                no jurisdiction when, 39-71-317
            lump-sum payment, conversion to, 39-71-741
            vocational rehabilitation, termination of benefits, 39-71-1032
        workers' compensation classification and review committee decisions, petition for review, 33-16-1012
    motions, 39-71-2910, 39-71-2914
    papers, petitions, or pleadings — signing, 39-71-2914
    powers, 39-71-2901
    resignation, 3-1-1010
    salary, 2-15-1707, 39-71-2902
    sanctions imposed by, 39-71-2914
    stay of proceedings, granting, 39-71-2911
Jurisdiction
    board of directors of state fund, 39-71-2315
    department, 39-71-203, 39-71-204, 39-71-317, 39-71-741, 39-71-2401
    judge, See **Judge**
Labor Appeals, Board of — function in disputes, 39-51-310
Law enforcement officers rendering mutual assistance, coverage, 44-11-201, 44-11-202
Law enforcement reserve and auxiliary officers, coverage, 7-32-203
Laws applicable, See **Applicability of laws**
Legal advisers to department and state fund, 39-71-206
Liability
    contractors as employers, 39-71-405
    death not resulting from injury, effect, 39-71-726
    employer, 39-71-411, 39-71-434, 39-71-435, 39-71-511, 39-71-519, 39-71-809, 39-71-911, 39-71-2503; Const., II, 16, See also **LABOR AND EMPLOYMENT, Fellow servant**
    fellow employee, 39-71-413, 39-71-511, 39-71-519, See also **LABOR AND EMPLOYMENT, Fellow servant**
    insurers, See **Insurers**
    lien of, 39-71-408
    managed care, applicability, 39-71-1102, 39-71-1105, 39-71-1108
    medical claims, payment without acceptance of, 39-71-615
    payment of benefits not admission of, 39-71-608
    reporting violations, nonliability when, 39-71-106
    safety consultations services, immunity and exceptions for, 39-71-1508
    self-insured employers, 39-71-2103
    subsequent injury, 39-71-907, 39-71-910, 39-71-911
    third parties, 39-71-412, 39-71-511, 39-71-519
    unfunded, See **Plan No. 3**
    underinsured employer, 39-71-532
    uninsured employers, 39-71-504, 39-71-509, 39-71-515
Liens
    exemption, 39-71-743, 71-3-1118
    liability for benefits as, 39-71-408
    unpaid penalties and claims, 39-71-504, 39-71-506
Limitations, See **STATUTES OF LIMITATIONS**
Limited liability companies
    employing unit and employer definitions, 39-71-117, 39-71-118

WORKERS' COMPENSATION (Continued)
Limited liability companies (Continued)

- injury to manager, insurer notification required, 39-71-603
- old fund liability tax, 39-71-2503 — 39-71-2505

Liquidation of employer, effect, 39-71-408, 39-71-411
Local government powers, 7-1-111
Lump-sum settlements, 39-71-721, 39-71-743, 39-71-2356
Managed care, 39-71-1103

- certification requirements, 39-71-1105
- choice or change of physician, insurer's authorization required, 39-71-1101
- contracts, 39-71-1103, 39-71-1104
- cost containment, 39-71-704, 39-71-727, 39-71-1102
- domiciliary care, requirements, 39-71-1107
- emergency medical treatment from nonmember, compensability, 39-71-1105
- independent physical therapy practices, services utilized when, 39-71-704, 39-71-1105
- "maintenance care" defined, 39-71-116
- medical advisory committees, function, 39-71-704, 39-71-1109
- medical treatment required, termination of compensation for noncompliance, 39-71-1106
- nonliability, 39-71-1102, 39-71-1105, 39-71-1108
- notification
  - eligible service providers, 39-71-1104
  - preferred provider, 39-71-1102
  - termination of compensation, 39-71-1106
- "palliative care" defined, 39-71-116
- payment, schedules and rates, 39-71-704
- preferred providers, notice of, 39-71-1102
  - medical supplies, arrangements for, 39-71-1102
  - physician's self-referral prohibited, 39-71-1108
- prescription drugs, payment and limitations, 39-71-727
- primary or secondary services, 39-71-116, 39-71-1105
- worker's refusal to cooperate, effect, 39-71-1106

Mediation of disputes

- conferences, 39-71-2410, 39-71-2411
- confidentiality, 39-71-2410
- costs, 39-71-2407
- evidence, 39-71-2401, 39-71-2406, 39-71-2410, 39-71-2411
- files, 39-71-2410
- impairment rating disputes, 39-71-711
- lump-sum payments, disputes regarding conversion to, 39-71-741
- mandatory, 39-71-2406, 39-71-2408
- mediators
  - designation, 39-71-2407
  - duties, 39-71-2409, 39-71-2411
- nonbinding, 39-71-2406, 39-71-2408
- noncooperation of parties, 39-71-2411
- occupational disease compensation, payment agreement, 39-72-405
- petition for, 39-71-2401, 39-71-2411
- procedure, 39-71-2411
- purpose, 39-71-2406
- records, 39-71-2410
- required, 39-71-2401, 39-71-2905
- rules for, 39-71-2407, 39-71-2411
- settlement requirements prior to, 39-71-2401

Medical advisory committees, composition and function, 39-71-704, 39-71-1109
Medical care savings account funds, nonapplicability, 15-61-204
Medical expenses and information, benefit, See **Benefits**; **Physicians**
Medical record information, disclosure, 39-71-224, 50-16-527

WORKERS' COMPENSATION (Continued)

Medical treatment
    definitions, 39-71-116
    primary services, 39-71-116, 39-71-704, 39-71-1105
    required, termination of benefits for noncompliance, 39-71-1105
Mentally incapacitated
    claim by, 39-71-602
    payment to, 39-71-742
Mental stress claims, noncompensability, 39-71-105
Mining industry
    fellow servant liability, 39-2-704
    wage agreements, applicability of laws, 39-3-519
Minors
    "beneficiary" defined, 39-71-116
    claim by, 39-71-602
    coverage, 39-71-118, 39-71-401
    definitions, 39-71-116
    newspaper carriers, coverage exclusions, 39-71-401
    payment to, 39-71-742
Montana conservation corpsmembers, benefit eligibility, 23-1-313
Motor carrier, as employer, 39-71-117
Newspaper carriers, coverage exclusions, 39-71-401
Nurses, managed care providers, 39-71-116, 39-71-1107
Objectives of system, 39-71-105
Occupational deafness, See **Deafness, occupational**
Occupational disease, applicability of laws to, See **OCCUPATIONAL DISEASE, Workers' compensation**
Occupational disease reports, applicability, 50-70-107
Occupational therapists, lien for services — subject to, 71-3-1118
Offenses, See **Violations**
Offices
    department, 39-71-202
    state fund and board of directors, 2-15-1019
Oil industry wage agreements, applicability of laws, 39-3-519
Old fund liability tax, See also **Plan No. 3**
    borrow and invest, power to, 39-71-2505
    creation, 39-71-2351
    definitions, 39-71-2501
    electronic funds transfer and electronic reporting, employer option, 15-30-210, 15-30-211
    employer-employee relationship, determination, 15-30-248
    interest and penalties, 39-71-2503, 39-71-2504
    legislative findings, 39-71-2502
    proceeds, use, 39-71-2354, 39-71-2355, 39-71-2503, 39-71-2505
    purpose, 39-71-2502
    rate and records, 39-71-2503, 39-71-2505
    remittance, 39-71-2506
    taxation provisions, applicability, 39-71-2503
    workers' compensation bond repayment account, 39-71-2354, 39-71-2501, 39-71-2503, 39-71-2504
Osteopaths, managed care providers, 39-71-116
Out-of-state applicability, 39-71-118, 39-71-402
Partnerships
    coverage exclusions, 39-51-204, 39-71-118, 39-71-123, 39-71-401
    injury to partner, insurer notification required, 39-71-306
    old fund liability tax, 39-71-2503 — 39-71-2505
Payroll, See **Wages**
Payroll tax, See **Old fund liability tax**

WORKERS' COMPENSATION (Continued)

Physical therapists
  lien for services, subject to, 71-3-1118
  managed care providers, 39-71-704, 39-71-1105
Physician assistants-certified, managed care providers, 39-71-116
Physicians, 39-71-116
  assistance in claim, duty to give, 39-71-604
  choice or change, 39-71-1101, See **Preferred providers**
  disability determinations, 39-71-116, 39-71-701, 39-71-1006
  examination of claimant, 39-71-605
  impairment evaluations, 39-71-605, 39-71-711
  lien for services, subject to, 71-3-1118
  panel of physicians, 39-71-605
  payment of fees, 39-71-704, See also **Benefits**
  prescription drugs, specifications for payment, 39-71-727
  primary care by, 39-71-116, 39-71-704, 39-71-1105
  records or information, confidentiality, 39-71-224, 50-16-527
  referrals, See **Managed care**
  self-referral prohibited, 39-71-1108
  suspension of payments pending information, 39-71-607
Plan No. 1, direct payment by employer
  administrative costs, assessment, 39-71-201
  applicability of laws, 39-71-102, 39-71-103, 39-72-310
  board of directors of state fund, representation on — prohibited, 2-15-1019
  continuation in business, permission, 39-71-2103, 39-71-2106
  direct payment to employee, 39-71-2101, 39-71-2103, 39-71-2108
  election, 39-71-2101, 39-71-2609
  failure to pay benefits, 39-71-2108
  industrial accident rehabilitation account assessment, 39-71-1004
  insolvent insurers, guaranty fund, See **Self-insurers guaranty fund**
  Montana insurance code, nonapplicability, 33-1-102
  occupational disease coverage, 39-72-310
  private corporation officers, notice of election of noncoverage, 39-71-401
  proof of solvency and ability to pay, 39-71-2101 — 39-71-2103, 39-71-2105, 39-71-2616
  public corporations, election under, 39-71-403
  references to, 39-71-102, 39-71-103
  renewal of election, 39-71-2104
  security for payments, 39-71-2106 — 39-71-2108, 39-71-2603, 39-71-2616
  self-insured employers, 2-15-1019, 39-71-117, 39-71-2103, 39-71-2106, See also **Self-insurers guaranty fund**
  vocational rehabilitation, assessment for, 39-71-1004
Plan No. 2, insurance of liability
  administrative costs, assessment, 39-71-201
  applicability of laws, 39-71-102, 39-71-103, 39-71-2202, 39-72-310
  assigned risk plan, participation, 33-2-119, 39-71-431
  board of directors of state fund, representation on — prohibited, 2-15-1019
  cancellation of policy, 39-71-2205
  classification of insurers, See **INSURANCE, Workers' compensation**
  construction industry, premium rates, 39-71-2211
  election, 39-71-2201
  employer misconduct, offense of, 45-7-501
  industrial accident rehabilitation account assessment, 39-71-1004
  insolvency of insurer, See **INSURANCE GUARANTY ASSOCIATION, CASUALTY AND PROPERTY, Insolvent insurers**
  medical deductible option, 39-71-434
  notice of coverage, 39-71-2204

WORKERS' COMPENSATION (Continued)
Plan No. 2, insurance of liability (Continued)

- occupational disease coverage, 39-72-310
- penalty assessment, 39-71-2205
- policies, 39-71-2202, 39-71-2203, 39-71-2205
- private corporation officers, notice of election of noncoverage, 39-71-401
- public corporations, election under, 39-71-403
- rates and rating organizations, See **INSURANCE, Workers' compensation**
- references to, 39-71-102, 39-71-103
- refusal of coverage, 39-71-431
- reopening of claim, notice, 39-71-606
- replacement policy, 39-71-2205
- security for payments, 39-71-2206
- vocational rehabilitation, assessment for, 39-71-1004

Plan No. 3, state fund

- accounting, 39-71-2325
- accounts, separate, 39-71-2352
- actuarial services, 39-71-116, 39-71-2361
- "administer and pay" defined, 39-71-116
- administration, 39-71-2315, 39-71-2316, 39-71-2351
- administrative costs
  - assessment, 39-71-201
  - budget, estimated, 39-71-2363
  - claim expenditure codes, review, 39-71-226
  - funding, 39-71-2311, 39-71-2316, 39-71-2351, 39-71-2352, 39-71-2355
- advisory or rating organizations, licensed — membership and reporting requirements, 33-16-1024, 39-71-2316
- applicability of laws, 39-71-102, 39-71-103, 39-71-2314, 39-72-310
- appropriation, 39-71-2321
- assets, 39-71-2316, 39-71-2319, 39-71-2323
- assigned risk plan, participation, 33-2-119, 39-71-431, 39-71-2311, 39-71-2314
- audits, 39-71-116, 39-71-2361
- benefits, 39-71-116, 39-71-2311
- board of directors, 2-15-1019, 39-71-2312
  - budget, submission to, 39-71-2363
  - business plan required, 39-71-2315
  - high-loss employer, criteria for determining, 39-71-2341
  - liability, 39-71-2318
  - optional deductible plan, adoption, 39-71-435
  - powers and duties, 39-71-2315
  - rate setting, authority, 39-71-2330, 39-71-2362
  - unfunded liability, additional funding, 39-71-2354
- bonds
  - general provisions, 39-71-2355
  - issuance prohibited when, 39-71-2315
  - proceeds, use, 39-71-2321, 39-71-2354, 39-71-2355
  - repayment, 39-71-2351, 39-71-2354, 39-71-2503, 39-71-2504
  - repayment account, 39-71-2355, 39-71-2501, 39-71-2503, 39-71-2504
- budget, submission and annual report, 39-71-2363
- claim expenditure codes, review, 39-71-226
- cancellation of coverage, 39-71-2339, 39-71-2340
- classifications of employers, 39-71-2311, 39-71-2316
- collection of premiums in default, 39-71-2340
- construction industry, premium rate plans, 39-71-2211
- consultant services contracts, state — nonapplicability of provisions, 18-8-103
- contract of insurance, 39-71-2336
- contracts, 39-71-2316

WORKERS' COMPENSATION (Continued)
Plan No. 3, state fund (Continued)

- control, 39-71-2315
- counsel, 39-71-116, 39-71-206
- creation of state fund, 39-71-2313
- criminal investigation agents, authority, 44-2-115
- definitions, 39-71-2312
- deposits to, 39-71-2321, 39-71-2336, 39-71-2355
- dividends
  - declaration when, 39-71-2311, 39-71-2316, 39-71-2323
  - earned, 39-71-2320
- earnings credited to, 39-71-2327
- election, 39-71-2336
- employer misconduct, 45-7-501
- old fund liability tax, 39-71-2351, 39-71-2354, 39-71-2355, 39-71-2501 — 39-71-2505
- executive director, 39-71-2317, 39-71-2312
  - board of directors, ex officio member, 2-15-1019
  - bonds, issuance prohibited, 39-71-2315
  - budget, submission to board, 39-71-2363
  - insurance classification and review committee, appointments to, 33-16-1011
  - liability, 39-71-2318
  - statewide classification and pay plans, 2-18-103
- experience rating system, 39-71-2323
- funding
  - appropriations, 39-71-2321
  - authority concerning, 39-71-2316, 39-71-2320
  - new business, after july 1, 1990, 39-71-2321, 39-71-2351, 39-71-2352
  - old fund liability tax, 39-71-2351, 39-71-2354, 39-71-2355, 39-71-2501 — 39-71-2505
  - premium rates, setting, 39-71-2311, 39-71-2316
  - unfunded liability, prior to july 1, 1990, 39-71-2316, 39-71-2321, 39-71-2351, 39-71-2352, 39-71-2354, 39-71-2355, 39-71-2501 — 39-71-2505
- group purchase, right to refuse, 39-71-433
- improper use, 39-71-2327
- indebtedness, 39-71-2318, 39-71-2319
- independent contractor, exemption — report to, 39-51-604
- industrial accident rehabilitation account assessment, 39-71-1004
- industrial insurance account, 39-72-310
- insurance classification and review committee, representation on, 33-16-1011
- intent of plan, 39-71-2311, 39-71-2315
- interest provisions, 39-71-2320, 39-71-2321, 39-71-2327, 39-71-2354, 39-71-2355
- investment, 17-6-203, 39-71-2320
- legal counsel, 39-71-116, 39-71-206
- legislative auditor, authority, 39-71-2362
- legislative oversight, 39-71-2351, 39-71-2361
- liabilities, 39-71-2316, 39-71-2319, 39-71-2323
- liability
  - outstanding claims and indebtedness of prior state fund, 39-71-2319
  - personal, 39-71-2318
  - separation, 39-71-2321, 39-71-2351, 39-71-2352, 39-71-2361
- loans from reserves
  - proceeds, use, 39-71-2321, 39-71-2354, 39-71-2355
  - repayment, 39-71-2351, 39-71-2354, 39-71-2503
- lump-sum settlements, mutual agreements, 39-71-2356
- management and control, 39-71-2315
- medical
  - deductible, 39-71-434
  - fees billed to, reports, 39-71-704

WORKERS' COMPENSATION (Continued)
Plan No. 3, state fund (Continued)

- Montana insurance code, nonapplicability, 33-1-102
- new business, after july 1, 1990, 39-71-2321, 39-71-2323, 39-71-2351, 39-71-2352, 39-71-2361
- notice of coverage, 39-71-2337
- obligations, 39-71-2318, 39-71-2320
- occupational disease coverage, 39-71-2316, 39-72-310
- old fund liability tax, 39-71-2351, 39-71-2354, 39-71-2355, 39-71-2501 — 39-71-2505
- outstanding claims and indebtedness of prior state fund, 39-71-2319
- penalties, deposit, 39-71-2321
- penalty assessment, 39-71-2337
- policy of insurance, 39-71-2316, 39-71-2336, 39-71-2337
- powers, 39-71-2316
- premiums
  - construction industry, rates, 39-71-2211
  - default, 39-71-2339, 39-71-2340
  - deposit, 39-71-2320, 39-71-2321, 39-71-2336
  - nonpayment, 39-71-2339
  - payment when, 39-71-2336
  - rates, 39-71-2311, 39-71-2316, 39-71-2330
    - construction industry, 39-71-2211
  - surpluses, refund, 39-71-2311, 39-71-2323
  - use, 39-71-2352
  - variable pricing levels, safety program — noncompliance, 39-71-2341
- premium tax, subject to — when, 39-71-2314
- prior state fund, 39-71-2319
- private corporation officers, notice of election of noncoverage, 39-71-401
- property, 39-71-2320
- public employees' retirement board, information requested by, 19-3-1002
- purpose of plan, 39-71-2311, 39-71-2313
- rates
  - deductibles not to affect computation, 39-71-434
  - setting and review, authority, 39-71-2330, 39-71-2362
- references to, 39-71-102, 39-71-103
- refusal of coverage, 39-71-431, 39-71-2311
- reopening of claim, notice, 39-71-606
- repeal of provisions, effect, 39-71-2322
- replacement policy, 39-71-2339
- required when, 39-71-403
- reserves, 39-71-116, 39-71-2311, 39-71-2316, 39-71-2323, 39-71-2354, 39-71-2355, 39-71-2361
- revenue, department of — information from employers' payroll withholding reports, 15-30-303
- rulemaking, 39-71-2323
- safety records of employers, effect, 39-71-2311
- securities, 39-71-2320, 39-71-2321, 39-71-2325
- segregation of accounts, 39-71-2325
- self-supporting program, 39-71-2311, 39-71-2316
- separation of liability, 39-71-2321, 39-71-2351, 39-71-2352, 39-71-2361
- staff or personnel, 2-18-103, 39-71-2316 — 39-71-2318
- state agencies
  - laws applicable to, fund subject to, 39-71-2314
  - required for, 39-71-403
- subrogation recoveries, deposit, 39-71-2321
- sue and be sued, power, 39-71-2316
- surplus, 39-71-2323
- termination, election — of, 39-71-2336
- trust, held in, 39-71-2322

WORKERS' COMPENSATION (Continued)
Plan No. 3, state fund (Continued)

  unfunded liability, prior to july 1, 1990
    funding, 39-71-2316, 39-71-2321, 39-71-2351, 39-71-2352, 39-71-2354, 39-71-2355, 39-71-2501 — 39-71-2505
    insufficient funds, 39-71-2354
    spending limit, 39-71-2352
  variable pricing levels, safety program — noncompliance, 39-71-2341
  vocational rehabilitation, 39-71-116, 39-71-1004
Police officers
  coverage, 7-32-4132
  retirement benefits, 19-9-706
Posting of provisions, 39-71-401
Preferred providers, See also **Managed care**
  change or choice of physician, 39-71-1101, 39-71-1102
  contracts, 39-71-1102
  definitions, 39-71-116
  establishment and limitations, 39-71-1102
  notice of, 39-71-1102
  physician's self-referral prohibited, 39-71-1108
Prescription drugs, payment limitations, 39-71-727
Prison industries training program participants, 39-71-118, 53-1-301, 53-30-132
Private corporations, coverage exclusions, 39-71-401
Prerelease center participants, coverage exclusion, 39-71-744
Professional employer organization or group, 39-8-206, 39-8-207, 39-8-403
Prohibited acts, See **Violations**
Prostheses
  expenses of, 39-71-704
  "injury" or "injured" defined, 39-71-119
Psychologists, lien for services — subject to, 71-3-1118
Public assistance, eligibility data — availability requirements, 53-2-105, 53-2-211, 53-3-111
Publications
  authority of department, 39-71-209
  data base system, 39-71-225
  fees, 39-71-205
  performance report, 39-71-2315
Public employees' retirement benefits, effect, 19-2-905, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM**
Public employers
  definitions, 39-71-117
  payroll reports, failure to file, 39-71-308
  plan no. 3 coverage exclusive, 39-71-403, See also **Plan No. 3**
  self-insured, 39-71-117, 39-71-2103, 39-71-2106
  wages, what included, 39-71-116
Public meeting, 39-71-2315
Public policy, 39-71-105
Railroad employment, coverage exclusion, 39-2-703, 39-71-401
Real estate brokers and salespersons, coverage exclusion, 39-71-401
Reciprocity
  canadian provinces, 39-71-426 — 39-71-428
  other states, 39-71-402
Records
  confidentiality, 39-71-224, 39-71-2410, 39-71-2503
  copies, 39-71-205, 39-71-223, 39-71-301
  employer misconduct, offense of, 45-7-501
  employer's payroll tax, 39-71-2503
  inspection, 39-71-221 — 39-71-224, 39-71-304, 39-71-2503

WORKERS' COMPENSATION (Continued)
Records (Continued)

- mediation, 39-71-2410
- plan no. 3, applicability of laws, 39-71-2314
- required, 39-71-208

Rehabilitation of disabled workers, See **Vocational rehabilitation of disabled workers**
Reports

- accident, 39-71-307, 39-71-603, 39-71-908, 50-71-325
- benefits paid, 39-71-306
- budget, annual, 39-71-2363
- data base system, annual, 39-71-225
- employer's payroll tax, 39-71-2503
- legislative auditor, by, 39-71-2362
- managed care cost and utilization, reporting method, 39-71-1105
- medical fees billed to state fund, 39-71-704
- physicians, examination — of, 39-71-605
- publication, 39-71-209
- public corporations, payroll reports, 39-71-308
- self-insurers guaranty fund, financial, 39-71-2620
- state fund's business plan, publication, 39-71-2315

Representation of department and state fund, 39-71-206
Return to work, effect on benefits, 39-71-609
Room and board, coverage of employment for, 39-71-401
Rulemaking authority, generally, 39-71-203, 39-71-1505

- old fund liability tax, 39-71-2503
- plan no. 1, 39-71-2102, 39-71-2106
- plan no. 2, 39-71-2205
- plan no. 3, 39-71-2316
- self-insured employers, 39-71-117, 39-71-2103
- self-insurers guaranty fund, 39-71-2609, 39-71-2610

Safety culture

- citation of Montana safety culture act, 39-71-1501
- consultation services, 2-15-1708, 39-71-1503
  - liability, insurer's exemption and exceptions, 39-71-1508
  - notification, 39-71-1506
  - insurance contract or agreement, safety program as provision, 39-71-1507
- educational activities, 39-71-1504
- expenditure accounting, 39-71-2311, 39-71-2341
- purpose, 39-71-1502
- reporting and investigating, procedures, 39-71-1505
- rulemaking authority, 39-71-1505
- safety employment education and training advisory committee, 2-15-1708, 39-71-1505
- safety program required, 39-71-1505, 39-71-1507
  - noncompliance, higher premium when, 39-71-2341
- variable pricing, 39-71-2311, 39-71-2341

Safety Employment Education and Training Advisory Committee, 2-15-1708
School amateur athletic event officials, coverage exclusion, 39-71-401
Scope of laws, See **Applicability of laws**
Security fund, defined as guaranty association, 33-2-1303, See **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
Self-insured employers, 2-15-1019, 39-71-117, 39-71-1105, 39-71-2103, 39-71-2106
Self-insurers guaranty fund

- actions by, 39-71-2615, 39-71-2616, 39-71-2618
- assessment, 39-71-2602, 39-71-2615
- assets, 39-71-2604
- audit requirements, 39-71-2620

WORKERS' COMPENSATION (Continued)

Self-insurers guaranty fund (Continued)

- board of directors, 39-71-2603, 39-71-2604
    - assessments, certification of collection and receipt, 39-71-2615
    - confidential information, 39-71-2610
    - establishment, 39-71-2602, 39-71-2604
    - immunity, 39-71-2618
    - powers, 39-71-2609
    - rulemaking, 39-71-2609, 39-71-2610
- borrow, power to, 39-71-2610
- citation of Montana self-insurers guaranty fund act, 39-71-2601
- claims against insolvent insurers, party in interest, 39-71-2611
- concurrence required, 39-71-2105, 39-71-2106
- confidential information, 39-71-2610
- construction of provisions, 39-71-2602
- contracts, 39-71-2610
- definitions, 39-71-2603
- delinquent assessments, 39-71-2615
- duties, 39-71-2611
- employer participation required, 39-71-2609
- establishment, 39-71-2602, 39-71-2609
- fee, initial, 39-71-2615
- financial report, 39-71-2620
- financing, 39-71-2609, 39-71-2615, 39-71-2616
- former members, assessment liability, 39-71-2615
- immunity, 39-71-2618
- initial fee, 39-71-2615
- insurance, purchase, 39-71-2610
- interpretation of provisions, 39-71-2602
- liabilities, 39-71-2611
- notification of self-insurer's insolvency, 39-71-2619
- plan no. 1
    - proof of solvency and ability to pay, filing with, 39-71-2101, 39-71-2103
    - renewal, 39-71-2104
- powers, 39-71-2610
- purpose of provisions, 39-71-2602
- reimbursement for obligations paid and assumed, 39-71-2616
- responsibilities, 39-71-2610
- rights, 39-71-2611, 39-71-2616
- rules, 39-71-2609, 39-71-2610
- tax exemption, 39-71-2617

Sheriffs' retirement benefits, applicability, 19-2-905

Sole proprietorships

- coverage exclusions, 39-51-204, 39-71-118, 39-71-123, 39-71-401
- injury, insurer notification required, 39-71-603
- old fund liability tax, 39-17-2503 — 39-71-2505

State compensation insurance fund, See **Plan No. 3**, state fund

State fund, See **Plan No. 3**

Statutes applicable, See **Applicability of laws**

Statutes of limitations, See **STATUTES OF LIMITATIONS**

Subrogation of insurer, 39-71-405, 39-71-414, 39-71-2321

Subsequent injury when vocationally handicapped, 39-71-901

- applicability of laws, 39-71-402, 39-71-903
- benefits, 39-71-907, 39-71-909, 39-71-910, 39-71-913
- certification of vocationally handicapped persons, 39-71-901, 39-71-904, 39-71-905
- dispute of benefits, 39-71-909, 39-71-910
- employment of vocationally handicapped person, 39-71-905, 39-71-906

WORKERS' COMPENSATION (Continued)
Subsequent injury when vocationally handicapped (Continued)

- failure to file information, 39-71-906
- filing of employment information with division of workers' compensation, 39-71-906
- investigation, 39-71-905
- liability for payments, 39-71-911
- notice
  - dispute, 39-71-909, 39-71-910
  - liability, 39-71-908
- reimbursement, 39-71-909, 39-71-912
- subsequent injury fund, 39-71-901
  - direct payment from, 39-71-913
  - reimbursement, 39-71-909, 39-71-912
  - revenue, 39-71-504, 39-71-902
  - surpluses, 39-71-902

Temporary service contracts, 39-71-116, 39-71-117
Temporary worker, 39-71-116, 39-71-117
Territorial extent of laws, 39-71-402
Third parties, liability, 39-71-411, 39-71-412, 39-71-414, 39-71-511, 39-71-519
Underinsured employers, 39-71-521

- assessments, determination, 39-71-204, 39-71-532
- enforcement, 39-71-532 — 39-71-534
- payments, collection, 39-71-533
- penalties and remedies, 39-71-532
- surpluses and reserves, disposition, 39-71-502, 39-71-504, 39-71-534
- underinsured employers' fund
  - creation 39-71-534
  - deposits, 39-71-532, 39-71-533

Unemployment insurance, effect of workers' compensation benefits, 39-51-201, 39-51-2306
Uninsured employers, 39-71-501

- applicability of laws, 39-71-505, 39-72-305
- assigned risk plan, 39-71-431
- assignment of funds to employee, 39-71-504
- benefit claims and limitation, 39-71-508, 39-71-510
- cease operations order, 39-71-507
- independent cause of action by employee, 39-71-515
  - service of papers, 39-71-517
  - setoffs, 39-71-518
  - settlement agreement, 39-71-519
  - venue, 39-71-516
- injunction, 39-71-507
- occupational disease, applicability of laws, 39-72-305
- penalty assessments, 39-71-504, 39-71-506
- plan no. 3, status upon cancellation of coverage, 39-71-2339
- remedies, coordination — by employee, 39-71-508
- service of papers on, 39-71-517
- settlement agreement, 39-71-519
- setoffs to claim for benefits, 39-71-511, 39-71-518
- uninsured employers' fund
  - administration and investment, 39-71-503
  - benefits paid in accordance with, 39-71-503, 39-71-510
  - claim for benefits, 39-71-508, 39-71-510
    - setoffs, 39-71-511, 39-71-518
  - creation and purpose, 39-71-502
  - surplus and reserves, 39-71-504

Violations

- accident report, failure to file, 50-71-325

WORKERS' COMPENSATION (Continued)
Violations (Continued)

- attorney's fees regulation, 39-71-613
- benefits, obtaining by deception or fraud, 39-71-316, 45-6-301, 39-71-701, 39-71-702, 39-71-1006
- employer misconduct, 45-7-501
- physical examination, failure to have, 39-71-605
- physician's self-referral, 39-71-1108
- plan no. 2 coverage, failure to give notice, 39-71-2204
- plan no. 3, state fund — improper use, 39-71-2327
- premium, deduction from wages, 39-71-406
- prohibited actions and penalty, 39-71-315, 39-71-316
- private corporation officers, appointment to avoid coverage, 39-71-401
- records, refusal to allow examination, 39-71-304
- underinsured employers, 39-71-532
- uninsured employer, noncompliance with cease operations order, 39-71-507

Vocational rehabilitation of disabled workers
- appeals, 39-71-1003, 39-71-1032
- applicability of laws, 39-71-1003
- benefits, See **Benefits**, rehabilitation
- certification, 39-71-1003
- coverage during training, 39-71-118
- definitions, 39-71-1011, 53-7-101, 53-7-301
- expenses, 39-71-1003, 39-71-1004, 39-71-1025
- funding, 39-71-907, 39-71-1004, 39-71-1006
- industrial accident rehabilitation account, 39-71-1004
- noncooperation of worker, 39-71-1032
- providers, 39-71-1011
  - delivery of services, 39-71-1014
  - designation, 39-71-1006, 39-71-1011, 39-71-1014
  - evaluation of worker, 39-71-1006
  - information, exchange, 39-71-1031
  - noncooperation with, 39-71-1032
  - rehabilitation plan, 39-71-1006
- rehabilitation plan, 39-71-1006
  - defined, 39-71-1011
  - filing, 39-71-1006, 39-71-1013, 39-71-1025
- services, 39-71-1011
  - appeals, 39-71-1003
  - benefits during, See **Benefits**, rehabilitation
  - required, 39-71-1014
  - training program, 39-71-1025

Vocational-technical education, student coverage, 39-71-118
Volunteer firefighters, coverage, 19-17-501, 39-71-118, 39-71-123
Wages, 39-71-116, 39-71-123
- administration assessments based on, 39-71-201
- average weekly wage, 39-71-116, 39-71-123
- deduction of premiums from, prohibited, 39-71-406
- employer misconduct, offense of, 45-7-501
- estimates, 39-71-116
- examination of records, 39-71-304
- exclusions, 39-71-123
- managed care compensation, See **Managed care**
- nonresident employees, 39-71-118
- old fund liability
  - how computed, 39-71-116, 39-71-302, 39-71-303
  - tax, 39-71-2354, 39-71-2355, 39-71-2501 — 39-71-2505
- temporary work restriction, qualification for benefits when, 39-71-712

WORKERS' COMPENSATION (Continued)
Wages (Continued)

  reports of public corporations, failure to file, 39-71-308
Waivers
  claim for benefits, time limitation, 39-71-601
  defense, of — payments without admission of liability or, 39-71-608
  employee waiver of rights invalid, 39-71-409
  subrogation rights, by insurer, 39-71-414
"Worker" defined, 39-71-118
Wrongful death claim settlements, subrogation, 39-71-414

WRESTLING, Title 23, chapter 3
  See **BOXING AND WRESTLING**

WRITS
  See also specific writ; **CIVIL PROCEDURE**, **Process**; **Service of process**; **REMEDIES**, generally; **SPECIAL PROCEEDINGS**, generally
Attachment, See **ATTACHMENT OF PROPERTY**
Copies, fees, 7-4-2525, 7-32-2141
Coram nobis, 46-21-101
Counties, effect of name change, 7-2-2509
Defined, 1-1-202
District court, specific powers, See **DISTRICT COURTS**, **Writs**
Execution, See **EXECUTION**
Fees
  copies, 7-4-2525, 7-32-2141
  filing, 3-2-403
  service, 7-4-2525, 7-32-2141, 7-32-2143
Gambling violations, to restrain, 23-5-136
Jurisdiction, See each specific writ
Military courts, 10-1-404
Possession, adverse claims, 25-5-203
Process, defined as, 25-3-101
Public Service Commission, authority, 69-13-203
Salaries and wages, liens for — effect, 71-3-303
Seal of court to be affixed, 3-1-206
Sequestration, Title 25, chapter 20, M.R.Civ.P., Rule 70
Service, See **CIVIL PROCEDURE**, **Service of process**
Supervisory control, proceedings in supreme court, Title 25, chapter 21, M.R.App.P., Rule 17, See also **SUPREME COURT**, **Original proceedings in**; **Writs**
Supreme court, specific powers, See **SUPREME COURT**, **Original proceedings in**; **Writs**
Writing, order in — writ issued as, 1-1-202

WRONGFUL DEATH
  See also **TORTS**, generally
Damages, 27-1-323
  action for, 27-1-501, 27-1-513
  collateral source reductions, 27-1-307, 27-1-308
  future, periodic payment, 25-9-401 — 25-9-406, 25-9-412
  medical malpractice
    future damages, periodic payment, 25-9-412
    noneconomic damages, limitations, 25-9-411
  pleading of, 25-4-311 — 25-4-314
  recovery, statute of limitation, 27-2-204
Malpractice, medical, 27-6-103
Workers' compensation claim settlements, subrogation, 39-71-414

WRONGFUL DISCHARGE FROM EMPLOYMENT ACT, Title 39, chapter 2, part 9
  See **LABOR AND EMPLOYMENT**

Y

YELLOWSTONE RIVER
  See **WATER USE**

YOUTH ACCESS TO TOBACCO PRODUCTS CONTROL ACT, Title 16, chapter 11, part 3
  See **CIGARETTES**

YOUTH CORRECTIONAL FACILITIES
  See **YOUTH COURT**

YOUTH COURT
  See also **COURTS GENERALLY**; **JUDGES AND JUSTICES**
Abandonment of youth, effect, 41-5-503
Abortion, parental notification — judicial waiver, 50-20-212
Adjudication noncriminal, 41-5-106
Adjudicatory hearings, 41-5-521
Administration, provisions governing, 41-4-104, 41-4-107
Admission of youth, 41-5-514, 41-5-521
Aftercare
  agreements, 41-5-305, 41-5-403, 41-5-523, 52-5-103, 52-5-126, 52-5-129
  appeals, 52-5-129
  control of youth released under, 52-5-127
  cooperative agreements for indian youth offenders, 52-5-103
  facilities or programs, 41-3-1104
  hearings on violations, 52-5-126, 52-5-129
  rules, 52-5-102, 52-5-129
  violations, 52-5-126, 52-5-128, 52-5-129
Alcohol, offense related to — urinalysis ordered, 41-5-514
Appeals, 41-5-207, 41-5-532
Appearance
  detention of youth when, 41-5-305
  dress, youth's manner of, 41-5-521
  holding youth pending, 41-5-307
  preliminary investigation, 41-5-301
  priority, 41-5-110
  rights, advised of, 41-5-515
  summons, service and waiver, 41-5-502, 41-5-503
Apprehension of youth, 52-5-113, See **Custody of youth**
Appropriations, 41-5-104
Attendant care, 41-5-1001, 41-5-1002, 41-5-1004, See **Youth residential services**
Attorneys at law, See **Counsel**
Bail, 41-5-309, 41-5-502
Calendar precedence, 41-5-110, 41-5-521
Care facilities, See **Detention facilities and services**; **Youth residential services**
Child-care agency, 41-3-1102, See **Youth residential services**
Children at risk, policy, 40-7-102
Citation of Youth Court Act, 41-5-101
Civil disabilities not imposed, 41-5-106
Commitment of youth, See also **Placement of youth**
  age of youth, 52-5-101, 52-5-107, 52-5-111, 52-5-127

YOUTH COURT (Continued)
Commitment of youth (Continued)

- "commit" defined, 41-5-103
- commutation of sentence to state prison, upon, 41-5-206, 52-5-111
- corrections, department of — to, 41-3-1103, 41-3-1104, 41-3-1114, 41-5-206, 41-5-511, 41-5-523, 52-1-103, 52-5-107
- medical examination prior to, 52-5-102, 52-5-108
- Montana state hospital, to — prohibited when, 53-21-506
- order for, 41-5-523
- policies and rules, 52-5-102
- prior commitments, effect, 41-5-206
- recommendations regarding placement, 41-5-525
- transfers to other facilities, 52-5-110
- transportation to facility, 52-5-109

Committee, Youth Court — appointment and duties, 41-5-105
Committee, Youth Placement, See **Youth Placement Committee**
Communications privileged, 41-5-402, 41-5-603
Community service, imposition, 41-5-523, 45-5-637
Confession of youth, 41-5-514, 41-5-521
Confidentiality

- communications privileged, 41-5-402
- local citizen review board, records and proceedings, 41-3-205, 41-3-1005, 41-3-1007, 41-3-1008, 41-3-1010
- proceedings, 53-9-107
- records, 41-5-529, 41-5-603, 41-5-604
  - crime victims compensation proceedings, nonapplicability, 53-9-104
- youth placement committee meetings and records, 41-5-529, 41-3-1115

Confinement, See **Commitment of youth**; **Detention of youth**
Consent adjustment without petition, 41-5-301, 41-5-401, 41-5-524, 41-5-703
Consent decree with petition, 41-5-524
Constitutional rights, See **Rights of youth**
Contempt

- probable cause hearings, failure to appear, 41-5-303
- records, failure to destroy or seal, 41-5-604

Conviction not criminal, 41-5-106
Correctional facilities, 41-5-103, 52-5-112

- administration, 41-3-1104
- control and management, 52-5-102
- curricula at, 52-5-106
- escape from, 41-5-305, 52-5-113, 52-5-114
- fire protection and safety regulations, 50-61-103, See **FIRES AND FIRE PROTECTION**
- industries programs, 52-5-120, 52-5-121
- leaving without permission, apprehension and return, 52-2-113
- maintenance, 41-3-1104, 52-5-101
- medical examination required prior to admittance, 52-5-102, 52-5-108
- medical treatment for residents, 52-5-102
- mental health facility, release for commitment to, 52-5-126
- placement in, prohibited when, 41-5-310, 41-5-523, 52-5-101
- release from, notice, 41-5-523
- returning, failure to — penalty for aiding, 52-5-114
- standards of care, 52-5-102
- superintendents, 52-5-105, 52-5-110, 52-5-112
- supervision, 41-5-523, 52-1-103, 52-5-102, 52-5-126
- transfers to other facilities, 52-5-102, 52-5-110
- university aid for residents, 20-25-421, 52-5-112
- work programs, 52-5-120, 52-5-121
- youth placement committee, recommendations for placement, 41-5-526

YOUTH COURT (Continued)

Costs and expenses, 41-5-207, 41-5-503, 52-5-109
Counsel
  communications privileged, 41-5-402
  dispositional hearings, 41-3-1014, 41-5-522
  extended jurisdiction prosecution, 41-5-1105
  fees, 41-5-207
  jury trial, demand for, 41-5-521
  records, inspection, 41-5-602, 41-5-603
  review, written notice of, 41-3-1004
  right to, 41-5-303, 41-5-502, 41-5-511
  special advocate, as, 41-3-303, 41-3-1010, 41-3-1013
  subpoena, right to, 41-5-522
  summons, waiver, 41-5-503
  transfer of prosecution to district, notice of hearing, 41-5-206
Counseling required when, 41-5-301, 41-5-523
Counties
  compliance with youth court act, 41-5-1003
  costs, allocation, 41-5-104
  detention services provided, See **Detention facilities and services; Shelter care facilities**
  evaluations, responsibility for costs, 41-5-523
  grants for detention services, Title 41, chapter 5, part 10
  probation officers, salaries and expenses paid by, 41-5-704
  substitute care, establishment, 41-3-1101
  summons, expense — payment, 41-5-503
County commissioners, board of — funding provided by, 41-5-104
County interdisciplinary child information teams, 52-2-211
Criminal procedure
  applicability of laws, 46-1-103, See **CRIMINAL PROCEDURE, Minors**
  posttrial motions, availability, 41-5-531, See **Motions**
Custodian, 41-5-103
  bail amount, consideration of financial ability, 41-5-309
  consent adjustment, signing, 41-5-401
  contempt, 41-5-303
  counseling, 41-5-523
  custody of youth, notice, 41-5-303
  evaluations, 41-5-523
  release of youth to, 41-5-307
  summons, service, 41-5-502
  transfer of prosecution to district court, notice of hearing, 41-5-206
Custody of youth, 41-5-103
  aftercare facilities, 41-3-1104
  detention, See **Detention of youth**
  holding youth in custody, 41-5-307
  home detention, 41-5-1001
  judgment, stay when, 41-5-532
  notice, 41-5-303
  order for, 41-5-502
  placement, See **Placement of youth**
  probation officers, authority, 41-5-703
  probation revocation petitions, procedures, 41-5-533
  release, 41-5-303, 41-5-307, 41-5-521
  retention, 41-5-303
  rights upon questioning, 41-5-303
  taking youth into, permissible when, 41-5-314
  temporary, effect of provisions, 41-3-1102

YOUTH COURT (Continued)
Custody of youth (Continued)

- transfer to private agency from public agency, 41-3-1105

Delinquent youth, 41-5-103, 41-6-101
- adjudicatory hearing, 41-5-521
- admissibility of confession, 41-5-514
- communications privileged, 41-5-402
- counsel, right to, 41-5-511
- detention procedure, Title 41, chapter 5, part 3, See **Detention facilities and services**; **Detention of youth**
- dispositional hearing, 41-5-522
- disposition, 41-5-523
- governmental contracts, 41-3-1132
- interstate compact on juveniles, Title 41, chapter 6
- investigations, fingerprints, and photographs, 41-5-304
- jail, detention limitations, 41-5-311
- jurisdiction of youth court, 41-3-1114, 45-5-624; Title 41, chapter 5, part 2
- juvenile detention program, 7-6-501
- maximum age of commitment, 52-5-107
- payment for support, 41-3-1122
- petition alleging
  - consent decree, 41-5-524
  - form and content, 41-5-501
- placement, criteria and restrictions, 41-5-305, 41-5-523, 41-5-802
- place of shelter care or detention, enumerated, 41-5-306
- preliminary investigation and disposition, 41-5-301
- probation revocation, disposition, 41-5-533
- rights of youth taken into custody, 41-5-303
- school, See **School**
- serious juvenile offender, defined, 41-5-103, 41-5-523, 46-24-207
- transfer to criminal court, 41-5-206

Detention facilities and services, 41-5-103
- administration of provisions, 41-5-105, 41-5-1002, 41-5-1007
- adult detention centers, minors detained in, 7-32-2244, 41-5-206, 41-5-303, 41-5-306, 41-5-310, 41-5-311, 41-5-523
- contracts for, 41-5-810, 41-5-811, 41-5-813, 41-5-814
- county to provide, 41-5-810 — 41-5-814
- enumerated, 41-5-103, 41-5-306
- escape from, 41-5-305
- establishment, 7-6-501, 7-6-502, 41-5-810, 41-5-811
- funding, 7-6-501, 7-6-502, 15-10-402, 15-10-412, 41-5-811, 41-5-1002, 41-5-1007
- grants for, Title 41, chapter 5, part 10
- hearing, county noncompliance, 41-5-1003
- holdover, 41-5-103, 41-5-1004
- jail, independent of, 41-5-103, 41-5-810, 41-5-1001
- law enforcement facilities, used when, 41-5-313
- licensing, 41-5-103, 41-5-810
- operation and maintenance, 7-6-501, 7-6-502, 41-5-103, 41-5-810, 41-5-811, 41-5-1002
- placement in, 41-5-303, 41-5-305, 41-5-306
  - prohibited when, 41-5-310
- private party agreements, 41-5-810
- regional detention facility, defined, 41-5-103
  - county to provide, 41-5-810
  - nonparticipating counties, contracts with, 41-5-813
  - payment for costs, 41-5-814
  - regions, creation, 41-5-812, 41-5-1001
  - rules for licensing, 41-5-809

YOUTH COURT (Continued)
Detention facilities and services (Continued)
  regional detention facility, defined (Continued)
    transportation programs for youth, 41-5-1002
  rules, 41-5-809, 41-5-810
  secure detention facility, defined, 41-5-103, 41-5-313, 41-5-1001
    grants, distribution, 41-5-1004
    placement, criteria, 41-5-305
    place of shelter care, 41-5-306
    prohibited when, 41-5-310
  shelter care facilities, operation with, 41-5-306, 41-5-802
  short-term detention centers, defined, 41-5-103
    county to provide, 41-5-810
    funding, 41-5-1002
    placement or care of youth, 41-5-306
  supervisory committee, 41-5-105
  temporary detention and time limitation, 41-5-311
  transfer to, detention pending, 41-5-103, 41-5-311, 41-5-313
  transportation of youth to, 7-6-501, 7-6-502, 41-5-811, 41-5-1002, 41-5-1004
Detention of youth, 7-6-501, 41-5-103
  adjudication, pending, 41-5-502
  adult offenders, separate from, 41-5-206, 41-5-311
  aftercare agreements, violation, 52-5-128
    funding, 41-5-1002
    inmate endangerment, 7-32-2248
  bail, youth released on, 41-5-309
  consent adjustment, approval, 41-5-401
  continuance, determination, 41-5-301
  county compliance, 41-5-1003
  criteria for, 41-5-305
  hearing, 41-5-502
  home detention, 41-5-1001, 41-5-1002
    home arrest, 41-5-306, 41-5-403, 41-5-523
    supervisory authority, 46-18-1001
  interstate practices, See **Interstate compacts**
  jail — prohibition, exceptions, and time limitation, 41-5-311
  law enforcement facilities, criteria, 41-5-313
  notice, 41-5-307
  order for, 41-5-502
  payment responsibility, 41-5-814
  petitions, contents, 41-5-501
  place of, 41-5-103, 41-5-306, 41-5-307, 41-5-313
  police station, 41-5-313
  preliminary investigation and disposition, 41-5-301
  probation revocation petitions, procedures, 41-5-533
  procedure, Title 41, chapter 5, part 3
  prohibitions, 41-5-310
  release or delivery from custody, 41-5-307
  rights of youth taken into custody, 41-5-303
  runaways, Title 41, chapter 6, See **MINORS, Interstate Compact on Juveniles**
  secure detention, 41-5-313, 41-5-1001, 41-5-1003, 41-5-1004
  services or programs, See **Detention facilities and services**
  temporary, holdover for, 41-5-103
  youth in need of supervision, prohibitions, 41-5-310
Discharge of youth, 52-1-103, 52-5-102, 52-5-126, 52-5-127, 52-5-129, 53-1-104
Dispositional hearings, 41-3-406, 41-3-1014, 41-5-521, 41-5-522
Disposition, 41-5-523
  consent adjustment, 41-5-401

YOUTH COURT (Continued)
Disposition (Continued)

- consent decree, 41-5-524
- evidence, as — admissibility when, 41-5-106
- final, 41-5-103
- foster care, See **Foster care**
- informal adjustment, 41-5-401, 41-5-403
- preliminary, 41-5-301
- probation violations, upon, 41-5-533
- venue changed when, 41-5-204

District court jurisdiction
- concurrent, 41-3-103, 41-5-203
- local citizen review board, 41-3-1002, See also **Foster care**
- transferred to, 41-5-204 — 41-5-206, 41-5-208, 41-5-523, 52-5-127, 53-21-506

Drugs, offense related to — urinalysis ordered, 41-5-514

Emergency
- placement of youth, 41-5-526, 41-5-528
- respite care, 41-3-1102, 41-3-1151

Emotionally disturbed children
- advisory council membership, 53-21-202
- support services, policy, 40-7-102

Evaluation of youth, 41-5-523
- costs, payment, 41-5-523, 41-5-1004
- facilities, 41-3-1104
- local government funding, 7-6-501, 7-6-502, 15-10-402, 15-10-412
- placements, consideration in, 41-5-526

Evidence
- abandonment of youth, prima facie evidence, 41-5-503
- admissibility, 41-5-106
- admission or confession of youth, 41-5-514
- counsel-client communications, 41-5-402
- dispositional hearings, 41-5-522
- introduction by parties, right of, 41-5-513
- petition applications, 41-5-301
- restitution, determination of appropriateness, 41-5-403, 41-5-522
- rules of, inapplicable, Title 26, chapter 10, M.R.Ev., Rule 101
- transcripts, 41-5-207, 41-5-532
- transfer of prosecution to district court, hearing, 41-5-206

Extended Jurisdiction Prosecution Act, 41-5-1101
- adult criminal sentence, imposition and exception, 41-5-1104, 41-5-1105
- designation, 41-5-1102
- disposition, 41-5-1104
- hearing, court designation, 41-5-1103

Extradition, Title 41, chapter 6, See **MINORS**, **Interstate Compact on Juveniles**

Family law mediation, Title 40, chapter 4, part 3

Family policy, 40-7-101, 40-7-102

Family Services Councils, state and local — membership requirements, 52-1-202, 52-1-203

Final disposition, 41-5-103
- detention of youth when, 7-6-501, 41-5-305
- evaluations prior to, 41-5-523
- home detention pending, 41-5-1001, 41-5-1002

Findings, 41-5-521, 41-5-524, 41-5-603

Fines, imposition, 41-5-523

Fingerprints or photographs, 41-5-304, 41-5-604

Foster care, See also **Youth residential services**
- confidentiality of information, 41-3-205, 41-3-1005, 41-3-1007, 41-3-1008, 41-3-1010

YOUTH COURT (Continued)
Foster care (Continued)

- local citizen review board pilot program, 41-3-1001
  - administration, 41-3-1004
  - assignment of cases, 41-3-1009
  - conflict of interest provisions, 41-3-1010
  - court review of findings, 41-3-1013
  - dispositional review hearing, 41-3-406, 41-3-1014
  - establishment, 41-3-1002
  - funds, subject to, 41-3-1003, 41-3-1004
  - hearing on records access, request for, 41-3-1008
  - meetings, 41-3-1006
    - employees presence required when, 41-3-1012
  - membership, 41-3-1003
  - notice of review and hearing, 41-3-1004
  - procedures, 41-3-1004, 41-3-1010
  - recommendations, 41-3-1010, 41-3-1011
  - records, disclosure, 41-3-205, 41-3-1008, 41-3-1010
  - removal of members, grounds, 41-3-1005
  - terms and officers, 41-3-1006
  - training programs, 41-3-1004
  - violations and penalties, 41-3-1007
- placement expenses, funding, 3-5-901
- review committee, 41-3-205, 41-3-1115

Foster homes, 41-3-1102, 41-5-103, See **Youth residential services**
Funding provisions, 41-5-104, 52-1-103
- costs and expenses, 41-5-207, 41-5-503
- detention facilities and services, 7-6-501, 7-6-502, 15-10-402, 15-10-412, 41-5-811
- grants for services, 52-1-103; Title 41, chapter 5, part 10

Grandparent visitation petitions, 40-9-102
Grants, Title 41, chapter 5, part 10
Group home, 41-3-1102, See **Youth residential services**
Guardian, 41-5-103
- consent adjustment, acceptance, 41-5-301
- contempt, 41-5-303
- contributions by, order for, 41-5-403, 41-5-523
- counseling, 41-5-523
- counsel, youth's right to and waiver, 41-5-511
- county of residence, venue, 41-5-204
- custody of youth, notice, 41-5-303
- evaluations, 41-5-523
- examination, 41-5-522
- financial ability for support, determination, 41-5-403, 41-5-523, 41-5-524
- interference with sentence or court order, 45-5-624
- jury trial, demand for, 41-5-521
- petitions, contents, 41-5-501
- restitution by youth, determination, 41-5-403, 41-5-522
- rights of youth, waiver, 41-5-303
- subpoena, right to, 41-5-522
- summons, service, 41-5-502
- transfer of prosecution to district court, notice of hearing, 41-5-206

Guardian ad litem
- appointment, 41-5-303, 41-5-512
- compensation, 41-5-207

Holdover, 41-5-103, See **Detention facilities and services**
Home detention, 41-5-1001, 41-5-1002, See **Detention of youth**

YOUTH COURT (Continued)

Identification of youth
  fingerprint records and photographs, use when, 41-5-304
  jail or other adult detention facility, detention — purpose, 41-5-311
  law enforcement facilities, detention — purpose, 41-5-313
Imprisonment, See **Detention of youth**
Indian children
  placement provisions, 41-5-525, 52-5-103
  welfare specialist, 52-2-117
Industries programs, Title 53, chapter 1, part 3
Information
  collection and dissemination, 41-3-1103
  confidentiality, 41-3-205, 41-3-1005, 41-3-1007, 41-3-1008, 41-3-1010, 41-3-1115, 41-5-529, 41-5-603
Inspection
  facilities, 41-3-1142, 41-4-106, 50-8-101, 50-8-102, 50-8-105, 52-2-113
  records, 41-5-603
Interference with sentence or court order, 45-5-624
Interstate compacts
  juveniles, Title 41, chapter 6, See **MINORS, Interstate Compact on Juveniles**
  placement of children, Title 41, chapter 4, part 1, See **MINORS, Interstate Compact on the Placement of Children**
Interstate transfer of delinquent youth, Title 41, chapter 6, See **MINORS, Interstate Compact on Juveniles**
Investigations, 41-5-301, 41-5-303, 41-5-304, 41-5-704
Jails, 41-5-103, See **Detention facilities and services**
Judge, 41-5-103, See also **JUDGES AND JUSTICES; PUBLIC OFFICERS OR EMPLOYEES**
  adjudicatory hearing, findings, 41-5-521
  bail, 41-5-309, 41-5-502
  committee, youth court — appointment, 41-5-105
  consent adjustment, approval when, 41-5-401
  contested offenses, dismissal, 41-5-521
  designation, 41-5-201
  detention or shelter care, order for, 41-5-502
  disqualification, 41-5-202
  driver improvement program, referrals to, 61-2-302
  duties, 41-5-201
  fingerprints and photographs, order for, 41-5-304
  foster care review committee, 41-3-1115
  information, disclosure to, 41-5-603
  probable cause hearings, conduct by telephone, 41-5-312
  probation officers and deputies appointed by, 41-5-105, 41-5-701, 41-5-702, 41-5-705
  records, consent for destruction, 41-5-604
  rehearing, motion for, 41-5-503
  restitution by youth, approval, 41-5-403
  rotation of service, 41-5-201
  transfer of prosecution to district court, order for, 41-5-206
  workload of court, establishment of proportions attributable to counties, 41-5-104
  youth placement committee recommendations, notices concerning, 41-5-527
Judgments, 41-5-106, 41-5-523, 41-5-524, 41-5-532, 41-5-533, 45-5-624
Jurisdiction
  alcoholic beverage and tobacco violations, 41-5-203
  concurrent, 41-3-103, 41-5-203
  continuing, 41-3-1114, 41-5-604
  correctional facility, upon release, 52-5-127
  detention of youth when, 41-5-305
  determination, 41-5-301

YOUTH COURT (Continued)
Jurisdiction (Continued)

- exclusive, 41-5-203
- extended jurisdiction prosecution, 41-5-1101 — 41-5-1105
- foster care placement review, See **Foster care**
- gambling violations committed by minors, 23-5-158, 41-5-203
- interstate compact on juveniles, Title 41, chapter 6, See **MINORS**, **Interstate Compact on Juveniles**
- interstate placement of children, 41-4-108
- intoxicating substance, possession, 45-5-624
- limitation, 41-5-208
- paint or glue sniffing violations, 45-9-121
- retention, 41-5-205, 52-5-127
- termination, 41-5-205, 41-5-206, 52-5-127
- toxic substances, criminal possession, 45-9-121
- transfer to district court, 41-5-204 — 41-5-206, 41-5-208, 41-5-523, 52-5-127, 53-21-506
- transfer to youth court, 45-5-624
- youth for commitment, 41-5-604, 52-5-107

Jury
- hearing without, 41-5-206
- trial, 41-5-521

Justices' courts, youth matters cited in, 3-10-518
Juvenile detention program, 7-6-501, See **Delinquent youth**
Juvenile probation officer training, 41-5-706
Law enforcement facilities, detention in, 41-5-313
Local Citizen Review Board Pilot Program Act, Title 41, chapter 3, part 10, See **Foster care**
Local government funding for detention services, 7-6-501, 7-6-502, 15-10-402, 15-10-412
Medical examinations, reports, records, or expenses, 41-5-207, 41-5-523, 41-5-603, 41-5-814
Modification of orders, 41-5-523
Montana State Hospital, commitment to prohibited when, 53-21-506
Motions
- confidentiality, 41-5-603
- district court, transfer of jurisdiction to, 41-5-206
- posttrial, availability, 41-5-531
- rehearing, request for, 41-5-503
- suspension of proceedings, 41-5-524

Mountain View School, 41-5-103, See **Correctional facilities**
Necessary parties, 41-5-103
Nonprofit corporations, 41-3-1101, 41-3-1103, 41-3-1131, 41-3-1132
Operation, 41-5-201
Parental contributions account, 41-5-403, 41-5-523, 41-5-524, 41-5-530
Parents, 41-5-103
- abandonment of youth, effect, 41-5-503
- consent adjustment, acceptance and signing, 41-5-301, 41-5-401
- contempt, 41-5-303
- counseling, 41-5-301, 41-5-523
- counsel, youth's right to and waiver, 41-5-511
- county of residence, venue, 41-5-204
- cross-examination, right of, 41-5-522
- custody of youth, notice, 41-5-303
- dispositional hearings, 41-5-522
- examination, 41-5-522
- financial ability for support
  - bail amount, consideration, 41-5-309
  - determination, 41-5-403, 41-5-522 — 41-5-524
  - evaluation costs, payment, 41-5-523
  - order for contribution, 41-5-403, 41-5-523
- interference with sentence or court order, 45-5-624

YOUTH COURT (Continued)
Parents (Continued)

  jury trial, demand for, 41-5-521
  petitions, contents, 41-5-501
  residential services for youth, See **Youth residential services**
  restitution, defined, 41-5-103
    determination, 41-5-403, 41-5-522
    order for, 41-5-523
  rights of youth, waiver, 41-5-303
  shelter care requirements, 41-5-305, 41-5-502
  subpoena, right to, 41-5-522
  substitute care, See **Youth residential services**
  summons, service, 41-5-502, 41-5-503
  surrogate, special education for child with disabilities — appointment procedure, 20-7-461
  transfer of prosecution to district court, notice of hearing, 41-5-206
Petitions, proceeding on, Title 41, chapter 5, part 5
  confidentiality when, 41-5-603
  consent adjustment without, 41-5-301, 41-5-401, 41-5-524, 41-5-703
  contents and form, 41-5-501
  dismissal, 41-5-521, 41-5-524
  filing, 41-5-206, 41-5-301, 41-5-502, 41-5-511, 41-5-524
  hearings, 41-5-206, 41-5-521
  notice to parties, 41-5-502
  probation revocation, 41-5-533
  questioning resulting in, 41-5-303
  reinstatement when, 41-5-524
  transfer of prosecution to district court, effect, 41-5-206
Photographs or fingerprints, 41-5-304, 41-5-604
Pine Hills School, 41-5-103, See **Correctional facilities**
Placement of Children, Interstate Compact on, Title 41, chapter 4, part 1, See **MINORS, Interstate Compact on the Placement of Children**
Placement of youth, See also **Commitment of youth**
  authority, 41-5-306, 41-5-403
  committee, See **Youth Placement Committee**
  county compliance, 41-5-1003
  data concerning, 41-3-403
  detention, 7-6-501, 41-5-307, 41-5-502
  detention facility, in, 41-5-303, 41-5-305, 41-5-306
  determination, 41-5-523, 41-5-527
  emergency, 41-5-526, 41-5-528
  foster care, review, 41-3-1009, See **Foster care**
  group homes, 41-5-306, See **Youth residential services**
  home arrest, 41-5-306, 41-5-403, 41-5-523
  indian children, 41-5-525, 52-5-103
  interstate, Title 41, chapter 4, part 1, See **MINORS, Interstate Compact on the Placement of Children**
  mental health facility, 41-5-523
  penal institution, placement not commitment to, 41-5-106
  permanent placement policy and plan, development, 52-2-121
  probation, on, 41-5-301, 41-5-401, 41-5-403, 41-5-523
  prohibition, 52-5-101
  public health and human services, department of — by, 41-5-403, 52-1-103
  recommendations for, 41-5-523, 41-5-525 — 41-5-528
  residential treatment facilities, 41-5-523
  review, 41-5-526, 41-5-528, See also **Foster care**
  secure detention facility, 41-5-305
  shelter care, 41-5-307, 41-5-502, 41-5-528
  shelter care facility, 41-5-303, 41-5-305, 41-5-306

YOUTH COURT (Continued)
Placement of youth (Continued)
    short-term detention facility, 41-5-306
    substitute care, 41-5-403, 41-5-524
    temporary, 41-5-526, 41-5-528
    unauthorized when, 41-5-403, 41-5-523
    youth care facilities, 41-3-1122, 41-5-306, 41-5-403, 41-5-528
    youth correctional facility, 41-5-103, 41-5-106
Pleadings, 41-5-603
Police station, detention in, 41-5-313
Policies, 40-7-102, 41-5-201, 52-5-102
Posttrial motions, availability, 41-5-531
Predisposition report, 41-5-522, 41-5-523, 41-5-603
Priority, hearings and appearances, 41-5-110, 41-5-521
Privileged communications, 41-5-402, 41-5-603
Probable cause hearings, 41-5-103
    held when, 41-5-303, 41-5-502
    detention prior to, 41-5-103, 41-5-311
    placement of youth following, 41-5-306
    requirements, 41-5-303
    telephonic proceeding, 41-5-312
Probation or parole
    applicability of laws, 46-23-102
    consent decree, 41-5-524
    discharge, 41-5-524
    exclusion from adult provisions, 46-23-102
    foster care placement expenses, funding, 3-5-901
    informal adjustment, by, 41-5-301, 41-5-401, 41-5-403
    interstate supervision, Title 41, chapter 6, See **MINORS**, **Interstate Compact on Juveniles**
    officers, Title 41, chapter 5, part 7, See **Probation officers**
    petition, reinstatement — consultation, 41-5-524
    placement on, when, 41-5-301, 41-5-401, 41-5-403, 41-5-523
    prior periods of, effect, 41-5-206
    recommendations for, 52-5-111
    revocation proceedings and disposition, 41-5-533
    supervision records, 41-5-603
    violation, 41-5-103, 41-5-533, 41-5-703
    youth division offices, 41-5-201, 41-5-701, 52-2-203
Probation officers, Title 41, chapter 5, part 7
    appointment, 41-5-105, 41-5-701, 41-5-702, 41-5-705
    arrests by, prohibited, 41-5-703
    compensation, 41-5-704, 41-5-705
    consent adjustment, 41-5-301, 41-5-401
    consent decree, report submitted when, 41-5-524
    custody of youth
        notice to parent, guardian, custodian, or relative, 41-5-303
        taking youth into custody, 41-5-703
    deputies — appointment, salary, and longevity allowance, 41-5-705
    detention, notification and report, 41-5-307
    informal adjustment, 41-5-301, 41-5-401
    juvenile, training, 41-5-706
    personnel, appointment and supervision, 41-5-201, 41-5-701
    powers and duties, 41-5-703
    predisposition report and social summary, 41-5-522, 41-5-703
    preliminary investigation and disposition, 41-5-301
    qualifications, 41-5-701, 41-5-702
    records, inspection, 41-5-603

YOUTH COURT (Continued)
Probation officers (Continued)

- salary and expenses, 41-5-704, 41-5-705
- shelter care, notification and report, 41-5-307
- supervision of youth, 41-5-523, 41-5-603, 41-5-703, 41-5-704
- transportation of youth, 41-5-704
- "youth court" defined, 41-5-103
- youth placement committee, representation on, 41-5-525

Prosecution transferred to district court when, 41-5-204 — 41-5-206, 41-5-208, 41-5-523, 53-21-506
Psychological reports, examinations, or records, 41-5-522, 41-5-523, 41-5-603
Public assistance recipients, 53-2-610
Purpose of provisions, 41-5-102, 52-1-101
Record of hearings, 41-5-303, 41-5-521
Records, Title 41, chapter 5, part 6
- confidentiality, 41-3-205, 41-3-1005, 41-3-1007, 41-3-1008, 41-3-1010, 41-5-529, 41-5-603
  - crime victims compensation proceedings, nonapplicability, 53-9-104
  - exceptions, 41-5-604
- disposition, 41-5-604
- fingerprints and photographs, 41-5-304, 41-5-604
- local citizen review board, access, 41-3-1008
- public access, 3-10-518, 41-5-605
- sealing, 41-5-603, 41-5-604
- youth placement committee, 41-5-529

Regional detention facilities, 41-5-103, See **Detention facilities and services**
Rehabilitation of youth, 52-2-113, See **Youth residential services**
Release of youth, 41-5-301, 41-5-303, 41-5-307, 41-5-521, 41-5-523
- bail, on, 41-5-309
- corrections, department of — control when, 52-5-102, 52-5-126, 52-5-127, 52-5-129, 53-1-104
- holdover used prior to, 41-5-103
- probation, from, 41-5-524
- short-term detention center used prior to, 41-5-103

Remedies available, 41-5-531
Residential treatment facilities, placement in, 41-5-523, See **Youth residential services**
Respite care, 41-3-1102, 41-3-1151, 41-3-1152, See **Youth residential services**
Restitution, 41-5-103
- approval for, 41-5-403
- criteria for, 41-5-403, 41-5-522
- order for, 41-5-102, 41-5-103, 41-5-523

Rights of youth, 41-5-303
- advised of, youth to be, 41-5-301, 41-5-303, 41-5-515
- counsel, 41-5-303, 41-5-502, 41-5-511
- cross-examination, 41-5-522
- enforcement and recognition, 41-5-102
- jury trial, 41-5-521
- posttrial motions and remedies, availability, 41-5-531
- privacy, 41-5-529
- special advocate, 41-3-1010, 41-3-1013
- subpoena, 41-5-522
- waiver when, 41-5-303, 41-5-523
- witnesses, right to confront, 41-5-513

Rules
- civil procedure, of — applicability, 41-5-503, 41-5-521
- crime control, board of, 41-5-1008
- evidence, of — inapplicable, Title 26, chapter 10, M.R.Ev., Rule 101
- hearing on petition, 41-5-206
- public health and human services, department of, 41-5-529, 41-5-809, 41-5-810, 52-1-103

Runaway youth, return of, 52-5-113; Title 41, chapter 6, See **MINORS, Interstate Compact on Juveniles**

YOUTH COURT (Continued)

School
  correctional facility, curricula, 52-5-106
  tuition, 20-5-316, 20-5-321, 20-7-420
Self-incrimination, 41-5-303, 41-5-402, 41-5-514
Serious juvenile offender, 41-5-103, 41-5-523, 46-24-207, See also **Delinquent youth**
Service of process, 41-5-207, 41-5-502, 41-5-503
Sexual or violent offenses
  DNA testing and records, 41-5-604, 44-6-103
  sexually transmitted disease testing of convicted person, 46-18-256
Shelter care, 7-6-501, 41-5-103, See also **Youth residential services**
  adjudication, pending, 41-5-502
  approval, 41-5-307
  bail, youth released on, 41-5-309
  continuance, determination, 41-5-301
  grant provisions, nonapplicability, 41-5-1004
  local government funding, 7-6-501, 7-6-502, 15-10-402, 15-10-412, 41-5-802
  notice, 41-5-307
  order for, 41-5-502
  petitions, contents, 41-5-501
  placement in, when, 41-5-502, 41-5-528
  place of, 41-5-306, 41-5-307
  required when, 41-5-305, 41-5-502
Shelter care facilities, 41-5-103
  county to provide, 41-5-810
  general provisions, 41-5-802
  placement in, 41-5-303, 41-5-305 — 41-5-307, 41-5-528
  private party agreements, 41-5-810
  temporary or emergency placement in, 41-5-528
  transfer to, detention pending, 41-5-103, 41-5-311, 41-5-313
  transportation of youth to, funding, 7-6-501, 7-6-502, 41-5-1004
  youth detention facility, operation with, 41-5-802
Short-term detention centers, 41-5-103, See **Detention facilities and services**
State Family Services Advisory Councils, membership requirements, 52-1-202, 52-1-203
State grants for detention services, Title 41, chapter 5, part 10
State youth correctional facility, 41-5-103, See **Correctional facilities**
Stay of judgment when, 41-5-532
Subpoenas, 41-5-207, 41-5-301, 41-5-522
Substitute care, 41-3-1102, 41-5-103, See **Youth residential services**
Summons
  content and service, 41-5-207, 41-5-502, 41-5-503
  costs, 41-5-503
Supreme court
  appeals to, 41-5-532
  local citizen review board, administration and oversight, 41-3-1002
Suspension of proceedings, 41-5-524
Transcripts, 41-5-207, 41-5-532
Transfer
  custody, to private agency from public agency, 41-3-1105
  detention pending, 41-5-311, 41-5-313
  interstate, delinquent youth, Title 41, chapter 6, See **MINORS**, **Interstate Compact on Juveniles**
  other facilities, to, 52-5-102, 52-5-110
  prosecution to district court, 41-5-204 — 41-5-206, 41-5-523, 52-5-127, 53-21-506
Transportation of youth, 7-32-2144, 41-5-704, 52-5-109
Venue, 41-3-103, 41-5-204
Verdicts, 41-5-603

YOUTH COURT (Continued)

Victims
  entitlement to information, See **Restitution**
  services and assistance, 46-24-207
Waivers
  counsel, right to, 41-5-511
  jury trial, 41-5-521
  notice requirements, 41-5-503
  rights, 41-5-303, 41-5-523, 46-8-102
  summons, service, 41-5-503
Witnesses
  confrontation, party's right to, 41-5-513
  expenses, 41-5-207
  offenses, of — services and assistance, 46-24-207
  petition, listed in, 41-5-501
Workload, establishment of proportions attributable to counties, 41-5-104
Youth care facilities, 41-3-1102, 50-8-101, See **Youth residential services**
Youth correctional facilities, 41-5-103, See **Correctional facilities**
Youth Court Committee, appointment and duties, 41-5-105
"Youth" defined, 41-5-103
Youth detention facilities, 41-5-103, See **Detention facilities and services**
Youth in need of care, 41-3-102, 41-3-603, 41-5-103, See also **CHILD ABUSE AND NEGLECT**
  determination, 41-5-301
  placement, 41-5-306
  shelter care, See **Shelter care**
  substitute care, establishment, 41-3-1102, See **Youth residential services**
Youth in need of supervision, 41-5-103, 41-3-1102
  adjudicatory hearing, 41-5-521
  detention procedures, Title 41, chapter 5, part 3, See **Detention of youth**
  disposition, 41-5-523
  dispositional hearing, 41-5-522
  gambling violations committed by minors, 23-5-158, 41-5-203
  jurisdiction, 41-3-1114, 45-5-624; Title 41, chapter 5, part 2
  petition alleging
    consent decree, 41-5-524
    form and content, 41-5-501
    lack of, consent adjustment, 41-5-401
  placement, 41-3-1122, 41-5-303, 41-5-306
    prohibitions on, 41-5-310, 52-5-101
  probation revocation, disposition, 41-5-533
  rights of youth, 41-5-303, 41-5-511
  school, See **School**
  shelter care, See **Shelter care**
  substitute care, establishment, 41-3-1102, See **Youth residential services**
  tobacco possession or consumption convictions, 45-5-637
Youth Placement Committee
  composition, 41-5-525
  confidentiality, 41-5-529
  recommendations by, 41-5-523, 41-5-525 — 41-5-528
  review of placements, 41-5-526, 41-5-528
Youth residential services, 41-3-1102, See also **Foster care**
  age of youth, 41-3-1114
  alcohol or drug abuse treatment, funds, 41-3-1103
  community-based services, 41-3-1103, 41-3-1131, 41-3-1132
  contracts for, 41-3-1103, 41-3-1132
  debt for support, limitations, 40-5-221, 41-3-1126

YOUTH COURT (Continued)
Youth residential services (Continued)

- donations, 41-3-1103
- establishment, 41-3-1101, 41-3-1131, 52-2-112
- inspect or register, duties, 52-1-103, 52-2-113
- license required, 41-3-1141
  - authority, departmental, 41-3-1103, 52-2-113
  - investigations, 41-3-205
  - issuance, 41-3-1142
  - nonprofit corporations, 41-3-1131
  - one-step licensing required, 50-8-101, 50-8-102
  - penalty for failure to obtain, 41-3-1143
- payment for services, 41-3-1103, 41-3-1122
- personnel, training, 41-3-1103, 41-3-1131
- placement, temporary or emergency, 41-5-528
- rehabilitation, 52-2-113
- standards, 41-3-1103
- family services councils, state and local — membership, 52-1-202, 52-1-203
- substitute care, defined, 41-3-1102, 41-5-103
  - establishment, 41-3-1101
  - temporary, See **Detention of youth**
- zoning regulations, 76-2-411, 76-2-412

YOUTH DETENTION FACILITIES
See **YOUTH COURT, Detention facilities and services**

YOUTH FOSTER OR GROUP HOMES
See **YOUTH COURT**

YOUTH GUIDANCE CENTERS, MULTICOUNTY, 7-16-2104

YOUTH RESIDENTIAL SERVICES
See **YOUTH COURT**

YOUTH SHELTER CARE FACILITIES
See **YOUTH COURT, Shelter care facilities**

YOUTH VOTING ACT, Title 13, chapter 22
See **ELECTIONS**

Z

ZONING
See also **LAND USE PLANNING**; **PLANNING BOARDS**
Actions challenging creation of districts, limitations, 76-2-101, 76-2-202
Agricultural activities, protection, 76-2-901 — 76-2-903
Airport influence areas, effect, 67-4-303
Airports, Title 67, chapter 6, See **AIRPORTS AND LANDING FIELDS, Zoning and hazard regulations**
Appeals from decisions regarding
- county board of adjustment, 76-2-223, 76-2-226 — 76-2-228
- municipal board of adjustment, 76-2-323, 76-2-326 — 76-2-328

Asphalt batching operations, regulations, 76-1-113, 76-2-209
Boards of adjustment, See **County**; **Municipal**
Buildings
- county districts or regulations, effect, 76-2-202
- development pattern, effect, 76-2-104
- enforcement of provisions, 76-2-210, 76-2-308

ZONING (Continued)
Buildings (Continued)

    "manufactured housing" defined, 76-2-202, 76-2-302
    municipal zoning and districts, effect, 76-2-301
    nonconforming uses, prior — continuation, 76-2-105, 76-2-208
    permits, 76-2-108
Business improvement districts, compliance, 7-12-1111
Cemetery associations, compliance required, 35-20-201
City and town, See **Municipal**
Commission, See also **Planning and zoning commission and districts**
    appointment and duties, 76-2-220
    city planning, airport zoning commission — appointment as, 67-6-202
    municipal, appointment and functions, 76-2-307
Community residential facilities, 76-2-411, 76-2-412
Concrete processing operations, regulations, 76-1-113, 76-2-209
Conflict of laws, 76-2-309
County
    agencies, applicability of provisions, 76-2-402
    authorization, 76-2-201
    board of adjustment
        actions by, vote requirements, 76-2-224
        airport hazard adjustment, board of — as, when, 67-4-312
        appeals, 76-2-223
            costs, awarding, 76-2-228
            procedures, 76-2-226, 76-2-227
        composition and term, 76-2-222
        creation, 76-2-221
        hearings, 76-2-402
        powers, 76-2-223
        public access, 76-2-225
    definitions, 76-2-401
    districts, 76-2-202, 76-2-204, 76-2-205
    enforcement of provisions, 76-2-210
    good faith intentions, 76-2-206
    hearings, 76-2-205
    land owned by, coordination, 7-8-2501
    natural resources, effect on, 76-2-209
    permits, location or conformance, 76-2-207
    protests, 76-2-101, 76-2-205
    regulations
        adoption or amendment procedures, 76-2-205
        authorization, 76-2-201
        criteria and guidelines, 76-2-203
        establishment, 76-2-202
        recommendations for, 76-2-204, 76-2-220
        temporary, 76-2-206
    subdivisions, exemption from environmental assessment, 76-3-210
    temporary maps or regulations, 76-2-206
    violations, 76-2-210, 76-2-211
County planning and zoning commission, See **Planning and zoning commission and districts**
Definitions, 76-2-401
Districts, See **County**; **Municipal**; **Planning and zoning commission and districts**
Emergency suspension of laws, 10-3-313
Enabling Act, Title 76, chapter 2, part 3, See **Municipal**
Enforcement of provisions, 76-2-210, 76-2-308
Existing nonconforming uses, continuation, 76-2-105, 76-2-208
Fines for violations, 76-2-211, 76-2-315

ZONING (Continued)

40-acre law, Title 76, chapter 2, parts 1 and 2
Gambling activities, to prohibit, 23-5-171
Governmental agencies, hearing requirements, 76-2-402
Housing
  authorities, municipal — cooperation, 7-15-4416
  manufactured, 76-2-202, 76-2-302
  projects, subject to zoning laws, 7-15-4455
Industrial districts, 7-15-4299
Interim ordinances or regulations, 76-2-206, 76-2-306, 76-2-308
Land
  county districts, effect, 76-2-202
  development pattern, effect, 76-2-104
  enforcement of provisions, 76-2-210, 76-2-308
  municipal zoning and districts, effect, 76-2-301
  nonconforming uses, prior — continuation, 76-2-105, 76-2-208
Local government, 76-2-401
  agencies, application of provisions, 76-2-402
  self-government powers, with — mandatory provisions, 7-1-114
Manufactured housing, 76-2-202, 76-2-302
Mining operations, sand and gravel — regulations, 76-1-113, 76-2-209, 82-4-431, 82-4-432
Municipal
  adjacent areas, effect on power to plan, 76-2-112
  agencies, applicability of provisions, 76-2-402
  authorization, 76-2-301
  board of adjustment
    actions by, vote requirement, 76-2-324
    airport hazard adjustment, board of — as, when, 67-4-312
    appeals, 76-2-323
      costs, awarding, 76-2-328
      procedures, 76-2-326, 76-2-327
    appointment, 76-2-321
    composition and term, 76-2-322
    hearings, 76-2-402
    powers, 76-2-323
    public access, 76-2-325
  codes, 7-5-4202
  commission, appointment and functions, 76-2-307
  community residential facilities, 76-2-411, 76-2-412
  conflict of laws, 76-2-309
  definitions, 76-2-401
  districts
    boundaries, 76-2-303, 76-2-307
    division into, 76-2-302
  enforcement of provisions, 76-2-308
  exclusion for certain municipalities, when, 76-2-312
  extension beyond municipal boundaries, 76-2-310 — 76-2-312
  hearings, 76-2-303
  ordinances, 76-2-306, 76-2-308
  protests, 76-2-305
  purposes, 76-2-304
  regulations
    administration, 76-2-303
    alteration, 76-2-305
    boundaries of municipalities, extension beyond, 76-2-310 — 76-2-312
    conflict of laws, 76-2-309

ZONING (Continued)
Municipal (Continued)
    regulations (Continued)
        enforcement, 76-2-308
        protests, 76-2-305
        purposes, 76-2-304
        recommendations for, 76-2-220, 76-2-307
        uniformity, 76-2-302
    technical codes, 7-5-4202
    violations and penalties, 76-2-315
Natural resources, effect on, 76-2-109, 76-2-209
Nonconforming uses, prior — continuation, 76-2-105, 76-2-208
Parking commission facilities, compliance with laws, 7-14-4631
Permits, 76-2-108, 76-2-207
Planning and zoning commission and districts
    appeals from decisions by, 76-2-110
    creation, 76-2-101
    building permits, 76-2-108
    commerce, department of — technical assistance from, 90-1-103
    composition, 76-2-102
    development districts, 76-2-106, 76-2-107
    development pattern, adoption, 76-2-104
    natural resources, effect on, 76-2-109
    powers, 76-2-103
    public agencies, cooperation, 76-2-111
    tax levy within, 76-2-102
Planning boards, functions concerning, Title 76, chapter 1, See **PLANNING BOARDS**
Port authorities, regulations, 7-14-1102, 7-14-1111
Prior nonconforming uses, continuation, 76-2-105, 76-2-208
Protests, 76-2-101, 76-2-205, 76-2-305
Rangelands and range management plans, 76-14-105, See **RANGELAND RESOURCES**
Regulations, See **County**; **Municipal**
Shooting ranges, effect, 76-9-103, 76-9-104
Statutes of limitation, actions challenging creation of districts, 76-2-101, 76-2-202
Subdivisions, Title 76, chapter 4, See also **SUBDIVISIONS**
    environmental assessment, exempt when, 76-3-210
    municipal boundaries, extension of regulations beyond, 76-2-310 — 76-2-312
    plats, approval by municipalities — authority concerning, 76-2-112
Suspension of laws, emergency, 10-3-313
Temporary ordinances or regulations, 76-2-206, 76-2-306, 76-2-308
Urban renewal rehabilitation or redevelopment
    industrial districts, 7-15-4299
    municipality, exercise of powers, 7-15-4208, 7-15-4281
    plan, 7-15-4206
    program, inclusion of controls, 7-15-4209
    public bodies, cooperation, 7-15-4267
Violations
    abatement or prevention, 76-2-210, 76-2-308
    penalties, 76-2-211, 76-2-315
Voluntary, Title 76, chapter 2, parts 1 and 2
Zoning commission, See **Planning and zoning commission and districts**

ZOOS AND MENAGERIES, Title 87, chapter 4, part 8
    See **FISH AND WILDLIFE**

WORDS AND PHRASES DEFINED IN CODE

Abandoned, 82-4-203
    horse, 81-4-501
Abandonment, 7-14-2601, 60-1-103, 60-11-110
    costs, 69-3-1203
    of surface or underground mining, 82-4-303
Abortion, 50-20-104
    attempted, 50-20-104
Absolute
    fee simple, 70-15-204
    ownership, 70-1-303
Abstract, 33-25-105
Abuse, 52-3-803, 53-6-155
    childhood sexual, 27-2-216
    patient, 53-6-155
    physical, 50-20-203
    ritual abuse of a minor, 27-2-217
    sexual, 41-3-102, 50-20-203, 52-3-803
Abuse or neglect, child, 41-3-102
Abused or neglected, 41-3-102
Acceptance, 30-2-606, 30-3-410
Accepted actuarial standards, 33-16-1008
Acceptor, 30-3-102
Access, 44-5-103
    carrier access service, 15-53-101
    control of, 60-1-103
    exchange access services, 10-4-101
    net amount billed for the exchange access service fee, 10-4-204
    telephone access line, 53-19-302
Accessible, 13-3-202
    legally accessible state lands, 77-1-101
    polling place, 13-3-207
Accessions, 30-2A-310, 30-9-314
Accessory to a corner, 70-22-103
Accident, 39-71-119
Accidental release, 75-11-302
Accommodated party, 30-3-415
Accommodation(s)
    charge, 15-65-101
    covered multifamily housing, 49-2-305
    for, 30-3-415
    housing, 49-2-101, 49-4-203
    party, 30-3-415
    public, 49-2-101
Accompany, 37-47-101
Accord, 28-1-1401
Account(s), 10-4-101, 15-61-102, 30-4-104, 30-9-106, 33-10-202, 37-51-102, 39-71-2501, 72-6-201, 77-1-602, 87-1-256, 87-5-102
    administrator, 15-61-102
    authorized, 30-4A-105

Account(s) (Continued)

- available for withdrawal from the account as a matter of right, 32-7-117
- capital projects, 17-5-801
- capital reserve, 90-6-103, 90-7-102
- custodial account for shippers' proceeds, 81-8-213
- debtor, 30-9-105
- debt service, 17-5-401, 17-5-507, 17-5-801
- deposit, 30-9-105
- fixed assets account group, 17-2-102
- holder, 15-61-102
- long-term debt account group, 17-2-102
- MCSD, 32-3-805
- medical care savings, 15-61-102
- multiple-party, 72-6-201
- profit and loss, 32-1-109
- reclamation and development grants, 90-2-1103
- renewable resource grant and loan program state special revenue, 85-1-102
- renewable resource loan proceeds, 85-1-102
- retail charge account agreement, 31-1-202
- savings, 32-2-101
- security, 72-6-301
- terms of the, 72-6-201
- traffic education, 20-7-501
- treasury cash, 17-6-202
- undivided profits, 32-1-109
- workers' compensation bond repayment, 39-71-2501

Accounting, practice of public, 37-50-101
Accreditation, 50-5-101, 75-2-502
- joint commission on accreditation of hospitals, 50-5-101

Accredited, 37-25-102
- college or university, 37-17-102
- state, 33-2-1501

Accrued
- paid or, 15-30-101
- received or, 15-30-101

Accumulated, contributions, 19-2-303, 19-20-101
Accurate, reasonably, 69-4-501
Acidification, direct, 81-22-101
Acidified, directly, 81-22-101
Acknowledgment, 1-5-602
Acquire, 32-1-382
Acquired from decedent, property, 72-16-332
Acre(s)
- centennial, 2-89-202
- thirty, 71-1-303

Act(s), 45-2-101, 90-3-102, 90-9-103
- bond, 17-5-801
- commodity exchange, 30-10-103
- family support act of 1988, 53-4-702
- federal, 50-5-101, 50-31-103, 70-31-102, 75-5-1102, 75-6-202
- federal food, drug and cosmetic, 81-9-217
- federal insurance contributions, 19-1-102
- grain standards, 80-4-402
- investment company act of 1940, 30-10-103
- involuntary, 45-2-101
- job training partnership, 53-2-1103

Act(s) (Continued)

- legislative, 2-9-111
- nationwide inland marine definition, 33-1-221
- notarial, 1-5-602
- official, 2-2-102
- older americans, 52-3-401
- public utility holding company act of 1935, 30-10-103
- revocatory act on the will, 72-2-527
- safe drinking water, 75-6-102
- securities act of 1933, 30-10-103
- securities exchange act of 1934, 30-10-103
- social security, 19-1-102
- tax, 17-5-1302
- ultimate sexual, 45-8-205

Action(s), 7-7-105, 7-32-4121, 25-1-102, 25-9-702, 27-1-102, 27-2-101, 30-1-201, 70-19-101, 70-24-103
- agency, 2-3-102
- civil, 27-1-103; Title 25, chapter 20, M.R.Civ.P., Rule 2; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 2
- company action level event, 33-2-1904
- company action level RBC, 33-2-1902
- corrective, 75-11-302
- criminal, 27-1-103
- official, 2-2-102, 17-5-1102
- payment to influence official, 5-7-102
- pending, 25-1-103
- regulatory action level event, 33-2-1905
- regulatory action level RBC, 33-2-1902
- remedial, 75-10-602, 75-10-701
- remedial action contract, 75-10-701
- remedial action contractor, 75-10-701
- remedial action costs, 75-10-701
- thing in, 70-2-101
- with taking or damaging implications, 2-10-103

Active
- duty, 39-29-101
- ingredient, 80-8-102
- management, 72-16-331
- member, 19-2-303, 19-17-102
- membership, 19-20-302

Activity(ies)
- agricultural, 76-2-902
- commercial or industrial, 75-15-103
- engage in an equine, 27-1-726
- equine, 27-1-726
- equine activity sponsor, 27-1-726
- gambling, 23-5-112
- health maintenance, 37-8-103
- heavy labor, 39-71-703
- light labor, 39-71-703
- medium labor, 39-71-703
- ongoing, 39-71-2501
- private activity bonds, 17-5-1302
- purposeful, 37-24-103
- risks inherent in equine, 27-1-726
- sedentary labor, 39-71-703
- water development, 85-1-102
- work, 53-7-202

Activity(ies) (Continued)

  - work activity center, 18-5-101

Actual
  - agency, 28-10-103
  - authority, 28-10-402
  - fraud, 28-2-405
  - notice, 1-1-217, 50-20-203
  - taxable value, 7-15-4283
  - wage loss, 39-71-116

Actuarial
  - accepted actuarial standards, 33-16-1008
  - certification, 33-22-1803
  - cost, 19-2-303
  - equivalent, 19-2-303, 19-20-101
  - liabilities, 19-2-303
  - unfunded actuarial liabilities, 19-2-303

Actuary, 19-2-303, 33-2-1501
  - qualified, 19-19-205, 33-2-521

Acupuncture, 37-13-103
  - school of, 37-13-103

Acupuncturist, 37-13-103
Addict, drug, 37-2-111
Additional
  - contributions, 19-2-303
  - services, 17-7-102

Addition thereto, 75-20-104
Additive(s)
  - color, 50-31-103, 81-9-217
  - food, 50-31-103, 81-9-217, 81-22-101

Addled, 81-20-205
Address, last-known, 70-9-102
Adequate health care, 41-3-102
Adherent yolk, 81-20-205
Adjacent, 7-2-4801
Adjusted
  - contributions, 44-1-518
  - gross estate, 72-16-451
  - RBC report, 33-2-1902
  - tax difference with respect to the estate, 72-16-338
  - total adjusted capital, 33-2-1902
  - value, 72-16-331

Adjuster, 33-17-102
  - insurance, 37-60-101
  - license, 33-17-102
  - public, 33-17-102

Adjusting, debt, 31-3-201
Administer, 50-32-101
  - and pay, 39-71-116

Administration
  - local, 72-4-101
  - of criminal justice, 44-5-103
  - supervised, 72-1-103, 72-3-401
  - unemployment insurance administration fund, 39-51-201, 39-51-406

Administrative
  - code committee, 2-4-102
  - cost(s), 1-2-116, 17-1-502, 75-5-1102, 75-6-202, 85-1-102

Administrative (Continued)

- hearing, 40-5-226
- position, 20-4-208
- proceeding, 45-2-101
- reduction of administrative staff, 20-4-208
- school district employee, 20-9-512
- warrant, 46-5-212

Administrator, 19-2-101, 33-17-102, 50-5-1103, 82-11-101
- account, 15-61-102
- detention center, 7-32-2120, 7-32-2241, 44-4-302
- election, 13-1-101
- finance, 7-3-122
- license, 33-17-102
- nursing home, 37-9-101
- plan, 40-5-804
- public, 72-16-101
- records, 7-3-122
- special, 72-1-103

Adoption, 40-8-103
- assistance agreement, 52-2-521
- assistance state, 52-2-521
- placement for, 40-8-103

Adoptive parent, 40-8-103

Adult(s), 39-7-303, 41-1-101, 41-5-103, 72-26-502
- basic education, 20-7-701
- day-care center, 50-5-101
- disabled, 50-5-101, 52-3-202
- education, 20-7-701
- foster care home, 50-5-101

Adulterated, 45-6-318, 80-8-102, 81-9-217, 81-22-101
- feed, 80-9-204

Advanced practice registered nurse, 37-8-102

Advance for school facilities, state, 20-9-370

Advantage, certificate of public, 50-4-605

Adverse
- claim, 30-8-302
- material fact, 37-51-102
- underwriting decision, 33-19-104

Advertisement, 37-53-102, 50-31-103

Advertising
- national, 30-14-102
- outdoor, 75-15-103

Adviser
- investment, 30-10-103
- investment adviser representative, 30-10-103

Advising bank, 30-5-103

Advisory
- capacity, 2-15-102
- community advisory board, 32-1-109
- council, 2-18-809, 19-2-101, 20-30-101, 44-5-502, 75-2-103, 80-7-903, 90-14-102
- emergency medical services advisory council, 50-6-401
- health care advisory council, 50-4-504
- organization, 33-16-102, 33-16-1008
- planning and advisory council, 53-20-202
- program advisory council, 20-26-103

- **Aeronautics**, 67-1-101
  - instructor, 67-1-101
- **AFDC**, 39-7-602
- **Affected**
  - area of land, 82-4-203
  - land, 82-4-403
  - local government unit, 90-6-402
  - person, 50-5-101
  - property owner, 22-3-421
- **Affidavit**, 26-1-1001
- **Affiliate**, 23-5-629, 30-14-803, 31-2-328, 33-2-1101, 33-19-104, 33-22-1803, 37-53-102, 69-3-112, 72-34-117, 72-34-311
- **Affiliated**, 32-1-707, 33-2-1101, 33-19-104, 33-22-1803
  - bank, 32-1-802
  - corporation, 15-31-321
- **Affinity**, 1-1-219
- **Affirmation**, verification upon oath or, 1-5-602
- **Afternoon**, 30-4-104
- **Age**, 49-2-101, 49-3-101
  - at expiry, 33-20-212
- **Aged**
  - person, 50-5-101, 52-3-202
  - services to the, 52-3-401
- **Agency(ies)**, 2-3-102, 2-4-102, 2-5-103, 2-6-109, 2-6-110, 2-8-102, 2-8-301, 2-15-102, 2-18-101, 2-18-601, 2-18-1202, 2-18-1205, 5-13-401, 7-15-4206, 17-7-102, 18-7-302, 18-8-202, 28-10-101, 40-8-103, 41-5-103, 52-2-401, 70-31-102, 76-2-401
  - action, 2-3-102
  - actual, 28-10-103
  - authorized, 33-1-1204, 37-21-101
  - authorized governmental, 61-3-106
  - certifying, 80-5-120
  - child-care, 41-3-1102
  - consumer reporting, 31-3-102, 33-19-104
  - cooperating, 20-9-701
  - criminal justice, 44-5-103
  - educational service, 39-51-2108
  - employment, 49-2-101
  - federal, 7-7-4602
  - finance, 61-4-402
  - financing, 30-2-104
  - franchise agreement, 16-1-106
  - fund, 17-2-102
  - fund type, 17-2-102
  - governmental, 67-11-401, 75-6-202, 90-6-103
  - grantee, 17-3-102
  - head, 2-18-1101, 50-40-203
  - home health, 50-5-101
  - home infusion therapy, 50-5-101
  - investigating, 7-4-2917
  - IV-D, 23-7-312
  - law enforcement, 7-32-201, 44-11-303, 45-8-108
  - law enforcement agency of another state, 44-11-303
  - law enforcement agency of this state, 44-11-303
  - lending, 20-30-402
  - licensing, 50-8-101

Agency(ies) (Continued)

- liquor store, 16-1-106
- local, 18-8-202, 52-2-302
- nongovernmental, 53-30-303
- of the united states, 76-15-103
- of this state, 76-15-103
- ostensible, 28-10-103
- party law enforcement, 44-11-303
- prime, 20-9-701
- principal data source, 90-15-102
- private safety, 10-4-101
- public, 7-1-4121, 7-11-103, 18-1-101, 18-11-102, 67-10-204, 67-11-203
- public safety, 10-4-101
- purchasing, 18-4-123, 18-5-501
- recognized, 76-13-102
- requesting, 17-7-102
- service, 17-3-102
- state, 1-2-116, 2-2-102, 2-10-103, 2-18-111, 5-12-102, 5-13-102, 17-2-110, 17-3-102, 17-4-101, 18-8-102, 18-8-202, 19-1-102, 22-1-211, 23-1-302, 50-60-101, 52-2-202, 53-21-212, 77-1-701, 90-4-602
- state or local child support enforcement, 39-51-3106
- state or local governmental agency, 49-3-101
- support enforcement, 40-5-103
- urban renewal, 7-15-4206
- using, 18-4-123

Agent(s), 15-24-903, 20-30-101, 28-10-101, 44-2-111, 45-2-311, 50-32-101, 61-12-301, 72-1-103, 72-6-201, 80-4-402, 81-22-101

- authorizing, 37-19-101
- buyer, 37-51-102
- dual, 37-51-102
- general, 28-10-102
- high managerial, 45-2-311
- information, 15-30-101
- in-house buyer agent designate, 37-51-102
- in-house seller agent designate, 37-51-102
- managing general, 33-2-1501, 33-17-102
- physical agent modalities, 37-24-103
- qualifying, 37-60-101
- seller, 37-51-102
- special, 28-10-102
- supervising, 46-23-401
- transfer, 30-10-402

Aggrieved party, 30-1-201

Agreement, 7-6-101, 10-3-1103, 15-35-102, 15-70-121, 17-3-301, 28-2-905, 30-1-201, 30-2-106, 30-14-1102, 44-11-303, 50-4-102, 50-4-605, 70-20-202, 72-16-331

- adoption assistance, 52-2-521
- agency franchise, 16-1-106
- agricultural development project loan, 90-9-103
- apprenticeship, 39-6-105
- buyer broker, 37-51-102
- cooperative, 50-4-605
- fire hazard reduction, 76-13-401
- for sale, 30-11-103
- franchise, 37-51-102
- health care services, 33-31-102
- lease, 30-2A-103

Agreement (Continued)

- license, 30-14-303
- listing, 37-51-102
- master fire hazard reduction, 76-13-401
- mutual aid, 10-3-1103, 44-11-303
- not at arm's length, 15-23-801
- of distributorship, 16-3-415
- operating, 35-8-102
- partnership, 35-10-102, 35-12-504
- preferred provider, 33-22-1703
- premarital, 40-2-603
- premium finance, 33-14-102
- rental, 70-24-103
- repurchase, 7-6-213
- retail charge account, 31-1-202
- science and technology development project loan, 90-3-102
- security, 30-9-105
- to buy, 30-11-105
- to sell, 30-11-104
- to sell and buy, 30-11-106
- truncation, 30-4-111

Agricultural, 15-1-101
- activity, 76-2-902
- and food product, 81-8-701
- business, 90-9-103
- chemical, 80-15-102
- commodity, 80-4-402
- development project, 90-9-103
- development project loan agreement, 90-9-103
- enterprises, 90-5-101
- experiment station, 20-1-101
- holder of foreclosed agricultural land, 25-13-901
- improvement, 69-4-401
- innovative agricultural technology, 90-9-103
- labor, 15-30-201, 39-51-205
- land, 25-13-901, 80-12-102
- production, 82-10-502
- products, 35-17-103, 80-11-101
- raw agricultural commodity, 50-31-103, 81-9-217
- seeds, 80-5-120
- use, 15-70-201, 15-70-301

Agriculture, 41-2-103

Aid(s)
- BASE, 20-9-306
- direct state, 20-9-306
- hearing, 37-16-102
- mutual aid agreement, 10-3-1103, 44-11-303
- or sustenance, 39-71-116
- practice of selling, dispensing, and fitting hearing, 37-16-102
- state equalization, 20-9-343
- to families with dependent children, 53-4-201, 53-4-702

Aide
- audiology, 37-15-102
- occupational therapy, 37-24-103
- physical therapy, 37-11-101
- speech-language pathology, 37-15-102

AIDS, 50-16-1003
Air
  and water pollution equipment, 15-6-135
  carrier, 67-1-101
  commerce, 15-23-401
  commercial air operator, 67-1-101
  contaminant, 50-70-103, 75-2-103
  instruction, 67-1-101
  navigable air space, 67-1-101
  navigation, 67-1-101
  navigation facility, 67-1-101
  pollutants, 75-2-103
  pollution, 75-2-103
  school, 67-1-101
Airbill, 30-1-201
Airborne infectious disease, 50-16-701
Aircraft, 15-23-401, 50-6-302, 67-1-101
  civil, 67-1-101
  operate, 67-1-101
  operation of, 67-1-101
  public, 67-1-101
Aircrew, 67-1-101
Airline company, scheduled, 15-23-401
Airport, 67-1-101, 67-4-102
  and landing field, 67-1-101
  authority, 67-1-101
  established perimeter of an airport or landing field, 67-1-101
  hazard, 67-1-101
  hazard area, 67-1-101
  influence area, 67-4-102
  municipal airport authority, 67-1-101
  protection privileges, 67-1-101
  regional airport authority, 67-1-101
Airway, state, 67-1-101
Alarm
  response runner, 37-60-101
  security alarm system, 37-60-101
Alcohol, 16-1-106
  concentration, 61-8-407
  distributor, 15-70-503
  incapacitated by, 53-24-103
Alcoholic, 53-24-103
  beverage, 16-1-106
Alderman, 7-3-4201
Alert, energy supply, 90-4-302
Alien insurer, 33-1-201
Alleged father, 40-5-201
Allegiance, 1-1-403
All-inclusive rate, 53-1-401
Allocation, 17-5-1302
Allowable benefit, 33-35-103
Allowance
  reasonable allowance for use, 61-4-501
  retirement, 19-20-101
Alluvial valley floor, 82-4-203

Alongside, free, 30-2-319
Alteration(s), 30-3-407, 85-15-106
Alternative
  arrangement, 40-5-315, 40-5-304, 40-5-403
  beneficiary designation, 72-2-716
  control program, 80-7-501
  devise, 72-2-613
  fuel, 15-30-164
  future interest, 72-2-717
  practices, 77-5-302
  renewable energy source, 90-4-102
Ambulance, 50-6-302
Ambulatory surgical facility, 50-5-101
Amendment, 50-71-102, 82-4-303
  approved long-range building program budget, 17-7-102
  budget, 5-12-102, 17-7-102
  price, 30-10-204
  soil, 80-10-101
American(s)
  college of american pathologists, 50-5-101
  employer, 39-51-203
  indian studies, 20-4-211
  older americans act, 52-3-401
Ammonia
  anhydrous, 80-10-502
  anhydrous ammonia facility, 80-10-502
Ammunition, armor-piercing, 46-18-224
Amortization bond(s), 7-7-2210, 7-7-4209, 7-12-2171, 7-12-4203, 7-14-2527, 20-9-408
Amount
  closely held business, 72-16-451
  deferred, 72-16-471
  levied, 15-10-402
  net amount billed for the exchange access service fee, 10-4-204
  of taxes levied, 15-10-402
  required interest, 72-16-471
  weekly benefit, 39-51-201
Analysis
  guaranteed, 80-10-102
  nursing, 37-8-102
Anatomical gift, 72-17-102
ANB, 20-1-101
  county retirement mill value per elementary, 20-9-366
  county retirement mill value per high school, 20-9-366
  district mill value per, 20-9-366
  statewide mill value per elementary, 20-9-366
  statewide mill value per high school, 20-9-366
Ancestor, surviving, 72-2-719
Ancillary
  charge, 53-1-401
  services, 53-6-145
  state, 33-2-1303
Anesthesia, general, 37-4-101
Anesthetic, general, 37-4-101
Angling, 87-2-101

Anhydrous ammonia, 80-10-502
  facility, 80-10-502
Animal(s), 7-23-2109, 27-1-222, 45-8-210, 81-2-702, 81-30-102
  dead or fallen, 81-9-311
  facility, 81-30-102
  fur-bearing, 87-2-101
  game, 87-2-101, 87-4-406
  game farm, 87-4-406
  hide, 81-9-401
  predatory, 81-7-101, 87-2-101
  unit, 76-16-103, 77-6-507
  -unit-month carrying capacity, 77-6-507
  wild, 50-23-101, 87-3-141, 87-4-801
Anniversary date, 2-18-101, 33-15-1102
Annual
  average annual net earnings, 70-31-102
  culmination of mean annual increment, 15-44-102
  gross value of product, 15-37-102
  mean annual high-water elevation, 75-7-202
  mean annual net wood production, 15-44-102
  payroll, 39-51-201, 39-71-116
  payroll for the preceding year, 39-71-116
  reporting date, 15-37-102
  sustainable yield, 77-5-221
Annuitant, contingent, 19-2-303
Annuity, 19-2-303, 19-20-101
  and life income fund, 17-2-102
  pension and annuity income, 15-30-101
  reserve, 19-20-101
  reverse annuity mortgage loan, 90-6-503
  savings fund, 19-20-602
  unallocated annuity contract, 33-10-202
Annulment, divorce or, 72-2-814
Anomalous indorsement, 30-3-204
Another, 45-2-101
  law enforcement agency of another state, 44-11-303
  property of, 45-2-101
Answering point, public safety, 10-4-101
Anticipated future uses, reasonably, 75-10-701
Anticipatory guidance, 33-22-303, 33-22-512, 33-30-1014
Antibiotic drug, 50-31-301
Antidote, 80-8-102
Antique slot machine, 23-5-153
Antiquities permit, 22-3-421
Anything of value, 13-1-101
Apiary, 80-6-101
  general, 80-6-101
  hobbyist, 80-6-101
  landowner, 80-6-101
  pollination, 80-6-101
  queen, 80-6-101
Appeal, record on, Title 25, chapter 21, M.R.App.P., Rule 9
Appearance of defendant, 25-3-401
Appear, notice to, 46-1-202

- **Appliance(s)**
  - prosthetic, 53-7-101, 53-7-301
  - reasonably safe tools and, 39-71-116
- **Applicability of definitions**, 1-2-107
- **Applicable percentage**, 72-2-227
- **Applicant**, 22-3-421, 23-5-112, 30-13-301, 33-19-104, 33-22-903, 33-22-1107, 33-25-105, 39-8-102, 46-23-401, 53-6-155, 75-7-103, 75-10-950, 85-9-103
- **Application(s)**, 17-3-102, 20-30-101, 23-5-112, 72-1-103, 75-10-903, 75-20-104, 85-2-327, 85-2-329, 85-2-335, 85-2-340, 85-2-342, 85-2-602
  - naturopathic physical, 37-26-103
  - point of standards, 80-15-102
  - written, 19-2-303
- **Applicator**, 80-8-102
  - commercial, 80-8-102
  - farm, 80-8-102
  - public utility, 80-8-102
- **Appointing authority**, 7-12-1103, 49-4-502
- **Appointment**
  - appropriate evidence of appointment or incumbency, 30-8-402
  - disposition or appointment of property, 72-2-813, 72-2-814
  - general power of, 72-16-302
  - power of, 72-2-222
  - presently exercisable general power of, 72-2-222
- **Apportionable vehicle**, 61-3-712
- **Appraisal**, 37-54-102, 70-31-102
  - assignment, 37-54-102
  - certified appraisal report, 37-54-102
  - foundation, 37-54-102
  - independent appraisal service, 37-54-102
  - real estate, 37-54-102
  - report, 37-54-102
- **Appraiser**
  - certified real estate, 37-54-102
  - licensed real estate, 37-54-102
- **Appreciation bonds**, capital, 7-7-4214
- **Apprenticeship agreement**, 39-6-105
- **Apprentice**, 37-27-103
  - water well driller, 37-43-102
- **Appropriate**, 85-2-102
  - authority in the receiving state, 41-4-104
  - court, 46-31-102
  - evidence of appointment or incumbency, 30-8-402
  - free appropriate public education, 20-7-401
  - person, 30-8-308
  - public authorities, 41-4-103
  - sale criteria, 33-22-1107
  - unit, 39-31-103, 39-32-102
- **Appropriation**
  - change in appropriation right, 85-2-102
  - proposed supplemental, 17-7-301
  - statutory, 17-7-502
  - supplemental, 17-7-305
- **Appropriator**, 85-2-506
- **Approval**, sale on, 30-2-326

Approved
    attorney, 33-25-105
    by the members, 35-2-114
    course of treatment, 50-17-102
    internship, 37-3-102
    long-range building program budget amendment, 17-7-102
    medical school, 37-3-102
    naturopathic medical college, 37-26-103
    private treatment facility, 53-24-103
    public treatment facility, 53-24-103
    residency, 37-3-102
    school, 37-32-101
    smoke detector, 70-24-303
    source, 50-31-103
    teacher education program, 20-4-131
Approving authority, 17-7-102
Approximate
    number, 80-5-120
    percentage, 80-5-120
Appurtenance, 70-15-105
Appurtenant works, 85-15-106
Aquatic resources, 75-7-303
Aquifer, 80-15-102, 82-4-203, 85-2-501, 85-2-903
Arcade, 23-6-101
Architect, 37-65-102
    landscape, 37-66-103
    licensed architect, professional engineer, or professional land surveyor, 18-8-202
Architectural, engineering, and land surveying, 18-8-202
Architecture
    landscape, 37-66-103
    practice of, 37-65-102
Area(s), 23-2-702
    airport hazard, 67-1-101
    airport influence, 67-4-102
    assessable, 7-12-2151, 7-12-4162, 7-12-4422, 7-14-2907
    blighted, 7-15-4206
    certified wellhead protection, 75-6-102
    designated smoking area, 50-40-203
    established geographic service, 33-22-1803
    ground water, 85-2-501
    high-hazard, 60-7-102
    low-hazard, 60-7-102
    market, 30-14-303
    municipal jurisdictional, 50-60-101
    natural, 76-12-104
    natural areas system, 76-12-104
    new service, 69-4-102
    of land affected, 82-4-203
    planning and service, 52-3-401
    resort, 7-6-4461, 16-4-202
    restricted landing, 67-1-101
    rural, 15-30-188, 35-18-102
    safety rest, 75-15-103
    service delivery, 53-2-1103
    ski area operator, 23-2-732

Area(s) (Continued)

- smoking, 50-40-103
- snowmobile, 23-2-652
- snowmobile area operators, 23-2-652
- throughway intersection, 60-5-102
- transportation service, 20-10-101
- unit of surface-mined, 82-4-303
- unzoned commercial or industrial, 75-15-103
- urban, 75-15-103, 76-6-104
- urban renewal, 7-15-4206
- work, 50-78-102

ARM, 2-4-102
Armed
- carrier service, 37-60-101
- forces, 39-29-101
- private investigator, 37-60-101
- private security guard, 37-60-101

Armored car service, 37-60-101
Armor-piercing ammunition, 46-18-224
Arm's length, agreement not at, 15-23-801
Arraignment, 46-1-202
Arrangement, 33-35-103
- alternative, 40-5-315, 40-5-304, 40-5-403
- employee leasing, 39-8-102
- insurance, 33-22-1501
- multiple employer welfare, 33-35-103
- professional employer, 39-8-102
- self-funded multiple employer welfare, 33-35-103

Arrest, 46-1-202
- home, 46-18-1001
- warrant, 46-1-202

Art(s)
- dealer, 22-2-501
- fine, 22-2-501
- imitation indian arts or crafts articles, 30-14-601
- nonprofit arts organization, 16-4-303
- public museums, art galleries, zoos, and observatories, 15-6-201
- work of, 22-2-403

Arterial
- highway, 60-5-102
- street, 61-1-204

Artesian water, 50-31-103
Article(s)
- illegal, 45-2-101
- imitation indian arts or crafts, 30-14-601
- necessary, 40-2-210
- of commerce, 30-14-202
- of incorporation, 35-1-113, 35-2-114
- of organization, 35-8-102

Artificial
- insemination, 81-2-401
- lake or pond, 87-4-603
- obstruction, 76-5-103

Artist, 22-2-403, 22-2-501
Artistic merit, object of significant, 72-16-446

Asbestos, 75-2-502
    -related occupation, 75-5-502
    project, 75-2-502
ASHA, 37-15-102
Assault, in the course of committing sexual, 45-5-502
Assembly
    front-end, 61-3-210
    occupancy, 50-61-103
Assessable
    area, 7-12-2151, 7-12-4162, 7-12-4422, 7-14-2907
    carrier, 33-22-1803
Assessed value, 15-1-101, 15-8-111
Assessment, 76-16-103
    developmental, 33-22-303, 33-22-512, 33-30-1014
    ground water assessment steering committee, 85-2-903
    numerical risk, 80-15-102
    nutrition, 37-25-102
Asset(s), 31-2-328
    fixed assets account group, 17-2-102
    general, 33-2-1303
    risk, 32-3-704
    trusteed, 33-2-202
Assignment, 1-1-205, 30-10-301, 30-10-402
    appraisal, 37-54-102
Assistance, 53-2-101, 53-2-802, 53-4-201
    adoption assistance agreement, 52-2-521
    adoption assistance state, 52-2-521
    cash, 53-4-602
    child-care, 53-4-602
    federal assistance programs, 17-3-102
    federal financial, 70-31-102
    financial, 2-7-501
    medical assistance facility, 50-5-101, 50-5-301
    public, 40-5-201, 53-2-101, 53-2-802, 53-4-201
    public assistance program, 53-2-1103
    recoverable medical, 53-6-165
    technology transfer and assistance project, 90-9-103
Assistant
    certified occupational therapy, 37-24-103
    legal, 37-60-101
    personal assistant services, 53-6-145
    physical therapist, 37-11-101
    physical therapist assistant student, 37-11-101
    physician assistant-certified, 37-20-401
Assistive technology
    device, 20-7-401
    service, 20-7-401
Associate, 33-25-105
    broker, 37-51-102
Associated
    equipment, 23-5-602
    facilities, 75-20-104
    lands, 87-1-256
    with a political party, 13-10-507

Association, 19-18-101, 32-2-103, 33-10-102, 33-10-202, 33-22-802, 33-22-1501, 35-17-103, 37-15-102, 37-53-102, 85-6-109
  benevolent, 33-6-102
  bona fide, 33-35-103
  building and loan, 32-2-101
  business, 70-9-102
  foreign guaranty, 33-2-1303
  guaranty, 33-2-1303
  mutual, 32-2-101
  of unit owners, 70-23-102
  owners', 37-53-102
  plan, 33-22-1501
  plan premium, 33-22-1501
  savings and loan, 32-2-101
  stock, 32-2-101
Assumed business name, 30-13-201
Assumption, state, 53-2-802
Attach, 30-9-203
Attached to mines, fixtures, 70-15-104
Attack, enemy, 10-3-502
Attempted abortion, 50-20-104
Attendance, naturopathic childbirth, 37-26-103
Attendant, 39-4-102
  care, 41-5-1001
Attending physician, 50-9-102, 50-10-101
Attorney, 33-5-104
  approved, 33-25-105
  county, 72-16-101
  durable power of, 72-5-501
  general's explanatory statement, 13-27-315
  prosecuting, 40-5-103
At will, 30-1-208, 30-2A-109
  partnership, 35-10-102
Auction
  sale by, 30-11-501
  satellite video livestock auction market, 81-8-213
  video auction market, 81-8-213
Audiologist, 37-15-102
Audiology
  aide, 37-15-102
  practice of, 37-15-102
Audit, 2-7-501, 50-16-504
  performance, 2-8-102
  services, 5-13-401
Auditor, independent, 2-7-501
Auger method, extended depth, 15-35-102
Authority(ies), 7-3-122, 7-14-1601, 7-15-4402, 60-5-102, 67-1-101, 80-12-102, 85-3-401, 90-7-102
  actual, 28-10-402
  airport, 67-1-101
  appointing, 7-12-1103, 49-4-502
  appropriate authority in the receiving state, 41-4-104
  appropriate public, 41-4-103
  approving, 17-7-102
  delegation of, 5-4-403
  executive, 46-30-101

Authority(ies) (Continued)

- general taxing, 19-9-209, 19-13-214
- governing, 20-5-402
- highway, 60-1-103, 60-5-102
- housing, 7-15-4402
- inspecting, 50-8-101
- joint authority, words giving, 1-1-218
- licensing, 35-4-109, 35-8-102, 40-5-701, 61-5-402
- local, 61-1-306
- local emergency response, 10-3-1203
- mausoleum-columbarium, 35-21-102
- municipal, 67-1-101
- municipal airport, 67-1-101
- obligee of the, 7-15-4402
- ostensible, 28-10-403
- port, 15-24-1901
- public, 18-1-201
- regional, 67-1-101
- regional airport, 67-1-101
- reviewing, 76-4-102
- supervising, 46-18-1001

Authorized

- account, 30-4A-105
- agency(ies), 33-1-1204, 37-21-101
- control level event, 33-2-1906
- control level RBC, 33-2-1902
- emergency vehicles, 61-1-119
- equipment, 23-5-112
- governmental agency, 61-3-106
- insurer, 33-1-201, 33-2-301
- officer, 2-16-114, 17-5-1102
- person, 72-2-901
- representative, 50-5-1103, 50-72-102
- shares, 35-1-113
- signature of the represented person, 30-3-403

Authorizing agent, 37-19-101

Autism, 20-7-401

Automobile or boat transporter, stinger-steered, 61-10-104

Auxiliary

- dental, 37-4-408
- officer, 7-32-201
- pharmacy technician or, 37-7-101
- subfund, 17-2-102

Available

- for withdrawal from the account as a matter of right, 32-7-117
- make available for examination and reproduction, 46-1-202
- net earnings available for fixed charges, 33-2-818

Average

- annual net earnings, 70-31-102
- final average compensation, 19-9-104, 19-13-104
- final average salary, 19-3-520, 19-6-101, 19-7-101, 19-8-101
- final compensation, 19-20-101
- levy, 15-23-211
- number belonging, 20-1-101
- published monthly, 33-20-134
- weekly wage, 39-71-116

Average (Continued)

- wholesale value, 15-1-101

Aviation
- dealer, 15-70-201
- fuel, 15-70-201
- gasoline, 75-11-302

Axle, 61-1-128
- load, 61-10-107

Bail, 46-1-202
- bond service, 61-12-301

Bailee, 30-7-102
Bait, 87-2-101
Baked goods, 50-50-102
Balance, principal, 31-1-202
Ballot
- issue, 13-1-101
- mail ballot election, 13-19-102

Bank(s), 30-1-201, 30-4-105, 30-4A-105, 32-1-102, 32-1-371, 32-1-382, 32-1-561
- advising, 30-5-103
- affiliated, 32-1-802
- beneficiary's, 30-4A-103
- branch, 32-1-109
- collecting, 30-4-105
- commercial, 32-1-102, 32-1-105
- confirming, 30-5-103
- custodian, 30-8-102
- depositary, 30-4-105
- holding company, 32-1-109, 32-1-382
- insolvent, 32-1-503
- intermediary, 30-4-105, 30-4A-104
- obligated, 30-3-421
- -offered spot rate, 25-9-702
- originator's, 30-4A-104
- owning bank holding company, 32-1-802
- payor, 30-4-105
- presenting, 30-4-105
- receiving, 30-4A-103
- savings, 32-1-102, 32-1-106, 32-1-421
- separate office of a, 30-1-111, 30-4-106

Banker's credit, 30-2-325
Banking
- day, 30-4-104
- institution, 32-1-601
- main banking house, 32-1-109
- organization, 70-9-102

Bankruptcy, debtor in, 35-10-102
Banned hazardous substance, 50-30-203
Barbering, practice of, 37-30-101
Barbershop, 37-30-101
Barrel, 30-12-101
Barrier, 23-2-301
Base
- budget, 17-7-102
- capital, 90-8-104
- consumption level, 15-35-102
- data, 50-4-504

Base (Continued)

    district guaranteed tax base ratio, 20-9-366
    number, 87-4-410
    period, 39-51-201
    premium rate, 33-22-1803
    present law, 17-7-102
    production level, 15-35-102
    salary, 2-18-101
    statewide elementary guaranteed tax base ratio, 20-9-366
    statewide high school guaranteed tax base ratio, 20-9-366
    taxable value, 7-15-4283
    taxable wage, 39-51-1121
    year structure, 15-30-101
BASE, 20-9-306
    aid, 20-9-306
    budget, 20-9-306
    budget levy, 20-9-306
    funding program, 20-9-306
Based on population, 16-1-411
Basic
    adult basic education, 20-7-701
    cost of cigarettes, 16-10-103
    entitlement, 20-9-306
    health benefit plan, 33-22-1803
    health care services, 33-31-102
    services, 53-6-145
Basin, 85-2-602, 85-2-801
    beaverhead river, 85-2-327
    flathead, 75-7-303
    jefferson river, 85-2-340
    madison river, 85-2-340
    red rock river, 85-2-327
    teton river, 85-2-329
    upper clark fork river, 85-2-335
    upper missouri river, 85-2-342
Basis, regular, 52-2-703
Bathing place, public, 50-53-102
Bearer, 30-1-201
    form, 30-8-102
    payable to, 30-3-111
Beauty culture, 37-31-101
Beaverhead River basin, 85-2-327
Bed
    day, 15-60-101
    observation, 50-5-101
Bee(s), 80-6-101, 80-6-1102
    diseases, 80-6-101
Beef
    extra lean ground, 50-31-103
    ground, 50-31-103
    lean ground, 50-31-103
    patty mix, 50-31-103
    regular ground, 50-31-103
    super lean ground, 50-31-103
Beekeeper, hobbyist, 80-6-101

Beer, 16-1-106
  importer, 16-1-106
Being, human, 45-2-101
Be interested in, 2-2-201
Belonging, average number, 20-1-101
Bench, 82-4-203
  fill, 82-4-203
Benchmark, class series, 2-18-101
Beneficial
  claim of beneficial interest, 30-10-402
  insects, 80-8-102
  shareholder, 35-1-826
  use, 85-2-102
Beneficiary(s), 19-20-101, 30-4A-103, 30-5-103, 39-71-116, 39-72-102, 71-1-303, 71-3-1113, 72-1-103, 72-2-716, 72-2-717, 72-6-201, 72-33-108
  alternative beneficiary designation, 72-2-716
  bank, 30-4A-103
  deceased, 72-2-716, 72-2-717
  designated, 19-2-303
  designation, 72-1-103, 72-2-716
  form, 72-6-301
  income, 72-34-402
  remainder, 72-34-402
  surviving, 72-2-716, 72-2-717
Benefit(s), 19-2-303, 19-17-102, 39-51-201, 39-51-504, 45-2-101, 53-6-155
  allowable, 33-35-103
  basic health benefit plan, 33-22-1803
  contract, 33-7-108
  equivalency, 33-22-1803
  extended, 39-51-2501
  extended benefit period, 39-51-2501
  fraternal benefit society, 33-7-105
  fringe, 39-2-903
  group, 2-18-809
  health benefit plan, 33-22-110, 33-22-243, 33-22-1703, 33-22-1803, 40-5-804
  individual health benefit plan, 33-22-241
  inpatient, 33-22-702, 33-22-705
  limited benefit disability insurance policy, 33-22-1201
  long-term benefit to the Montana economy, 17-6-302
  member, 33-7-108
  mutual benefit corporation, 35-2-114
  outpatient, 33-22-702, 33-22-705
  pecuniary, 45-2-101
  personal, 13-37-240
  plan, 72-26-502
  public, 85-1-102, 90-2-1103
  public benefit corporation, 35-2-114
  regular, 39-51-2501
  rehabilitation, 39-71-1011
  retirement, 19-2-303
  standard health benefit plan, 33-22-1803
  survivorship, 19-2-303, 19-17-102
  unemployment, 39-51-3106
  value, 33-22-1803
  weekly benefit amount, 39-51-201

Benefit(s) (Continued)

- year, 39-51-201

Benefited property, 7-14-2901
Benevolent association, 33-6-102
Best management
- plans, 80-15-102
- practices, 80-15-102

Between
- fixed termini, 69-12-101
- merchants, 30-2-104

Beverage, 75-10-301
- alcoholic, 16-1-106
- malt, 16-1-106

Bicycle, 61-1-123
- trail, 60-3-302

Bidder
- nonresident, 18-1-101
- resident, 18-1-101
- responsible, 18-5-501
- responsible bidder or offeror, 18-4-301
- responsive, 18-4-301

Bidding, blind, 30-14-303
Bids, invitation for, 18-4-301
Bill
- airbill, 30-1-201
- feed, 17-7-305
- of lading, 30-1-201

Billing
- customer billing error, 69-3-221
- cycle, 32-5-502

Bingo, 23-5-112
- caller, 23-5-112
- machine, 23-5-602

Bin-run seed sales, 80-5-120
Bioavailability, 37-7-502
Bioequivalent, 37-7-502
Biologics, 81-2-702
Biomass combustion device, low emission wood or, 15-32-102
Birds
- game, 87-4-701, 87-4-901
- game bird farm, 87-4-901
- migratory game, 87-2-101
- upland game, 87-2-101

Birth
- live, 50-15-101
- parent, 40-8-103

Black rot, 81-20-205
Blanket
- disability insurance, 33-22-601
- encumbrance, 76-4-1101

Blank indorsement, 30-3-204
Blaster, construction, 37-72-101
Blasting, construction, 37-72-101
Blighted area, 7-15-4206
Blind
- bidding, 30-14-303

Blind (Continued)

- certified blind person, 18-5-402
- person, 18-5-402, 18-5-501
- vendor, 18-5-402

Blindness, 53-7-301

Block(s), 7-12-2101, 7-12-4101
- grant, 53-10-501
- of business, 33-22-241
- quarter, 7-12-2101, 7-12-4101

Blood, 37-7-602
- component, 37-7-602
- paternity blood test, 40-5-201
- related by blood or marriage, 52-2-703
- ring, 81-20-205
- spot, 81-20-205
- test, 40-6-102

Bloody white, 39-3-201, 81-20-205

Board(s), 2-7-501, 7-13-202, 7-13-302, 15-1-101, 15-24-1602, 15-36-303, 17-6-503, 22-3-803, 33-22-1803, 37-1-130, 37-26-103, 37-27-103, 37-28-102, 37-47-101, 37-54-102, 39-3-201, 39-71-2603, 41-5-1001, 50-6-302, 50-9-102, 50-10-101, 50-53-102, 53-20-102, 75-10-403, 75-10-903, 75-10-950, 75-11-203, 75-11-302, 76-12-104, 76-13-102, 76-13-401, 81-1-101, 82-4-103, 82-4-203, 82-4-303, 82-4-403, 82-10-301, 82-11-101, 90-3-102, 90-4-602, 90-6-103, 90-6-302, 90-6-402
- community advisory, 32-1-109
- community corrections, 53-30-303
- electronic bulletin, 2-17-321
- examining, 39-73-101
- free on, 30-2-319
- governing, 72-30-102
- institutional review, 50-16-504
- local, 50-1-403, 50-2-101, 50-16-602, 50-17-102, 50-16-1003
- local board of health, 50-1-403, 50-53-102
- member, 32-1-901
- of county commissioners, 7-12-2101
- of directors, 7-13-2201, 7-13-4502, 32-4-101, 35-2-114
- of public education, 20-1-101
- of regents, 20-1-101
- of rehabilitation certification, 39-71-1011
- of review, 30-16-103
- of stewards, 23-4-101
- of supervisors, 85-9-103
- planning, 76-1-103
- preservation review, 22-3-421
- retirement, 19-20-101
- state, 15-1-101
- state board of education, 20-1-101

Boardinghouse, 50-51-102

Boat transporter, stinger-steered automobile or, 61-10-104

Bodily
- force likely to cause death or serious bodily harm, 45-3-101
- injury, 45-2-101, 75-11-302
- serious bodily injury, 45-2-101

Body(ies)
- dead, 50-15-101
- diverted away from a natural water, 23-2-301

Body(ies) (Continued)

governing, 7-1-4121, 7-3-122, 7-6-101, 7-6-1101, 7-6-4465, 7-7-109, 7-7-4402, 7-7-4602, 7-12-1103, 7-22-2207, 7-22-2501, 17-5-101, 17-5-2101, 35-21-102, 67-1-101, 67-10-204, 67-11-203, 69-4-303, 75-7-202, 76-1-103, 76-3-103, 85-1-310, 90-5-101
governmental, 18-4-123
legislative, 2-9-111, 7-7-131, 7-14-4602
local governing, 7-15-4206, 75-7-202
local legislative, 50-60-101
official, 17-5-1102
person in charge of disposition of a dead, 50-15-101
public, 7-15-4206, 17-5-202, 17-5-2101, 76-6-104
state public, 7-14-4602
taxing, 7-15-4283
Bona fide
association, 33-35-103
purchaser, 30-8-302
resident of Montana, 18-2-401
Bond(s), 7-7-109, 7-15-4206, 7-15-4402, 15-70-301, 15-70-701, 17-5-101, 17-5-202, 17-5-801, 17-5-903, 17-5-1302, 17-5-1503, 17-5-2101, 60-11-1102, 60-11-1202, 67-1-101, 80-4-402, 80-12-102, 90-5-101, 90-6-103, 90-6-302
act, 17-5-801
amortization, 7-7-2210, 7-7-4209, 7-12-2171, 7-12-4203, 7-14-2527, 20-9-408
bail bond service, 61-12-301
cap, 17-5-1302
capital appreciation, 7-7-4214
energy conservation program, 90-4-602
governmental, 17-5-1302
holder of, 7-7-4602
issue of, 85-7-2020
long-range building program, 17-5-401
outstanding, 17-5-903
private activity, 17-5-1302
refunding, 7-7-4602, 60-11-1102, 60-11-1202
serial, 7-7-2211, 7-7-4210, 7-12-2171, 7-12-4203, 7-14-2528, 20-9-408
workers' compensation bond repayment account, 39-71-2501
zero-coupon, 7-7-4214
Bondholder, 7-7-4602
Bonus, 10-1-803
Booth, 37-31-101
Boring, geotechnical, 37-43-102
Boss
fire, 50-73-102
mine, 50-73-102
Bottle club, 16-6-306
Bottled water, 50-31-103
Brain injury, traumatic, 20-7-401, 53-6-501
Brake fluid, hydraulic, 61-9-314
Branch, 30-1-111, 30-1-201, 30-4-106
bank, 32-1-109
constitutionally designated and elected officials of the executive branch of government, 2-6-301
distributor, 61-4-201
executive, 2-15-102, 7-1-4121
factory, 61-4-201
office, 37-60-101
Brand, 80-10-101
name, 37-7-502, 39-71-727, 80-9-101

Breach of trust, 72-34-501
Break in service, 2-18-601
Brewer, 16-1-106
Bribe, 1-1-207
Bridge(s), 7-14-2101, 60-1-103
  free public, 7-14-2502
  public, 7-14-2201
Broadband, 35-18-102
Broker, 15-35-102, 30-8-303, 37-51-102, 61-1-318, 72-26-502
  associate, 37-51-102
  buyer broker agreement, 37-51-102
  -dealer, 30-10-103
  glass, 33-18-223
  owner, 37-51-102
  registered broker-dealer, 30-10-103
  statutory, 37-51-102
  timeshare, 37-53-102
  wage, 31-1-303
Brother, 15-30-113
Btu, 15-35-102
Bucket trucks, 50-76-101
Budget
  amendment, 5-12-102, 17-7-102
  approved long-range building program budget amendment, 17-7-102
  base, 17-7-102
  BASE, 20-9-306
  BASE budget levy, 20-9-306
  director, 5-12-102
  maximum general fund, 20-9-306
  over-BASE budget levy, 20-9-306
  projected general fund budget deficit, 17-7-140
Budgeted fund, 20-9-201
Buffalo, wild, 87-2-101
Building(s), 15-32-102, 17-7-201, 18-2-101, 37-65-102, 50-60-101, 70-23-102
  and land, 15-24-2001
  and loan association, 32-2-101
  approved long-range building program budget amendment, 17-7-102
  factory-built, 50-60-101
  height of buildings and structures, 67-1-101
  local building department, 50-60-101
  long-range building program, 17-5-401
  long-range building program bonds, 17-5-401
  new state, 22-2-403
  or structure, 67-1-101
  public, 37-65-102
  public school building or property, 20-5-411
  regulations, 50-60-101
  state building code, 50-60-101
Bulk
  delivery, 15-70-201, 15-70-301
  fertilizer, 80-10-101
  pipeline terminal, 90-4-302
Bull
  graded, 81-4-211
  purebred, 81-4-211

Bulletin board, electronic, 2-17-321
Burden of establishing, 30-1-201
Bureau, 2-15-104, 50-32-101, 85-2-501
  nonprofit convention and visitors, 15-65-101
Burial
  marked, unmarked, unrecorded, registered, or unregistered grave or burial ground, 22-3-803
  material, 22-3-803
  site, 22-3-803
Bus, 61-1-115
  route, 20-10-101
  school, 20-10-101, 61-1-116
Business, 2-2-102, 5-7-102, 7-12-1103, 18-4-123, 30-14-202, 35-10-102, 70-31-102; Title 26, chapter 10, M.R.Ev., Rule 803
  agricultural, 90-9-103
  association, 70-9-102
  assumed business name, 30-13-201
  block of, 33-22-241
  buyer in ordinary course of, 30-1-201, 30-2A-103
  certified Montana small business investment capital company, 90-8-104
  class of, 33-22-1803
  closely held business amount, 72-16-451
  columbarium, 35-21-102
  commonality of business interests, 23-5-629
  consumer type loan, 32-5-102
  controlled, 33-17-102, 33-25-105
  copies of entries in the regular course of, Title 26, chapter 10, M.R.Ev., Rule 1001
  cost of doing, 30-14-202, 30-14-803
  day(s), 1-1-216, 16-10-103, 69-4-501
  destruction in the regular course of, 32-1-494
  district, 61-1-408
  doing, 15-31-101, 33-2-1303
  engaged in, 15-31-101
  entity, 39-71-432
  escrow, 32-7-102
  family business entity, 81-3-211
  funds-transfer business day, 30-4A-105
  hours, 69-6-103
  income, 15-31-302
  incubator, 15-24-1801
  interest in a closely held, 72-16-453
  inventories, 15-6-202
  lessee in ordinary course of, 30-2A-103
  mausoleum, 35-21-102
  mausoleum-columbarium business or purposes, 35-21-102
  Montana, 90-8-104
  new business premium rate, 33-22-1803
  occupancy, 50-61-103
  producer of title, 33-25-105
  qualified, 17-6-503
  qualified Montana small business investment capital company, 90-8-104
  reproduction in the regular course of, 32-1-494
  sign, 60-5-502
  small, 15-31-123, 18-5-303, 33-27-103
  small business corporation, 15-31-201
  small business investment company, 15-33-103

Business (Continued)

  small business set-aside, 18-5-303
  small business stationary source, 75-2-103
  telephone, 15-53-101
  title insurance, 33-25-105
  transact, 30-10-103
  trust, 35-5-101
  unitary, 15-31-312
  unitary business operation, 15-31-141
Butter, 81-22-101
  processed, 81-22-101
  renovated, 81-22-101
Buy, 61-4-402
  agreement to, 30-11-105
  agreement to sell and, 30-11-106
Buyer, 30-2-103, 30-14-502, 31-1-202, 37-51-102, 69-14-1101, 81-9-401
  agent, 37-51-102
  broker agreement, 37-51-102
  in-house buyer agent designate, 37-51-102
  in ordinary course of business, 30-1-201, 30-2A-103
  retail, 31-1-202
  subagent, 37-51-102
Buying, 30-1-201, 30-2A-103
  and selling service, 61-12-301
Bylaws, 35-2-114
Bypassing, 69-4-1102
Byproduct material, 75-3-103
Cab, 61-3-210
Cable television system, 35-18-102
Calcium-EAP, 50-43-102
Calcutta pool, 23-5-221
Calendar quarter, 15-60-101, 39-51-201, 61-3-721
Caller
  bingo, 23-5-112
  keno, 23-5-112
Camp
  work, 50-52-101
  youth, 50-52-101
Camper, 61-1-129, 61-9-405
  slide-in, 61-9-405
Campground, 15-65-101, 50-52-101
Cancellation, 30-2-106, 30-2A-103, 33-15-1102, 61-1-505
C.&F. , 30-2-320
Candidate, 13-1-101
Candling, 81-20-203
Canned food, 27-1-716
Canola seed oil processing facility, 15-6-136
Cap
  bonds, 17-5-1302
  volume, 17-5-1302
Capacity
  advisory, 2-15-102
  animal-unit-month carrying, 77-6-507
  fiduciary, 32-1-802
  in a representative, 1-5-602
  official, 35-1-451, 35-2-446

Capacity (Continued)

  optimum carrying, 87-5-102
  rated, 20-10-111
Capital, 32-1-109, 33-2-307
  appreciation bonds, 7-7-4214
  base, 90-8-104
  certified Montana capital company, 90-8-104
  certified Montana small business investment capital company, 90-8-104
  company, 17-6-302
  expansion capital project, 90-3-102, 90-9-103
  expenditure, 50-5-101
  highway capital projects fund, 17-5-506
  investment, 15-32-102
  membership capital share deposit, 32-3-805
  minimum capital reserve requirement, 90-6-119
  moneyed, 15-31-703
  obligation for capital expenditure, 50-5-301
  paid-in, 32-1-109
  private corporate capital stock, 17-6-201
  projects account, 17-5-801
  projects fund, 17-5-401
  projects fund type, 17-2-102
  qualified Montana capital company, 90-8-104
  qualified Montana small business investment capital company, 90-8-104
  reserve account, 90-6-103, 90-7-102
  seed capital project, 90-3-102, 90-9-103
  seed capital project loan, 90-3-102, 90-9-103
  startup capital project, 90-3-102
  stock, 32-1-109, 32-2-101
  total adjusted, 33-2-1902
  venture capital company, 90-3-102
Capitol, 45-6-104
Captive insurer, 33-2-1501
Car(s)
  armored car service, 37-60-101
  private railroad, 15-23-211
  railroad car company, 15-23-211
Carbonated water, 50-31-103
Card
  game, 23-5-112
  game table, 23-5-112
  game tournament, 23-5-112
  live card game, 23-5-112
  state multilibrary, 22-1-301
Cardtrol, 15-70-301
Care, 53-1-401
  adult foster care home, 50-5-101
  adequate health, 41-3-102
  attendant, 41-5-1001
  basic health care services, 33-31-102
  child, 52-2-703
  child-care agency, 41-3-1102
  continuous, 37-27-103
  custodial, 50-5-101
  day, 52-2-703
  day-care center, 52-2-703

Care (Continued)

- day-care facility, 52-2-703
- emergency medical care provider, 10-3-1103
- endowment, 35-21-614
- endowment care mausoleum-columbarium, 35-21-615
- family day-care home, 52-2-703
- group day-care home, 52-2-703
- group long-term care insurance, 33-22-1107
- health, 50-4-504, 50-16-504
- health care advisory council, 50-4-504
- health care expenses, 33-22-903
- health care facility(ies), 7-6-2512, 7-34-2201, 27-6-103, 39-32-102, 50-4-504, 50-4-605, 50-5-101, 50-5-301, 50-6-401, 50-10-101, 50-16-504, 50-16-701, 50-16-1003, 53-6-106, 7-34-2201
- health care information, 50-16-504, 50-16-602
- health care insurer, 33-22-125, 33-22-241, 33-22-243, 33-22-1703
- health care professional, 37-8-103
- health care provider, 25-9-411, 27-6-103, 33-9-101, 33-32-102, 50-1-403, 50-4-504, 50-9-102, 50-16-504, 50-16-1003, 53-5-901
- health care services, 33-22-1703, 33-31-102, 33-32-102
- health care services agreement, 33-31-102
- home health, 33-22-1001
- intermediate developmental disability, 50-5-101
- intermediate nursing, 15-60-101, 50-5-101
- light personal, 50-5-101
- long-term care facility(ies), 37-9-101, 50-5-101, 50-5-301, 50-5-1103, 52-3-602, 52-3-803, 53-6-401
- long-term care insurance, 33-22-1107
- long-term care medicaid services, 53-6-401
- long-term care ombudsman, 50-5-1103, 52-3-602
- long-term care preadmission screening and resident review, 53-6-401
- maintenance, 39-71-116
- managed, 52-2-302
- managed care community network, 53-6-702
- managed health care entity, 53-6-702
- medical, 40-5-804
- medical care institution, 33-19-104
- medical care savings account, 15-61-102
- naturopathic health, 37-26-103
- nonendowment care mausoleum-columbarium, 35-21-616
- nonprofit health care facility, 50-5-101
- operator of a youth care facility, 41-3-1102
- ordinary, 30-3-102
- palliative, 39-71-116
- personal, 50-5-101
- personal-care facility, 50-5-101
- primary care physician, 39-71-1105
- residential care facility, 50-5-101
- residential psychiatric, 50-5-101
- respiratory, 37-28-102
- respiratory care practitioner, 37-28-102
- respite, 41-3-1102
- respite care provider, 41-3-1102
- shelter, 7-6-501, 41-5-103
- shelter care facility, 41-5-103
- skilled nursing, 15-60-101, 50-5-101, 50-5-216
- student respiratory care practitioner, 37-28-102
- substitute, 41-3-1102, 41-5-103

Care (Continued)
    trauma care committee, 50-6-401
    trauma care system, 50-6-401
    well-child, 33-22-303, 33-22-512, 33-30-1014
    youth care facility, 41-3-1102
    youth in need of, 41-3-102, 41-3-603, 41-5-103
Caretaker relative, specified, 53-4-201
Carriage, contract of, 69-11-101
Carrier, 33-22-1803
    access service, 15-53-101
    air, 67-1-101
    armed carrier service, 37-60-101
    assessable, 33-22-1803
    commercial motor, 39-2-304
    common, 7-14-1601, 69-11-101, 69-13-101
    delivering, 69-11-423
    lead, 33-22-1501
    motor, 61-1-320, 69-12-101
    newspaper, 39-51-204, 39-71-401
    reinsuring, 33-22-1803
    small employer, 33-22-1803
Carrying
    animal-unit-month carrying capacity, 77-6-507
    optimum carrying capacity, 87-5-102
Case
    characteristics, 33-22-1803
    contested, 2-4-102, 40-5-226
    IV-D, 40-5-701
    of emergency, 70-24-103
Cash
    assistance, 53-4-602
    customary cash discount, 30-14-202
    customary discount for, 30-14-803
    proceeds, 30-9-306
    sale price, 31-1-202
    treasury cash account, 17-6-202
Cashier's check, 30-3-104
Casino night, 23-5-701
Cast, total vote, 13-16-202
Casual employment, 39-71-116
Casualty
    insurance, 33-1-206, 33-15-335
    property and casualty insurer, 33-2-1902
Catalog price, established, 18-4-301
Category
    fiduciary fund, 17-2-102
    governmental fund, 17-2-102
    proprietary fund, 17-2-102
Cattle, 81-6-101
    organization of cattle growers, 81-6-101
Cause
    force likely to cause death or serious bodily harm, 45-3-101
    good, 16-3-415, 30-11-801, 39-2-903
    good cause shown, 85-2-233
    major contributing, 39-71-407
    primary, 39-71-119

Cause (Continued)

- probable cause hearing, 41-5-103
- reasonable, 45-8-206

Cave, 23-2-902
- life, 23-2-902

Cease and desist order which has become final, 32-1-901
Cement or gypsum, products of, 15-59-101
Centennial acre, 2-89-202
Center
- adult day-care, 50-5-101
- central computer, 2-17-501
- chemical dependency treatment, 33-22-702
- community mental health, 53-21-201
- day-care, 52-2-703
- detention, 7-32-2120, 7-32-2241, 44-4-302
- detention center administrator, 7-32-2120, 7-32-2241, 44-4-302
- detention center staff, 7-32-2120, 7-32-2241
- information, 75-15-103
- mental health, 50-5-101
- mental health treatment, 33-22-702
- multijurisdictional detention, 7-32-2120, 7-32-2241
- one-call notification, 69-4-501
- private detention, 7-32-2120, 7-32-2241
- public health, 50-5-101
- senior citizen, 23-5-112
- short-term detention, 41-5-103
- structure, 61-3-210
- temporary detention, 44-4-302
- work activity, 18-5-101

Central
- computer center, 2-17-501
- Montana coordinate system NAD 27, central zone, 70-22-202, 70-22-205

CERCLA, 75-10-602
Certainty, reasonable medical, 53-21-102
Certificate (of), 15-17-121, 33-7-108, 33-22-903, 33-22-1107, 37-42-102, 39-71-901, 50-4-102, 50-4-605, 69-12-101, 75-10-903, 75-20-104, 85-2-102
- deposit, 30-3-104
- form, 33-22-903
- health, 81-2-702
- hide, 81-9-401
- limited partnership, 35-12-504
- need, 50-5-101
- number, 23-2-502
- ownership, 23-2-502, 23-2-601, 23-2-801, 61-1-509
- plant inspection, 80-7-105
- public advantage, 50-4-605
- registration, 23-2-601, 52-2-703
- salvage, 61-3-210
- survey, 76-3-103
- tax sale, 15-17-121
- teacher or specialist, 20-4-101

Certificated
- public obligation, 17-5-1102
- security, 30-8-102

Certification, 15-24-1602, 80-6-1102, 80-7-903
- actuarial, 33-22-1803

- **Certification** (Continued)
  - board of rehabilitation, 39-71-1011
  - nursery stock, 80-7-105
  - of clearance, 76-13-401
- **Certified**
  - appraisal report, 37-54-102
  - blind person, 18-5-402
  - check, 30-3-410
  - community lead organization, 17-6-403, 90-1-116
  - microbusiness development corporation, 17-6-403
  - Montana capital company, 90-8-104
  - Montana certified seed grower, 80-5-120
  - Montana small business investment capital company, 90-8-104
  - occupational therapy assistant, 37-24-103
  - real estate appraiser, 37-54-102
  - seed potatoes, 80-5-402
  - sheltered workshop, 18-5-101
  - wellhead protection area, 75-6-102
- **Certifying agency**, 80-5-120
- **C.F.** , 30-2-320
- **Chain distributor scheme**, 45-6-319
- **Chairman**, 76-4-1202
- **Chalkbrood**, 80-6-1102
- **Chamber**, cremation, 37-19-101
- **Chance**, promotional game of, 23-5-112
- **Change**
  - in appropriation right, 85-2-102
  - in project, 50-5-301
  - of control, 32-7-111
  - order, 18-4-123
- **Channel(s)**, 76-5-103
  - commercial, 80-11-201
  - handled in the primary channels of trade, 80-11-303
- **Character**, work of a similar, 18-2-401
- **Characteristics**, case, 33-22-1803
- **Characterization**
  - ground water characterization program, 85-2-903
  - ground water characterization study, 85-2-903
- **Charge(s)**, 46-1-202
  - accommodation, 15-65-101
  - ancillary, 53-1-401
  - collateral, 61-4-501
  - finance, 31-1-202
  - fixed, 33-2-818
  - net earnings available for fixed, 33-2-818
  - person in charge of disposition of a dead body, 50-15-101
  - responsible, 37-67-101
  - retail charge account agreement, 31-1-202
- **Charitable trust**, 72-34-201
- **Charity**, institutions of purely public, 15-6-201
- **Charter**, 7-1-4121, 7-3-703
  - party, 70-8-201
- **Chattel(s)**
  - interests, 70-15-206
  - paper, 30-9-105
  - real, 70-15-206

Check, 30-3-104
    cashier's, 30-3-104
    certified, 30-3-410
    teller's, 30-3-104
    traveler's, 30-3-104
Cheese, 81-22-101
    factory, 81-22-101
    skimmed milk, 81-22-101
Chemical, 37-7-101
    agricultural, 80-15-102
    dependency, 53-24-103
    dependency facility, 50-5-101
    dependency treatment center, 33-22-702
    equivalent, 37-7-502
    hazardous, 50-78-102
    manufacturer, 50-78-102
    name, 50-78-102
    pesticide, 50-31-103, 81-9-217
    workplace chemical list, 50-78-102
Chief, 61-1-302, 81-9-217
    executive, 7-1-4121, 7-5-101
    local fire, 50-78-102
Child('s), 15-30-112, 39-71-116, 39-72-102, 40-5-103, 40-5-201, 40-5-701, 40-5-804, 40-8-103, 41-3-102, 52-2-703, 72-1-103
    abuse or neglect, 41-3-102
    a person responsible for a child's welfare, 41-3-102
    care, 52-2-703
    -care agency, 41-3-1102
    -care assistance, 53-4-602
    deceased, 72-2-719
    dependent, 19-6-101, 19-9-104, 19-13-104, 19-17-102, 40-5-201, 53-4-201
    eligible, 20-7-436
    foster, 41-3-1102
    hard-to-place, 52-2-503
    harm to a child's health or welfare, 41-3-102
    missing, 44-2-502
    missing child report, 44-2-502
    parent and child relationship, 40-6-102
    parent-child legal relationship, 41-3-603
    qualified medical child support order, 40-5-804
    state or local child support enforcement agency, 39-51-3106
    support guidelines, 40-5-804
    support obligations, 39-51-3106
    support order, 40-5-103
    support pass-through payments, 53-2-902
    surviving, 72-2-719
    threatened harm to a child's health or welfare, 41-3-102
    unborn, 50-20-303
    welfare services, 52-2-101
    with disabilities, 20-7-401
    with multiagency service needs, 52-2-302
Childbirth attendance, naturopathic, 37-26-103
Childhood sexual abuse, 27-2-216
Children(s)
    aid to families with dependent, 53-4-201, 53-4-702

Children(s) (Continued)

- dependent, 19-17-102
- gifted and talented, 20-7-901
- psychiatric hospital, 20-7-436
- with multiagency service needs, 52-2-202

Chiropractic, 37-12-101
- physician, 27-12-103

Christmas trees, cultivated, 15-44-102

C.I.F. , 30-2-320

Cigarette(s), 16-10-103, 16-11-102
- basic cost of, 16-10-103
- vendor, 16-11-102

C.I.P. , 81-22-101

Circumstantial evidence, 26-1-102

Citizen(s), 1-1-402
- persons not, 1-1-405
- senior citizen center, 23-5-112

City, 7-12-2101, 7-12-4101, 7-14-4602, 7-15-2112, 7-15-4402, 19-9-104, 19-13-104, 19-18-101, 19-19-101, 22-1-301, 32-1-109, 76-1-103
- clerk, 7-12-4101, 7-15-2112, 7-15-4402
- council, 7-12-4101, 76-1-103
- engineer, 7-12-4101
- first class, 7-1-4111
- incorporated city or town, 19-18-101
- limits, 32-1-109
- principal, 7-11-203
- second class, 7-1-4111
- third class, 7-1-4111
- treasurer, 7-12-4101

Civil
- action, 27-1-103; Title 25, chapter 20, M.R.Civ.P., Rule 2; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 2
- aircraft, 67-1-101
- defense, 10-3-103
- disorder, 45-8-108

Claim(s), 2-9-101, 19-17-102, 27-2-502, 31-2-328, 35-1-936, 35-2-726, 35-8-908, 53-6-155, 72-1-103, 75-11-302
- adverse, 30-8-302
- covered, 33-10-102
- foreign-money, 25-9-702
- late, 85-2-102
- liability, 33-27-103, 33-35-103
- malpractice, 25-9-411, 27-6-103, 27-12-103
- money of the, 25-9-702
- occupant of real property or mining, 70-27-103
- of beneficial interest, 30-10-402
- period, 15-1-1001, 15-30-171
- preferred, 33-2-1303
- secured, 33-2-1303
- special deposit, 33-2-1303

Claimant, 15-1-1001, 15-30-171, 25-9-411, 53-9-103, 85-2-506

Clark Fork River basin, Upper, 85-2-335

Class, 2-18-101, 35-2-114
- city, first class, 7-1-4111
- city, second class, 7-1-4111
- city, third class, 7-1-4111
- facility, class I, 75-10-431

Class (Continued)

- facility, class II, 75-10-431
- facility, class III, 75-10-431
- injection well, class II, 82-11-101
- member, 72-2-613, 72-2-716, 72-2-717
- milk, class I, 81-23-101
- milk, class II, 81-23-101
- milk, class III, 81-23-101
- of business, 33-22-1803
- series benchmark, 2-18-101
- specification, 2-18-101
- waters, class I, 23-2-301
- waters, class II, 23-2-301

Classification, 33-15-1102
- system, 33-15-1102, 33-16-1008

Clause, 7-14-4602

Clean and healthful environment, 17-6-302

Cleaning expenses, 70-25-101

Clearance, certification of, 76-13-401

Clearing corporation, 30-8-102

Clearinghouse, 30-4-104

Clearwater State Forest, 77-5-102

Clemency, 46-23-301
- executive, 46-23-103

Clerk, 7-6-4202, 7-12-2101, 7-12-4101, 7-14-4602, 7-15-4206, 72-1-103
- city, 7-12-4101, 7-15-2112, 7-15-4402
- county, 7-12-2101
- of court, 72-1-103

Client, 39-8-102

Clinical laboratory, 37-34-103, 50-5-101
- science, practice of, 37-34-103
- science practitioners, 37-34-103
- scientist, 37-34-103
- specialist, 37-34-103
- technician, 37-34-103
- test, 37-34-103

Close
- statutory close corporation, 35-9-103
- to, 75-11-203

Closed
- container, 37-19-101
- season, 87-2-101

Closely held business
- amount, 72-16-451
- interest in a, 72-16-453

Closure, 39-2-1002, 75-11-203

Clothing, suitable, 18-4-133

Cloven-hoofed ungulate, 87-4-406

Club
- bottle, 16-6-306
- flying, 67-1-101
- motor club service, 61-12-301

Coach, trackless trolley, 61-1-122

Coal, 82-1-111
- and ore haulers, 15-6-138
- conservation plan, 82-4-203

Coal (Continued)

- creek state forest, 77-5-102
- enhancement facility, 15-35-102
- failure to conserve, 82-4-203
- marketable, 82-4-203
- minable, 82-4-203
- mine, 50-73-102
- preparation, 82-4-203
- preparation plant, 82-4-203

COBRA, 40-5-804
Code(s), 1-11-101, 7-5-108, 17-5-1102, 30-1-101, 50-71-102
- administrative code committee, 2-4-102
- imprint, 50-31-301
- internal revenue, 15-31-131, 72-16-331, 72-16-451, 72-16-1001
- of federal regulations, 81-22-101
- safety, 50-71-311
- state building, 50-60-101

Coercion, 50-20-203
Cognitive delay, 20-7-401
Cohabit, 45-2-101
Collateral, 30-9-105
- charge, 61-4-501
- costs, 30-14-1202
- source, 27-1-307, 53-9-103

Collect, 15-32-601
Collecting bank, 30-4-105
College
- accredited college or university, 37-17-102
- approved naturopathic medical, 37-26-103
- community college district, 20-15-101
- Montana private, 15-30-163
- of american pathologists, 50-5-101

Collegiate license plates, 61-3-462
Colony, 80-6-101
Color, 50-31-103
- additive, 50-31-103, 81-9-217

Columbarium, 35-21-102
- business, 35-21-102

Combination length, 61-10-104
Combined
- trailer length, 61-10-104
- water's-edge combined group, 15-31-321

Combustible, 50-30-209
Combustion device, low emission wood or biomass, 15-32-102
Commencement of work, 71-3-522
Commences practice, 15-30-188
Commence to construct, 75-10-903, 75-20-104
Commensurate property, 76-16-103
- dependent, 76-16-103

Commerce, 30-12-101, 30-14-102, 50-30-102
- air, 15-23-401
- article of, 30-14-202
- introduced into intrastate commerce, 30-12-101
- intrastate, 30-12-101, 81-22-101

Commercial, 15-1-101, 30-12-101
- air operator, 67-1-101

Commercial (Continued)

- applicator, 80-8-102
- bank, 32-1-102, 32-1-105
- channels, 80-11-201
- domicile, 15-31-302
- driver's license, 61-1-135
- establishment, 15-6-138, 50-50-102
- feed, 80-9-101
- fertilizer, 80-10-101
- hazardous waste incinerator, 75-2-103
- motor carrier, 39-2-304
- motor vehicle, 61-1-134
- operator, 80-8-102
- or concentrated recreational use, 77-1-101
- or industrial activities, 75-15-103
- or industrial zone, 75-15-103
- premises, 69-5-102
- production of farm products, 76-2-902
- purposes, 37-7-101
- quantities, 77-3-314
- tow truck, 61-9-416
- tow truck operator, 61-8-903
- unit, 30-2-105, 30-2A-103
- unzoned commercial or industrial area, 75-15-103

Commission, 3-1-1501, 5-17-201, 7-11-203, 7-14-4602, 10-3-1203, 20-2-401, 22-1-301, 23-2-301, 23-2-403, 37-25-102, 49-2-101, 49-3-101, 60-1-103, 61-1-303, 69-1-101, 69-3-601, 69-3-701, 69-3-803, 69-3-901, 75-7-303, 75-15-103, 81-6-302, 85-2-102, 87-1-101, 87-2-101
- commodity futures trading, 30-10-103
- interlocal cooperation, 53-30-503
- joint commission on accreditation of hospitals, 50-5-101
- obligee of the, 7-14-4602
- parking, 7-14-4602
- staff, 49-2-101

Commissioner(s), 5-7-102, 7-13-202, 7-13-4502, 7-14-202, 7-15-4402, 7-22-2101, 7-22-2401, 13-37-101, 18-2-401, 30-10-103, 33-1-202, 33-2-1303, 33-31-102, 33-32-102, 39-1-101, 39-3-402, 39-3-701, 39-7-303, 53-6-702, 61-12-301, 85-3-401
- board of county, 7-12-2101
- of labor, 39-3-201

Commit, 41-5-103

Commitment
- pursuant to, 30-9-105
- time of, 35-1-461

Committee, 2-5-103, 5-12-102, 5-13-102, 5-18-101, 5-19-101, 18-7-302, 22-3-102, 53-19-302, 69-1-201, 76-14-103, 80-6-1102, 80-11-201, 80-11-303, 80-11-402, 90-15-102
- administrative code, 2-4-102
- ground water assessment steering, 85-2-903
- independent, 13-37-216, 13-37-226
- loan review, 17-6-503
- negotiated rulemaking, 2-5-103
- political, 13-1-101
- state records, 2-6-202
- trauma care, 50-6-401
- winter work, 7-16-4301

Committing
- in the course of committing a theft, 45-5-401
- in the course of committing sexual assault, 45-5-502

Committing (Continued)

  in the course of committing sexual intercourse without consent, 45-5-503
Commodity, 30-10-103
  agricultural, 80-4-402
  consumer, 50-31-103
  dealer, 80-4-402
  exchange act, 30-10-103
  futures trading commission, 30-10-103
  in package form, 30-12-101
  investment contract, 30-10-103
  option, 30-10-103
  package of consumer, 30-12-101
  package of nonconsumer, 30-12-101
  raw agricultural, 50-31-103, 81-9-217
Common
  carrier, 7-14-1601, 69-11-101, 69-13-101
  control, 37-7-602
  elements, 70-23-102
  expenses, 70-23-102
  general common elements, 70-23-102
  interest in, 70-1-313
  limited common elements, 70-23-102
  name, 50-78-102
  owner, 23-5-629
  ownership, 32-1-109
  scheme, 45-2-101
  under common control with, 33-2-1101, 33-19-104
Commonality of business interests, 23-5-629
Communicable disease, 50-1-101, 50-2-101
Communication(s)
  electric or communication facilities, 69-4-303
  equipment, 37-68-103
  overhead electric or communication facilities, 69-4-303
  privileged, 27-1-804
  public safety communications officer, 7-31-201, 44-4-302
  service, 69-4-303
  underground electric or communication facilities, 69-4-303
Community, 16-1-106, 61-4-201
  advisory board, 32-1-109
  and urban forestry, 77-5-402
  -based facilities, 53-20-102
  -based medicaid services, 53-6-401
  -based services, 53-20-102
  certified community lead organization, 17-6-403, 90-1-116
  college district, 20-15-101
  corrections, 46-18-104
  corrections board, 53-30-303
  corrections facility or program, 46-18-104, 53-30-303
  decay, 7-5-2110
  facilities, 7-15-4402
  home, 53-20-302
  home for persons with severe disabilities, 52-4-202, 53-19-102
  managed care community network, 53-6-702
  mental health center, 53-21-201
  native plant, 7-22-2101, 80-7-701
  of interest, 30-11-801

Community (Continued)

- pharmacy, 37-2-101
- residential facility, 76-2-411
- resort, 7-6-4461
- service, 90-14-102
- water system, 37-42-102, 75-6-102

Compact, 85-2-801

Company(ies), 33-15-323, 61-12-301, 90-3-102, 90-9-103
- action level event, 33-2-1904
- action level RBC, 33-2-1902
- bank holding, 32-1-109, 32-1-382
- capital, 17-6-302
- certified Montana capital, 90-8-104
- certified Montana small business investment capital, 90-8-104
- contract security, 37-60-101
- ditch, 27-1-731
- domestic limited liability, 35-8-102
- drug, 37-2-101
- finance, 61-4-402
- fire, 19-17-102
- foreign limited liability, 35-8-102
- foreign professional limited liability, 35-8-102
- foreign trust, 32-1-1001
- insurance holding company system, 33-2-1101
- insurance premium finance, 33-14-102
- interest in the limited liability company, 35-8-102
- investment, 32-1-102, 32-1-108
- investment company act of 1940, 30-10-103
- limited liability, 35-8-102, 39-71-116
- limited liability company interest, 35-8-102
- local exchange, 53-19-302
- owning bank holding, 32-1-802
- petroleum pipeline, 90-4-302
- portfolio, 90-3-102, 90-9-103
- professional limited liability, 35-8-102
- public utility holding company act of 1935, 30-10-103
- qualified Montana capital, 90-8-104
- qualified Montana small business investment capital, 90-8-104
- railroad, 69-14-601
- railroad car, 15-23-211
- regulated, 69-1-201, 69-1-401
- sales finance, 31-1-202
- scheduled airline, 15-23-401
- small business investment, 15-33-103
- subsidiary trust, 32-1-802
- surviving limited liability, 35-8-102
- trust, 32-1-102, 32-1-107, 72-26-502, 72-33-108
- venture capital, 90-3-102

Comparable property, 15-1-101

Comparative review, 50-5-101

Compendium
- official, 50-31-103
- present compendium standard, 37-7-502

Compensation, 2-2-102, 2-18-101, 15-31-302, 19-5-101, 19-6-101, 19-7-101, 19-8-101, 19-9-104, 19-13-104, 69-12-101
- average final, 19-20-101

Compensation (Continued)

- deferred, 19-50-101
- earned, 19-20-101
- eligible deferred compensation plan, 19-50-101
- federal workers' compensation legislation, 39-71-2501
- final average, 19-9-104, 19-13-104
- last monthly, 19-13-104
- workers' compensation bond repayment account, 39-71-2501

Complaint, 33-18-1001, 37-1-302
Complete, correct and, 85-2-102
Completed
- horizontally completed well, 15-36-303
- operations liability, 33-11-102

Completion, 27-2-208
Comply, unwarranted failure to, 82-4-203
Component
- blood, 37-7-602
- part, 61-3-210, 75-10-501

Composting, 75-10-802
Compounded, synthetically, 50-31-103
Comprehensive
- developmental disability system, 53-20-202
- planning, 76-6-104

Compressed natural gas, 15-70-701
- dealer, 15-70-701

Computation date, 39-51-1121
Computer, 45-2-101
- central computer center, 2-17-501
- network, 45-2-101
- program, 45-2-101
- services, 45-2-101
- software, 45-2-101
- system, 45-2-101, 61-3-347
- use, 45-6-310

Concealed weapon, 45-8-315
Concealment, 46-6-506
Concentrated recreational use, commercial or, 77-1-101
Concentration, alcohol, 61-8-407
Concept, multiple-use management, 77-1-203
Concern, private, 75-5-1102
Concessionaire, 23-6-101
Conclusive evidence, 26-1-102
Concurrent
- condition, 28-1-404
- employment, 39-71-123

Condemnation, 60-1-103
Condition(s)
- concurrent, 28-1-404
- general health, 50-16-504
- genetic, 33-18-206
- hazardous financial, 33-11-102
- HIV-related, 50-5-105, 50-16-1003
- precedent, 28-1-403
- preexisting, 33-22-1107, 33-22-1501
- range, 76-14-103
- subsequent, 28-1-405

Condition(s) (Continued)

- terminal, 50-9-102
- under honorable, 39-29-101

Conditional
- obligation, 28-1-401
- preexisting, 33-22-1501
- sale, 1-1-205

Conditioning plant, seed, 80-5-120
Condominium, 70-23-102
Conduct, 45-2-101
- criminally injurious, 53-9-103
- sexual, 45-5-620, 45-8-205
- unprofessional, 5-7-102

Confidential
- criminal justice information, 44-5-103
- employee, 39-31-103
- intermediary, 40-8-103

Confirmatory procedure, 80-15-102
Confirmed credit, 30-2-325
Confirming bank, 30-5-103
Conflicting interest, 35-1-461
- director's conflicting interest transaction, 35-1-461

Conflict of interest transaction, 35-2-418
Conforming, 30-2-106, 30-2A-103
Conscious sedation, 37-4-101
Consensus, 2-5-103
Consent, 81-30-102
- decree, 41-5-524
- effective, 81-30-102
- informed, 50-20-104
- in the course of committing sexual intercourse without, 45-5-503
- mutual, 28-2-303
- without, 45-5-501
- written, 82-4-203
- written consent of the supervisors, 75-7-103
- written informed, 50-16-1003, 50-16-1007

Consequential damages, 30-2-715
Conservation, 69-3-701, 76-13-102
- coal conservation plan, 82-4-203
- district, 76-15-103
- easement, 76-6-104
- energy, 90-4-102
- energy conservation program, 90-4-602
- energy conservation program bonds, 90-4-602
- energy conservation purpose, 15-32-102
- interest in real property having recreational, conservation, or wildlife value, 72-16-446
- practice, 76-15-541

Conservator, 72-1-103, 72-26-502
Conserve coal, failure to, 82-4-203
Consideration, 30-3-303, 37-47-101
- fair, 33-2-1303
- good, 28-2-801

Consignee, 30-7-102, 69-11-401
Consignment, 22-2-501
- on, 30-2-326

Consignor, 30-7-102, 69-11-401

Consolidate, 32-1-109
Conspicuous, 30-1-201, 35-1-113
Constitutionally designated and elected officials of the executive branch of government, 2-6-301
Construct, 85-15-106
    commence to, 75-10-903, 75-20-104
Construction, 17-7-201, 18-2-101, 18-2-103, 50-5-101, 50-60-101, 60-1-103, 85-15-106
    blaster, 37-72-101
    blasting, 37-72-101
    heavy highway construction wage rates, 18-2-401
    industry, 39-71-116
    lien, 71-3-522
    Montana code annotated, words and phrases in, 1-2-106
    mortgage, 30-2A-309, 30-9-313
Constructive
    discharge, 39-2-903
    fraud, 28-2-406
    notice, 1-1-217
Constructor, monitoring well, 37-43-102
Consultant, 33-17-102
    license, 33-17-102
    private, 18-8-102
Consultation, safety consultation services, 39-71-1503
Consulting service, 18-8-102
Consumer, 7-21-2301, 30-14-1102, 30-14-1202, 31-3-102, 61-4-501, 81-23-101
    commodity, 50-31-103
    contract, 30-14-1102
    counsel, 69-1-201, 69-3-1203
    goods, 30-9-109
    investigative consumer report, 31-3-102, 33-19-104
    lease, 30-2A-103
    license, 33-17-102
    package, 30-12-101
    package of consumer commodity, 30-12-101
    price index, 15-30-101
    report, 31-3-102, 33-19-104
    reporting agency, 31-3-102, 33-19-104
    type loan business, 32-5-102
Consumption
    base consumption level, 15-35-102
    public, 81-21-101
Contact, 50-16-1003
    sexual, 45-2-101
Container, 75-10-301, 80-3-302
    closed, 37-19-101
    immediate, 50-31-103
    liquefied petroleum product, 82-15-101
    site, 75-10-103
    temporary, 37-19-101
Contaminant, 75-10-602
    air, 50-70-103, 75-2-103
    maximum contaminant level, 75-6-102
Contaminated, 81-22-101
    with filth, 50-31-103
Contamination, 75-5-103, 75-6-102
Contestant, 40-7-103

Contested case, 2-4-102, 40-5-226
Contiguous, 7-2-4704, 7-2-4801
Contingencies, 33-16-1008
Contingent
  annuitant, 19-2-303
  future interest, 70-1-324
Continuing
  and reliable source of revenue, 17-1-502
  guaranty, 28-11-108
Continuous
  care, 37-27-103
  employment, 2-18-601
  official inspection, 81-8-701
Contour strip mining, 82-4-203
Contraband, 46-5-307
Contract, 2-2-201, 7-15-4402, 7-34-2501, 18-4-123, 20-9-204, 28-2-101, 28-2-709, 30-1-201, 30-2-106, 31-1-202, 82-4-403
  benefit, 33-7-108
  commodity investment, 30-10-103
  consumer, 30-14-1102
  cost-reimbursement, 18-4-301
  dealership, 30-11-701
  delayed payment, 80-4-402
  distribution, 30-11-701
  executed, 28-2-104
  executory, 28-2-104
  express, 28-2-103
  for sale, 30-2-106
  implied, 28-2-103
  installment, 30-2-612
  installment lease, 30-2A-103
  interpretation of words in, Title 28, chapter 3, part 5
  lease, 30-2A-103
  membership, 33-6-102, 33-30-101
  modification, 18-4-123
  object of, 28-2-601
  object of, what is unlawful, 28-2-701
  of carriage, 69-11-101
  of employment, 39-2-101
  price, 71-3-522
  purchase, 80-4-402
  purchaser under contract for deed, 70-20-115
  real estate improvement, 71-3-522
  remedial action, 75-10-701
  retail installment, 31-1-202
  sales price, 15-35-102
  security company, 37-60-101
  service, 61-12-301
  supply, 30-2A-103
  term, 18-4-301
  unallocated annuity, 33-10-202
Contracting
  employer, 19-2-303
  owner, 71-3-522

Contractor(s), 18-4-123, 37-43-102, 39-3-701, 39-9-102, 76-13-401
  electrical, 37-68-102
  general, 39-9-102
  independent, 15-30-201, 39-51-201, 39-71-120, 39-72-102
  public, 15-50-101
  remedial action, 75-10-701
  resident, 39-3-701
  specialty, 39-9-102
  temporary service, 39-8-102, 39-71-116
  water well, 37-43-102
Contractual
  obligation, 33-10-202
  relationship, 75-10-715
Contributing, 15-24-1602
  major contributing cause, 39-71-407
Contribution(s), 13-1-101, 35-12-504, 39-51-201
  accumulated, 19-2-303, 19-20-101
  additional, 19-2-303
  adjusted, 44-1-518
  employee, 19-3-315, 19-20-602
  federal insurance contributions act, 19-1-102
  member, 19-13-104
  net, 72-6-211
  regular, 19-2-303
Contributor, 19-5-101
Control, 7-22-2101, 16-4-202, 23-5-629, 32-1-382, 33-2-1101, 33-2-1501, 33-19-104
  alternative control program, 80-7-501
  authorized control level event, 33-2-1906
  authorized control level RBC, 33-2-1902
  change of, 32-7-111
  common, 37-7-602
  infectious disease control officer, 50-16-701
  mandatory control level event, 33-2-1907
  mandatory control level RBC, 33-2-1902
  medical, 50-6-302
  obtains or exerts, 45-2-101
  of access, 60-1-103
  under common control with, 33-2-1101, 33-19-104
  weather modification and, 85-3-101
Controlled, 33-2-1501
  -access facility, 60-5-102
  -access highway, 60-5-102, 61-1-211
  business, 33-17-102, 33-25-105
  by, 33-2-1101, 33-19-104
  insurer, 33-2-1501
  substance, 44-12-101
Controlling, 33-2-1101
  person, 33-2-1501, 39-8-102
  producer, 33-2-1501
  property controlling corner, 70-22-103
  the pollination, 80-5-120
Convener, 2-5-103
Convention and visitors bureau, nonprofit, 15-65-101
Conversion, 69-4-303
  date, 25-9-702

Conversion (Continued)

  energy conversion process, 15-35-102
  involuntary, 72-16-331
Convertible debenture, 90-3-102, 90-9-103
Convert, 69-4-303
Converter gear, dolly or, 61-1-113
Conveyance, 70-21-301
Convicted, 46-18-256
Conviction, 45-2-101, 45-5-220, 45-5-621, 46-1-202, 61-5-213, 61-8-714, 61-8-722, 61-11-203
Cooked ice cream, 81-22-101
Cooperate, to, 33-2-1310
Cooperating agency, 20-9-701
Cooperation commission, interlocal, 53-30-503
Cooperative(s), 35-18-102
  agreement, 50-4-605
  electric, 69-3-601, 69-5-102
  purchasing, 18-4-401
Coordinate
  Montana coordinate system NAD 27, 70-22-201, 70-22-202, 70-22-205
  Montana coordinate system NAD 83, 70-22-201, 70-22-205
Coordinator, 90-14-102
  corps, 23-1-302
  state, 76-14-103
Co-owners with right of survivorship, 72-2-712
Copies of entries in the regular course of business, Title 26, chapter 10, M.R.Ev., Rule 1001
Cord, 30-12-101
Core functions, 50-1-403
Corner, 70-22-103
  accessory to a, 70-22-103
  property, 70-22-103
  property controlling, 70-22-103
  public land survey, 70-22-103
  record, 70-22-104
Corporal punishment, 20-4-302
Corporate capital stock, private, 17-6-201
Corporation, 15-31-101, 20-26-1101, 30-10-402, 32-4-101, 35-1-113, 35-1-451, 35-1-826, 35-2-114, 35-2-446, 35-8-102, 50-72-102, 69-12-101, 85-8-341
  affiliated, 15-31-321
  certified microbusiness development, 17-6-403
  clearing, 30-8-102
  domestic, 35-1-113, 35-2-114
  domestic professional, 35-4-109
  foreign, 35-1-113, 35-2-114
  foreign professional, 35-4-109
  health service, 33-22-1201, 33-22-1501, 33-30-101
  life insurance, 70-9-102
  microbusiness development, 17-6-403
  municipal, 7-6-4202, 15-1-101
  mutual benefit, 35-2-114
  new, 15-31-124
  nonprofit, 15-6-201, 27-1-732
  professional, 35-4-109
  public, 39-71-116
  public benefit, 35-2-114
  regional nonprofit tourism, 15-65-101
  religious, 35-2-114

Corporation (Continued)

small business, 15-31-201
statutory close, 35-9-103
Corps, 23-1-302, 90-14-102
coordinator, 23-1-302
Corpsmember, 23-1-302, 90-14-102
Correct, 30-12-202
and complete, 85-2-102
Correctional
facility, 41-5-103
institution, 45-2-101
regional correctional facility, 53-30-503
state youth correctional facility, 41-5-103
youth correctional facility of the department, 52-5-113
Corrections
community, 46-18-104
community corrections board, 53-30-303
community corrections facility or program, 46-18-104, 53-30-303
Corrective
action, 75-11-302
order, 33-2-1902
Correspondent, free-lance, 39-51-204, 39-71-401
Corroborative evidence, 26-1-102
Corrosive, 50-30-206
Corruptly, 1-1-204
Cosmetic, 50-30-202, 50-31-103
federal food, drug and cosmetic act, 81-9-217
Cosmetology
practice and teaching of, 37-31-101
salon, 37-31-101
Cost(s), 15-17-121, 17-5-401, 17-5-801, 17-5-903, 18-2-101, 30-14-202, 75-5-1102, 75-6-202, 90-4-602, 90-7-102
abandonment, 69-3-1203
actuarial, 19-2-303
administrative, 1-2-116, 17-1-502, 75-5-1102, 75-6-202, 85-1-102
basic cost of cigarettes, 16-10-103
collateral, 30-14-1202
delivered cost of motor fuel, 30-14-803
eligible, 75-11-302
future normal, 19-2-303
housing development, 90-6-103
indirect, 17-3-102
net, 30-11-701
normal, 19-2-303
of doing business, 30-14-202, 30-14-803
of operation and maintenance, 85-1-102
of relocation, 60-4-401
of works, 85-1-102, 85-9-103
planning, 69-3-1203
portfolio development, 69-3-1203
project, 17-5-1503
prospective loss, 33-16-1008
-reimbursement contract, 18-4-301
relevant, 69-3-811
remedial action, 75-10-701
supplemental, 19-2-303

Cost(s) (Continued)

- to the retailer, 16-10-103
- to the wholesaler, 16-10-103
- transportation, 30-14-803

Council, 7-6-4202, 7-15-2112, 7-15-4402, 15-65-101, 17-6-403, 20-4-131, 20-26-1101, 20-30-101, 20-31-101, 37-42-102, 50-19-303, 50-49-103, 53-20-202, 75-1-301, 75-5-103, 76-12-104, 90-4-1002, 90-9-103
- advisory, 2-18-809, 19-2-101, 20-30-101, 44-5-502, 75-2-103, 80-7-903, 90-14-102
- city, 7-12-4101, 76-1-103
- emergency medical services advisory, 50-6-401
- human resource development, 53-10-501
- legislative, 2-1-403
- outfitters', 37-47-101
- planning and advisory, 53-20-202
- program advisory, 20-26-103

Councilman, 7-3-4201
Counsel, consumer, 69-1-201, 69-3-1203
Counseling
- nutrition, 37-25-102
- posttest, 50-16-1003
- pretest, 50-16-1003
- professional, 37-23-102

Count — shipper's weight, load and, 30-7-301
Counterfeit
- drug, 50-31-103
- substance, 50-32-101

Country, foreign, 15-30-101, 33-2-1303
County(ies), 7-13-302, 7-13-2201, 15-17-121, 41-5-1001, 53-2-612
- attorney, 72-16-101
- board of county commissioners, 7-12-2101
- clerk, 7-12-2101
- department, 53-2-802
- equalization moneys, 20-9-334
- high school, 20-6-101, 20-6-501
- mutual insurer, 33-4-102
- principal, 76-15-521
- retirement mill value per elementary ANB, 20-9-366
- retirement mill value per high school ANB, 20-9-366
- road, 7-14-2101, 60-1-103
- superintendent, 20-1-101
- treasurer, 7-12-2101, 72-16-101

Coupon, food stamp or, 45-6-312
Course
- approved course of treatment, 50-17-102
- buyer in ordinary course of business, 30-1-201, 30-2A-103
- copies of entries in the regular course of business, Title 26, chapter 10, M.R.Ev., Rule 1001
- destruction in the regular course of business, 32-1-494
- holder in due course, 30-3-302
- in the course of committing a theft, 45-5-401
- in the course of committing sexual assault, 45-5-502
- in the course of committing sexual intercourse without consent, 45-5-503
- lessee in ordinary course of business, 30-2A-103
- motorcycle safety training, 20-7-501
- of dealing, 30-1-205
- reproduction in the regular course of business, 32-1-494
- traffic education, 20-7-501

Court(s), 35-8-102, 40-8-103, 41-5-103, 46-1-202, 50-30-102, 53-20-102, 53-21-102, 70-24-103, 72-1-103, 72-26-502, 85-9-103
    appropriate, 46-31-102
    filing with the, Title 25, chapter 20, M.R.Civ.P., Rule 5(e)
    of justice, 3-1-101
    of record, 3-1-102
    trailer, 50-52-101
    youth, 41-5-103
Covenants running with the land, 70-17-201, 70-17-203
Cover, 30-2-712
    pickup, 61-9-405
    vegetative, 82-4-303
Coverage
    declination of insurance, 33-19-104
    evidence of, 33-31-102
    qualifying previous, 33-22-241, 33-22-1803
    termination of insurance, 33-19-104
Covered
    claim, 33-10-102
    multifamily housing accommodation, 49-2-305
    noncompliance, period of, 75-2-423
    policy, 33-10-202
Crafts articles, imitation indian arts or, 30-14-601
Crane, 61-10-124
    game, 23-6-101
Cream, 81-22-101
    cooked ice, 81-22-101
    french custard ice, 81-22-101
    french ice, 81-22-101
    fruit ice, 81-22-101
    ice, 81-22-101
    ice cream factory, 81-22-101
    ice cream mix, 81-22-101
    ice cream mix factory, 81-22-101
    milk or cream station, 81-22-101
Creamery, 81-22-101
Creation of a security interest, 30-2A-303
Credential, educational, 20-30-101
Credible information, substantial, 85-2-102
Credit(s), 15-1-101, 15-6-204, 30-5-103, 49-2-101, 80-4-607
    banker's, 30-2-325
    confirmed, 30-2-325
    disability insurance, 33-21-103
    extension of, 32-1-321, 32-1-432
    history, 33-18-210
    irrevocable, 30-5-103
    letter of, 30-2-325, 30-5-103
    life insurance, 33-21-103
    notation, 30-5-108
    open-end, 33-21-103
    open-end credit transaction, 33-14-301
    revocable, 30-5-103
    service, 19-2-303
    transaction, 33-21-103, 49-2-101
    union, 32-3-102

Credited service, 19-2-303, 19-20-101, 19-20-401
Creditor, 30-1-201, 31-2-102, 31-2-328, 33-2-1303, 33-21-103, 49-2-101
  lien, 30-9-301
  process, 30-4A-502
  resident, 72-4-101
Creek State Forest, Coal, 77-5-102
Cremated remains, 37-19-101
Cremation, 37-19-101
  chamber, 37-19-101
  container, 37-19-101
Crematory, 37-19-101
  operator, 37-19-101
  technician, 37-19-101
Crew leader, 39-51-206
Crewleader, 23-1-302, 90-14-102
Crime of violence, 45-8-302, 46-18-104, 53-30-303
Criminal
  action, 27-1-103
  administration of criminal justice, 44-5-103
  confidential criminal justice information, 44-5-103
  history record information, 44-5-103
  intelligence information, 44-5-103
  investigative information, 44-5-103
  justice agency, 44-5-103
  justice information, 44-5-103
  justice information system, 44-5-103
  public criminal justice information, 44-5-103
  syndicalism, 45-8-105
Criminally injurious conduct, 53-9-103
Criteria, appropriate sale, 33-22-1107
Crop, 80-8-102
  other crop seeds, 80-5-120
  weed, 80-7-801
Cropland, 80-7-501
  spraying program, 80-7-501
Cross
  -connection, 75-6-102
  -examination, 26-1-101
Crossover date, 17-5-2101
Crossroad, 60-5-502
Crosswalk, 61-1-209
Crypt, 35-21-102
Culmination of mean annual increment, 15-44-102
Cultural group, 22-3-805
Culture, 81-22-101
  beauty, 37-31-101
Cultivated christmas trees, 15-44-102
Cumulative evidence, 26-1-102
Current
  fair market value, 70-30-313
  fund, 17-2-102
  net price, 30-11-701
  salary, 19-5-101
Custard
  french custard ice cream, 81-22-101

Custard (Continued)

    ice, 81-22-101
Custodial
    account, 81-8-213
    account for shippers' proceeds, 81-8-213
    care, 50-5-101
    property, 72-26-502
Custodian, 41-5-103, 72-26-502
    bank, 30-8-102
    records, 2-6-401
Custody
    decree, 40-7-103
    determination, 40-7-103
    joint, 40-4-224
    legal, 41-5-103
    physical, 40-7-103
    prior custody decree, 40-4-219
    proceeding, 40-7-103
Custom-mixed feed, 80-9-101
Customary, 1-1-206
    cash discount, 30-14-202
    discount for cash, 30-14-803
Customer, 30-4-104, 30-4A-105, 30-5-103, 32-6-103
    billing error, 69-3-221
    service representative, 33-17-102
Cut, final, 82-4-403
Cutoff date, 39-51-1121
Cyanide ore-processing reagent, 82-4-303
Cycle
    billing, 32-5-502
    motor-driven, 61-1-106
Dairy, 81-22-101
    farm, 81-22-101
    filled dairy product(s), 81-22-101, 81-22-411
    manufactured dairy product, 81-22-101
    manufactured dairy products plant, 81-22-101
Dam, 85-15-106
    high-hazard, 85-15-106
Damage(s), 27-1-202, 70-25-101
    consequential, 30-2-715
    future, 25-9-401
    incidental, 30-2-715, 61-4-501
    property, 2-9-101, 75-11-302
Damaged, 81-22-101
    heat damaged seeds, 80-4-302
    seeds, 80-4-302
Damaging
    action with taking or damaging implications, 2-10-103
    taking or, 2-10-103
Dangerous drug, 45-9-111, 45-9-206, 50-32-101
    imitation, 45-9-111
Danger to the health and safety of the public, imminent, 82-4-203
Data, 18-4-123, 50-16-201
    and information technology resources, 2-15-102
    base, 50-4-504
    material safety data sheet, 50-78-102

Data (Continued)

  principal data source agencies, 90-15-102
  statewide data network, 2-17-501
Date
  anniversary, 2-18-101, 33-15-1102
  annual reporting, 15-37-102
  computation, 39-51-1121
  conversion, 25-9-702
  crossover, 17-5-2101
  cutoff, 39-51-1121
  distribution, 72-2-717, 72-2-719
  effective date of notice, 35-1-113, 35-2-114
  execution, 30-4A-301
  minimum retirement, 19-9-104, 19-13-104
  of injury, 39-71-807, 39-71-808
  payment, 30-4A-401
  record, 35-1-113, 35-2-114
  retirement, 19-9-104, 19-13-104
Day(s), 1-1-301, 39-71-116
  adult day-care center, 50-5-101
  banking, 30-4-104
  bed, 15-60-101
  business, 1-1-216, 16-10-103, 69-4-501
  care, 52-2-703
  -care center, 52-2-703
  -care facility, 52-2-703
  election, 13-19-102
  family day-care home, 52-2-703
  funds-transfer business, 30-4A-105
  group day-care home, 52-2-703
  school, 20-9-802
Daytime, 1-1-301, 61-8-303
dbA, 23-2-601
Dead
  body, 50-15-101
  or fallen animal, 81-9-311
  person in charge of disposition of a dead body, 50-15-101
Deadline, midnight, 30-4-104
Deaf
  -blindness, 20-7-401
  person, 49-4-502
Deafness, 20-7-401
  occupational, 39-71-802
Dealer(s), 15-24-201, 15-70-701, 23-2-502, 23-5-112, 30-11-801, 61-1-314, 80-8-102, 80-11-303, 81-23-101, 82-15-101
  art, 22-2-501
  aviation, 15-70-201
  commodity, 80-4-402
  compressed natural gas, 15-70-701
  fur, 87-4-301
  gasohol, 15-70-503
  hide, 81-9-401
  liquefied petroleum, 82-15-101
  livestock, 81-8-213
  new motor vehicle, 61-4-201
  perishable food, 50-50-102

Dealer(s) (Continued)

- petroleum, 15-70-123, 82-15-101
- produce, 80-3-302
- retail, 30-11-701
- seed, 80-5-120
- special fuel, 15-70-301
- textbook, 20-1-101
- trailer, 61-1-315
- wheelchair, 30-14-1202

Dealership, 30-11-801
- contract, 30-11-701

Dealing, course of, 30-1-205
Death, 50-22-101
- fetal, 50-15-101
- force likely to cause death or serious bodily harm, 45-3-101
- gift in view of, 70-3-201

Debenture, 90-3-102, 90-9-103
- convertible, 90-3-102, 90-9-103

Debt(s), 31-2-328
- adjusting, 31-3-201
- long-term debt account group, 17-2-102
- renewable resource loan debt service fund, 85-1-102
- service account, 17-5-401, 17-5-507, 17-5-801
- service fund type, 17-2-102
- support, 40-5-201, 40-5-701

Debtor(s), 30-9-105, 31-2-101, 31-2-328, 33-20-1105, 33-21-103
- account, 30-9-105
- in bankruptcy, 35-10-102

Decals, license, 23-2-502
Decay, community, 7-5-2110
Deceased
- beneficiary, 72-2-716, 72-2-717
- child, 72-2-719
- descendant, 72-2-116, 72-2-719
- devisee, 72-2-613
- grandparent, 72-2-116
- parent, 72-2-116

Decedent(s), 72-16-101, 72-16-502, 72-17-102
- nonprobate transfers to others, 72-2-222
- nonresident, 72-1-103
- property acquired from, 72-16-332

Deceit, 27-1-712
Deception, 45-2-101
Decision, adverse underwriting, 33-19-104
Declarant, Title 26, chapter 10, M.R.Ev., Rule 801
Declaration, 50-9-102, 70-23-102, 85-2-102
- of emergency, 20-9-802

Declared weight, 61-1-510
Declination of insurance coverage, 33-19-104
Decline rate, production, 15-36-303
Decree, 40-1-105, 40-4-103, 40-7-103
- consent, 41-5-524
- custody, 40-7-103
- initial, 40-7-103
- modification, 40-7-103
- prior custody, 40-4-219

Dedicated revenue provision, 17-1-502
Dedication, 76-3-103
Deductible medical insurance premiums, 15-30-121
Deed, purchaser under contract for, 70-20-115
Deems himself insecure, when he, 30-2A-109
Deface, 45-5-221
Defamatory matter, 45-2-101, 45-8-212
Defect, mental disease or, 46-14-101
Defective, mentally, 45-2-101
Defendant, 30-1-201
    appearance of, 25-3-401
Defense, civil, 10-3-103
Deferral period, 72-16-471
Deferred
    amount, 72-16-471
    compensation, 19-2-101
    eligible deferred compensation plan, 19-2-101
    revenue, 17-8-107
Deficiency, 7-12-4249
Deficit
    employer, 39-51-1121
    projected general fund budget, 17-7-140
Definitions, applicability of, 1-2-107
Defoliant, 80-8-102
Degradation, 75-5-103
Degree, 82-4-203
Delay
    cognitive, 20-7-401
    developmental, 33-18-206
Delayed payment contract, 80-4-402
Delegates, 35-2-114
Delegation of authority, 5-4-403
Deleterious substance, hazardous or, 75-10-701
Delinquency, 40-5-701
    formal, 33-2-1303
    proceeding, 33-2-1303
Delinquent youth, 41-5-103
Deliver, 35-1-113, 35-2-114, 50-32-101
Delivered cost of motor fuel, 30-14-803
Delivering carrier, 69-11-423
Delivery, 30-1-201, 35-1-113, 50-32-101, 80-4-608
    bulk, 15-70-201, 15-70-301
    order, 30-7-102
    service delivery area, 53-2-1103
Demand
    deposits, 32-1-109, 32-1-445
    documentary demand for payment, 30-5-103
    payable on, 30-3-108
Demineralized water, 50-31-103
Demonstration project, employment and training, 53-2-902
Dental auxiliary, 37-4-408
Dental hygiene, practice of, 37-4-401
Dentist, 27-6-103
Dentistry, practicing, 37-4-101

Denture, 37-29-102
    immediate, 37-29-102
Denturist, 37-29-102
Denturitry, practice of, 37-29-102
Department, 2-15-102, 18-5-303
    county, 53-2-802
    fire, 19-18-101
    head of, 2-15-102
    local building, 50-60-101
    local department of health, 75-5-103
    local health, 20-5-402
    youth correctional facility of the, 52-5-113
Dependency
    chemical, 53-24-103
    chemical dependency facility, 50-5-101
    chemical dependency treatment center, 33-22-702
Dependent, 15-30-113, 15-61-102, 33-22-1803, 53-9-103
    aid to families with dependent children, 53-4-201, 53-4-702
    child, 19-6-101, 19-9-104, 19-13-104, 19-17-102, 40-5-201, 53-4-201
    commensurate property, 76-16-103
Deposit(s)
    account, 30-9-105
    certificate of, 30-3-104
    demand, 32-1-109, 32-1-445
    for exchange, 70-6-107
    for hire, 70-6-402
    for keeping, 70-6-106
    gratuitous, 70-6-301
    involuntary, 70-6-103
    membership capital share, 32-3-805
    placer, 82-4-303
    security, 70-25-101
    special deposit claim, 33-2-1303
    sums on, 72-6-201
    time, 32-1-109, 32-1-445
    voluntary, 70-6-102
Depositary, 70-6-102
    bank, 30-4-105
Deposition, 1-1-202
Depositor, 70-6-102, 80-4-402
Depot, storage, 16-1-106
Deprive, 45-2-101, 81-30-102
Depth auger method, extended, 15-35-102
Deputy state stock inspector, 81-3-201
Derivative proceeding, 35-1-541, 35-2-1301
Descendant, 72-1-103
    deceased, 72-2-116, 72-2-719
    surviving, 72-2-116, 72-2-613, 72-2-716, 72-2-717, 72-2-719
Description, purchase, 18-4-301
Desiccant, 80-8-102
Designate
    in-house buyer agent, 37-51-102
    in-house seller agent, 37-51-102
Designated
    beneficiary, 19-2-303

Designated (Continued)

- constitutionally designated and elected officials of the executive branch of government, 2-6-301
- family member, 30-11-801, 61-4-131
- floodplain, 76-5-103
- floodway, 76-5-103
- officer, 50-16-701
- representative, 50-78-102
- smoking area, 50-40-203
- subfund, 17-2-102
- successor, 30-11-801

Designation
- alternative beneficiary, 72-2-716
- beneficiary, 72-1-103, 72-2-716
- POD, 72-6-201
- unit, 70-23-102

Designee, 18-4-123

Desist order which has become final, cease and, 32-1-901

Dessert plant, frozen, 81-22-101

Destroyer, nest, 80-6-1102

Destruction in the regular course of business, 32-1-494

Destructive device, 45-8-332

Detainer
- forcible, 70-27-103
- unlawful, 70-27-108

Detector
- approved smoke, 70-24-303
- smoke, 70-20-113

Detention, 7-6-501, 41-5-103
- center, 7-32-2120, 7-32-2241, 44-4-302
- center administrator, 7-32-2120, 7-32-2241, 44-4-302
- center staff, 7-32-2120, 7-32-2241
- facility, 41-5-103
- home, 41-5-1001
- juvenile detention program, 7-6-501
- multijurisdictional detention center, 7-32-2120, 7-32-2241
- officer, 44-4-302
- official, 45-2-101, 45-7-306
- private detention center, 7-32-2120, 7-32-2241
- regional detention facility, 41-5-103
- secure, 41-5-313, 41-5-1001
- secure detention facility, 41-5-103
- short-term detention center, 41-5-103
- temporary detention center, 44-4-302
- youth detention facility, 41-5-103
- youth detention service, 41-5-1001

Determination(s), 82-11-101
- custody, 40-7-103

Detriment, 27-1-201

Developed losses, 33-16-1008

Developer, 37-53-102
- oil and gas developer or operator, 82-10-502

Development
- agricultural development project, 90-9-103
- agricultural development project loan agreement, 90-9-103
- certified microbusiness development corporation, 17-6-403
- forest development road, 61-8-110

Development (Continued)

geothermal, 77-4-102
housing, 90-6-103
housing development costs, 90-6-103
human resource development council, 53-10-501
industrial infrastructure development project, 7-15-4283
large-scale mineral, 90-6-302, 90-6-402
loan, 17-6-403
local economic development organization, 15-24-1801, 15-24-1901, 15-24-2001
medical facility research and development project, 90-3-102
microbusiness development corporation, 17-6-403
mineral, 90-2-1103
mineral development employee, 90-6-402
mineral development student, 90-6-402
neighborhood development program, 7-15-4206
planned unit, 76-3-103
portfolio development costs, 69-3-1203
reclamation and development grants account, 90-2-1103
research and, 85-3-101
research and development firm, 15-1-101
research and development project, 90-3-102, 90-9-103
research and development project loan, 90-3-102, 90-9-103
science and technology development project, 90-3-102
science and technology development project loan agreement, 90-3-102
water development activity, 85-1-102
water development project, 85-1-102

Developmental
assessment, 33-22-303, 33-22-512, 33-30-1014
comprehensive developmental disability system, 53-20-202
delay, 33-18-206
disabilities facility, 53-20-202
disabilities professional, 53-20-102
disability(ies), 33-18-206, 53-20-102, 53-20-202
facility, 53-20-202
person with a developmental disability, 52-3-803

Developmental disability(ies), 53-20-202
intermediate developmental disability care, 50-5-101

Developmentally disabled, seriously, 53-20-102

Deviate sexual relations, 45-2-101

Deviation, gross, 45-2-101

Device(s), 37-2-101, 50-31-103, 80-8-102
assistive technology, 20-7-401
destructive, 45-8-332
gambling, 23-5-112
illegal gambling, 23-5-112
low emission wood or biomass combustion, 15-32-102
marine sanitation, 23-2-522
monitoring, 46-18-1001
official traffic-control, 61-1-403
unique identification, 32-6-103
voting machine or, 13-1-101

Devise, 72-1-103, 72-2-613
alternative, 72-2-613
primary, 72-2-613
younger-generation, 72-2-613

Devisee, 72-1-103, 72-2-613
    deceased, 72-2-613
    surviving, 72-2-613
Dialysis facility, end-stage renal, 50-5-101
Dietetic-nutrition practice, 37-25-102
Dietetics-nutrition, 37-25-102
Different supplier, 69-3-112
Direct
    acidification, 81-22-101
    dispatch method, 10-4-101
    evidence, 26-1-102
    examination, 26-1-101
    skip, 72-16-1001
    state aid, 20-9-306
    supervision, 37-4-405, 37-16-405
Direct-entry
    midwife, 37-27-103
    practice of direct-entry midwifery, 37-3-103, 37-27-103
Directing, funeral, 37-19-101
Directional sign, tourist-oriented, 60-5-502
Direction, qualified medical, 37-28-102
Directly acidified, 81-22-101
Director(s), 2-15-102, 7-14-1601, 18-4-123, 20-31-101, 23-7-103, 27-12-103, 32-1-901, 32-7-102, 35-1-451, 35-2-446, 35-21-102, 40-5-201, 60-1-103, 75-10-701, 80-3-302, 80-4-402, 85-9-103, 87-1-101
    board of, 7-13-2201, 7-13-4502, 32-4-101, 35-2-114
    budget, 5-12-102
    conflicting interest transaction, 35-1-461
    off-line medical, 50-6-302
    qualified, 35-1-463
Directory information, 50-16-504
Disability(ies), 19-2-303, 10-17-102, 39-71-116, 39-72-102, 52-4-202, 53-19-102, 72-1-103
    and pension fund, 19-18-101
    blanket disability insurance, 33-22-601
    child with, 20-7-401
    community home for persons with severe, 52-4-202, 53-19-102
    comprehensive developmental disability system, 53-20-202
    credit disability insurance, 33-21-103
    developmental, 33-18-206, 53-20-102, 53-20-202
    developmental disabilities facility, 53-20-202
    developmental disabilities professional, 53-20-102
    franchise disability insurance, 33-22-401
    group disability insurance, 33-22-501
    insurance, 33-1-207
    intermediate developmental disability care, 50-5-101
    life or disability insurer, 33-2-1902
    limited benefit disability insurance policy, 33-22-1201
    permanent partial, 39-71-116, 39-72-102
    permanent total, 19-17-102, 39-71-116
    person with a developmental, 52-3-803
    person with severe, 53-19-102
    physical or mental, 49-2-101, 49-3-101
    severe, 52-4-202, 53-7-202
    specific learning, 20-7-401
    temporary partial, 39-71-116
    temporary total, 39-71-116

Disability(ies) (Continued)

- total, 39-72-102
- total disability insurance premium, 33-22-1513

Disabled, 69-12-102, 72-16-331
- adult, 50-5-101, 52-3-202
- permanently and totally, 15-30-111
- seriously developmentally, 53-20-102
- totally, 39-72-102
- veteran, 39-29-101
- worker, 39-71-1011

Disablement, 39-72-102
Disadvantaged person, economically, 53-2-1103
Disassociation, event of, 35-8-102
Disaster, 10-3-103
- and emergency services, 10-3-103
- natural, 15-16-611

Discharge, 39-2-903
- constructive, 39-2-903
- industrial waste discharge system, 75-6-102

Disclosure, required, 35-1-461
Discount
- customary cash, 30-14-202
- customary discount for cash, 30-14-803
- service, 61-12-301

Discover, 30-1-201
Discrimination, 53-21-189
Disease(s)
- airborne infectious, 50-16-701
- bee, 80-6-101
- communicable, 50-1-101, 50-2-101
- infectious, 50-16-701
- infectious disease control officer, 50-16-701
- mental disease or defect, 46-14-101
- occupational, 39-72-102, 50-70-103
- sexually transmitted, 50-18-101

Disorder
- civil, 45-8-108
- mental, 53-21-102

Disparity, jurisdictional revenue, 90-6-402
Dispatch method, direct, 10-4-101
Dispense, 50-32-101
Dispenser, 50-32-101
Dispensing, selling, and fitting hearing aids — practice of, 37-16-102
Displaced
- homemaker, 39-7-303
- person, 70-31-102

Displacement, 18-4-301
Display
- or dissemination of obscene material to minors, 45-8-205
- principal display panel, 50-31-103

Disposal, 37-41-104, 75-3-103, 75-10-203, 75-10-403, 75-10-903
- extension of public sewage disposal system, 76-4-102
- public sewage disposal system, 76-4-102
- refuse disposal district, 7-13-202
- system, 75-5-103

Dispose, 75-10-203, 75-10-403, 75-10-903

Disposition, 44-5-103, 76-4-1202
    final, 41-5-103, 50-15-101
    or appointment of property, 72-2-813, 72-2-814
    person in charge of disposition of a dead body, 50-15-101
Dispute, labor, 39-31-103
Disqualified person, 35-4-109, 35-8-102
Dissemination, 44-5-103
    display or dissemination of obscene material to minors, 45-8-205
Dissenter, 35-1-826
Dissolution of marriage, 50-15-101
Distilled water, 50-31-103
Distinctly private, 49-2-101
Distraint, warrant for, 15-1-701
Distress, emotional or mental, 27-1-310
Distribute, 16-3-218, 16-11-302, 50-32-101, 80-9-101, 80-10-101
Distributed, 15-70-201, 15-70-301
Distributee, 72-1-103
Distribution, 35-1-113, 35-2-114, 35-10-102
    contract, 30-11-701
    date, 72-2-717, 72-2-719
    extraordinary dividend or, 33-2-1114
    lines used for the distribution of electricity, 69-4-102
    proceeding, 25-9-702
    system, 85-7-1921
    water distribution system, 37-42-102
    wholesale drug, 37-7-602
Distributor, 7-14-301, 15-70-201, 15-70-301, 23-5-112, 30-14-303, 30-14-803, 50-31-301, 50-32-101, 50-78-102, 61-4-201, 75-11-302, 80-9-101, 80-10-101, 81-23-101, 90-4-302
    alcohol, 15-70-503
    branch, 61-4-201
    chain distributor scheme, 45-6-319
    sole, 16-10-103, 16-11-102
    table wine, 16-1-106
    wholesale, 61-4-402
    wholesale drug, 37-7-602
Distributorship, agreement of, 16-3-415
District(s), 7-12-1103, 7-13-2201, 7-13-3001, 7-14-202, 7-22-2101, 7-22-2207, 7-22-2401, 18-2-401, 20-6-101, 75-7-103, 76-2-101, 76-15-103, 85-9-103
    administrative school district employee, 20-9-512
    business, 61-1-408
    community college, 20-15-101
    conservation, 76-15-103
    county, 7-13-2201
    elementary, 20-6-101
    forest fire protection, 76-13-102
    guaranteed tax base ratio, 20-9-366
    high school, 20-6-101
    industrial, 7-15-4283
    irrigation, 76-3-406, 85-7-1402
    joint, 7-13-302
    joint local water quality, 7-13-4527
    judicial, 3-5-101
    K-12 school, 20-6-701
    local improvement, 7-3-122
    local water quality, 7-13-4502

District(s) (Continued)

- multijurisdictional service, 53-30-503
- refuse disposal, 7-13-202
- residence, 61-1-409
- school, 20-9-402, 44-2-511
- solid waste management, 7-13-202
- special, 18-8-202
- state, 76-16-103
- state-district, 2-16-602
- subordinate service, 7-3-122
- superintendent, 20-1-101
- urban, 61-1-410

Disturbance, emotional, 20-7-401
Disturbed land, 82-4-303
Ditch, company, 27-1-731
Diversion, 85-20-103
Divert, 85-20-103
Diverted away from a natural water body, 23-2-301
Dividend(s), 15-30-101
- extraordinary dividend or distribution, 33-2-1114
- preferred dividend requirement, 33-2-819
- stock, 15-30-101

Division(s), 2-15-104, 10-3-103, 10-3-1203, 19-2-303, 19-17-102, 23-1-302, 32-1-109, 53-9-103
- of land, 76-3-103
- order, 82-10-110
- water, 85-2-102

Divorce or annulment, 72-2-814
Divorced individual(s), 72-2-814
- relative of the divorced individual's former spouse, 72-2-814

DMSO, 50-42-101
DNA, 44-6-101
- forensic DNA laboratory, 44-6-101
- identification index, 44-6-101
- record, 44-6-101
- testing, 44-6-101

DNR identification, 50-10-101
Do
- not resuscitate order, 50-10-101
- not resuscitate protocol, 50-10-101

Dockage, 80-4-302
- foreign material other than, 80-4-302

Docket, 5-7-102
Document(s), 30-5-103, 30-7-102, 30-9-105, 53-6-155
- of title, 30-1-201
- person entitled under the, 30-7-403
- public, 18-7-302

Documentary
- demand for payment, 30-5-103
- draft, 30-4-104, 30-5-103
- material, 30-14-102

Documentation, reliable, 50-9-102
Document(s), 3-1-114
- electronic filing of, 3-1-114
- electronic storage of, 3-1-114
- of gift, 72-17-102

Documented vessel, 23-2-502

Dog
  police, 45-8-209
  vicious, 7-23-2109
Doing business, 15-31-101, 33-2-1303
  cost of, 30-14-202, 30-14-803
Dollar value, historic, 72-30-102
Dolly or converter gear, 61-1-113
Domain, eminent, 60-1-103, 70-30-101
Domestic
  corporation, 35-1-113, 35-2-114
  household or domestic employment, 39-71-116
  insurer, 33-1-201, 33-2-1902
  limited liability company, 35-8-102
  limited partnership, 35-12-504
  mutual insurer, 33-3-102
  professional corporation, 35-4-109
  resident domestic insurer, 33-1-201
  service, 41-2-103
  stock insurer, 33-3-102
  use, 85-20-103
Domicile, 20-25-501, 33-11-102, 61-3-323
  commercial, 15-31-302
Domiciliary state, 33-2-1303
Dominant tenement, 70-17-103
Donor, 27-1-716, 72-16-446, 72-17-102
Dosage form, solid, 50-31-301
Double
  rocky mountain, 61-10-104
  -walled tank system, 75-11-302
Draft, 30-3-104, 30-4-104
  documentary, 30-4-104, 30-5-103
Drainage, 75-6-102
  system, 37-69-101
Drain hole, horizontal, 15-36-303
Drainway, 76-5-103
Drawee, 30-3-102
Drawer, 30-3-102
Draw poker machine, 23-5-602
Dredge mining, placer or, 82-4-303
Drift, 50-73-102
Driller, 37-43-102
  apprentice water well, 37-43-102
  water well, 37-43-102
Drinking water, 50-31-103
  safe drinking water act, 75-6-102
Driver(s), 61-1-309
  commercial driver's license, 61-1-135
  license, 61-1-136
Driveway, 61-1-205
Drug(s), 37-2-101, 37-7-101, 50-30-202, 50-31-103, 50-32-101, 80-9-101
  addict, 37-2-111
  antibiotic, 50-31-301
  company, 37-2-101
  counterfeit, 50-31-103
  dangerous, 45-9-111, 45-9-206, 50-32-101

Drug(s) (Continued)
  federal food, drug and cosmetic act, 81-9-217
  habitual user of, 37-2-111
  imitation dangerous drug, 45-9-111
  legend, 50-31-301
  new, 50-31-103
  narcotic, 50-32-101
  paraphernalia, 45-10-101
  prescription, 37-7-602
  product, 37-7-502, 39-71-727
  sample, 37-7-602
  topical, 37-26-103
  wholesale drug distribution, 37-7-602
  wholesale drug distributor, 37-7-602
Dual
  agent, 37-51-102
  -party relay system, 53-19-302
Due
  holder in due course, 30-3-302
  notice, 76-15-103
Duly negotiated, 30-7-501
Duplicate, Title 26, chapter 10, M.R.Ev., Rule 1001
Durable
  equipment, 33-2-831
  power of attorney, 72-5-501
Duration of response, 10-3-1203
Duress, 28-2-402
Duty(ies)
  active, 39-29-101
  general law enforcement, 7-32-201
  incapacity for performance of, 19-2-303
  of support, 40-5-103
Dwelling, 70-20-113
  occupied, 23-2-301
  single-family, 90-6-503
  unit, 70-20-113, 70-24-103
Dye, hair, 50-31-404
Earned compensation, 19-20-101
Earnings
  average annual net, 70-31-102
  gross, 32-1-109
  net, 32-1-109
  net earnings available for fixed charges, 33-2-818
Easement(s), 60-1-103, 70-17-101
  conservation, 76-6-104
  prescriptive, 23-2-322
Economically disadvantaged person, 53-2-1103
Economic development organization, local, 15-24-1801, 15-24-1901, 15-24-2001
Economy
  long-term benefit to the Montana, 17-6-302
  Montana, 17-6-302
Ecosystem, 87-5-102
Education
  adult, 20-7-701
  adult basic, 20-7-701
  approved teacher education program, 20-4-131

Education (Continued)

- board of public, 20-1-101
- free appropriate public, 20-7-401
- higher education facilities, 90-5-101
- higher education funds, 17-2-102
- institution of higher, 39-51-201, 90-5-101
- K-12 vocational, 20-1-101
- nursing education program, 37-8-102
- or educational services, 20-30-101
- postsecondary, 20-30-101
- special, 20-7-401
- state board of, 20-1-101
- teacher of traffic, 20-7-501
- traffic, 20-7-501
- traffic education account, 20-7-501
- traffic education course, 20-7-501
- vocational, 20-1-101
- vocational-technical, 20-1-101

Educational
- credential, 20-30-101
- education or educational services, 20-30-101
- eligible educational institution, 20-26-1101
- institution, 15-30-112, 49-2-101
- occupancy, 50-61-103
- service agency, 39-51-2108

Eelworms, 80-8-102

Effective
- consent, 81-30-102
- date of notice, 35-1-113, 35-2-114

Effectiveness measure, 17-7-102

Effect level, no observable, 80-15-102

Effluent standard, 75-5-103

Effort, reasonable, 20-9-802

Eggs
- incubated, 81-20-205
- unfit for human food, 81-20-205

Elderly, 13-3-202, 69-12-102
- families, 7-15-4402

Elected official, 5-7-102
- constitutionally designated and elected officials of the executive branch of government, 2-6-301

Election, 13-1-101, 13-3-202, 13-37-216
- administrator, 13-1-101
- day, 13-19-102
- general, 13-1-101
- mail ballot, 13-19-102
- precinct, 13-3-101
- primary, 13-1-101
- regular, 13-1-101
- school, 20-20-101
- special, 13-1-101

Elector(s), 7-1-4121, 7-3-4201, 13-1-101, 85-9-103
- in the united states service, 13-2-211
- qualified, 7-12-4243, 76-15-103

Electric
- cooperative, 69-3-601, 69-5-102
- or communication facilities, 69-4-303

Electric (Continued)

- overhead electric or communication facilities, 69-4-303
- supplier, 69-5-102
- underground electric or communication facilities, 69-4-303
- utility, 69-5-102

Electrical
- contractor, 37-68-102
- service, 69-4-303

Electrician
- journeyman, 37-68-102
- master, 37-68-102
- residential, 37-68-102

Electricity, lines used for the distribution of, 69-4-102
Electrology, 37-32-102
Electronic
- bulletin board, 2-17-321
- filing of documents, 3-1-114
- funds transfer, 15-1-801, 17-8-301, 32-6-103
- storage of documents, 3-1-114
- terminal, 32-6-103

Elementary
- county retirement mill value per elementary ANB, 20-9-366
- district, 20-6-101
- school, 20-6-501
- statewide elementary guaranteed tax base ratio, 20-9-366
- statewide mill value per elementary ANB, 20-9-366

Elements
- common, 70-23-102
- essential elements of the position, 19-2-303
- general common, 70-23-102
- limited common, 70-23-102

Elevation, mean annual high-water, 75-7-202
Eligibility period, 39-51-2501
Eligible
- child, 20-7-436
- costs, 75-11-302
- deferred compensation plan, 19-2-101
- educational institution, 20-26-1101
- employee, 33-22-1803
- employer, 39-51-1121
- government unit, 17-5-1604
- health facility, 90-7-104
- medical expense, 15-61-102
- person, 33-22-1501
- qualified heir, 72-16-331
- relative, 39-29-101
- spouse, 39-30-103
- state employee, 16-2-104
- surplus lines insurer, 33-2-301
- transportee, 20-10-101

Elimination rider, 33-22-109
Elisor, 25-3-206
Emancipated minor, 20-25-501, 50-20-203
Emancipation, limited, 41-3-102
Embalming, 37-19-101

Emergency, 10-3-103, 10-4-101, 17-7-102, 20-15-323, 32-1-561, 69-4-501, 80-7-501, 85-15-106
  authorized emergency vehicles, 61-1-119
  case of, 70-24-103
  declaration of, 20-9-802
  disaster and emergency services, 10-3-103
  energy, 90-4-302
  landing strips, 67-5-102
  local emergency operations plan, 10-3-1203
  local emergency response authority, 10-3-1203
  measure, 7-3-1224, 7-3-4326
  medical, 50-20-203, 50-20-303
  medical care provider, 10-3-1103
  medical reasons, 37-7-602
  medical service(s), 50-6-302, 50-6-401
  medical services advisory council, 50-6-401
  medical services personnel, 50-9-102, 50-10-101
  medical technician, 50-6-202
  party emergency service, 10-3-1103
  resources management plan, 10-3-502
  responder, 75-10-716
  road service, 61-12-301
  services, 10-4-101, 33-22-1703
  services provider, 50-16-701
  service vehicles, 61-1-120
  situation, 53-21-102
  unforeseen, 20-3-322, 20-9-802
Eminent domain, 60-1-103, 70-30-101
Emission, 50-70-103, 75-2-103
  low emission wood or biomass combustion device, 15-32-102
Emotional disturbance, 20-7-401
Emotional or mental distress, 27-1-310
Employ, 39-3-201, 39-3-402
Employed, 41-2-103
  regularly, 39-51-204
Employee(s), 2-9-101, 2-18-101, 2-18-601, 2-18-603, 2-18-701, 2-18-1101, 2-18-1202, 7-1-4121, 7-32-106, 7-32-4120, 15-30-201, 15-61-102, 18-4-123, 19-1-102, 19-2-101, 19-2-303, 26-2-515, 27-1-731, 30-3-420, 33-20-1101, 33-20-1103, 33-20-1104, 33-22-401, 33-22-501, 35-1-113, 39-2-301, 39-2-903, 39-3-201, 39-3-402, 39-32-102, 39-71-118, 39-71-120, 39-71-2501, 39-72-102, 45-8-203, 49-2-101, 50-71-102, 50-72-102, 50-78-102
  administrative school district, 20-9-512
  confidential, 39-31-103
  contribution, 19-3-315, 19-20-602
  eligible, 33-22-1803
  eligible state, 16-2-104
  full-time, 2-18-601
  group or team of, 2-18-1101
  leasing arrangement, 39-8-102
  life insurance, 33-20-1002
  mineral development, 90-6-402
  officers and, 61-4-103
  -owned enterprise, 17-6-302, 90-5-303
  ownership group, 90-5-303
  part-time, 2-18-601
  permanent, 2-18-601
  public, 2-2-102, 39-31-103

Employee(s) (Continued)

  - qualifying, 15-24-2402
  - seasonal, 2-18-601
  - state, 2-9-601, 2-18-809
  - subordinate, 7-32-106
  - supervisory, 39-31-103
  - tax, 19-1-102
  - temporary, 2-18-601
- **Employer**, 15-30-201, 15-31-131, 19-2-303, 19-9-104, 19-13-104, 19-20-101, 39-2-301, 39-2-1002, 39-3-201, 39-51-202, 39-71-117, 39-71-2501, 39-72-102, 41-2-103, 49-2-101, 50-71-102, 50-72-102, 50-78-102
  - american, 39-51-203
  - contracting, 19-2-303
  - deficit, 39-51-1121
  - eligible, 39-51-1121
  - manufacturing, 50-78-102
  - multiple employer welfare arrangement, 33-35-103
  - new, 39-51-1121
  - nonmanufacturing, 50-78-102
  - plant of the, 39-71-116
  - professional employer arrangement, 39-8-102
  - professional employer group, 39-8-102
  - professional employer organization, 39-8-102
  - public, 39-29-101, 39-30-103, 39-31-103
  - self-funded multiple employer welfare arrangement, 33-35-103
  - small, 33-22-1803
  - small employer carrier, 33-22-1803
  - underinsured, 39-71-521
  - uninsured, 39-71-501
- **Employing unit**, 39-51-201
- **Employment**, 19-1-102, 39-2-101, 39-51-203, 39-51-204, 41-2-103
  - agency, 49-2-101
  - and training demonstration project, 53-2-902
  - casual, 39-71-116
  - concurrent, 39-71-123
  - continuous, 2-18-601
  - contract of, 39-2-101
  - household or domestic, 39-71-116
  - noisy, 39-71-802
  - office, 39-51-201
  - person with an employment handicap, 53-7-101, 53-7-301
  - purposes, 31-3-102
  - regular, 39-71-116
  - sheltered, 53-7-202
  - suitable, 39-51-2602
  - supported, 53-7-202
- **Enclosed public place**, 50-40-103
- **Encumbrance(s)**, 30-2A-309, 30-9-105, 70-20-305
  - blanket, 76-4-1101
- **Endangered species**, 87-5-102
- **Endorsement**, 30-8-308
- **Endowment**
  - care, 35-21-614
  - care mausoleum-columbarium, 35-21-615
  - fund, 17-2-102, 72-30-102
  - treasure state endowment fund, 90-6-701

Endowment (Continued)

- treasure state endowment program, 90-6-701

End-stage renal dialysis facility, 50-5-101
Enemy attack, 10-3-502
Energy, 90-4-302
- alternative renewable energy source, 90-4-102
- conservation, 90-4-102
- conservation program, 90-4-602
- conservation program bonds, 90-4-602
- conservation purpose, 15-32-102
- conversion process, 15-35-102
- emergency, 90-4-302
- facility, 90-4-302
- qualified energy project, 20-9-471
- recognized nonfossil forms of energy generation, 15-32-102
- supply alert, 90-4-302

Enforce, person entitled to, 30-3-301
Enforcement
- general law enforcement duties, 7-32-201
- law enforcement agency, 7-32-201, 44-11-303, 45-8-108
- law enforcement agency of another state, 44-11-303
- law enforcement agency of this state, 44-11-303
- law enforcement officer, 7-32-201, 45-8-209
- party law enforcement agency, 44-11-303
- state or local child support enforcement agency, 39-51-3106
- support enforcement agency, 40-5-103
- support enforcement entity, 40-5-701

Engaged in business, 15-31-101
Engage in an equine activity, 27-1-726
Engineer, 7-12-2101, 85-15-106
- city, 7-12-4101
- intern, 37-67-101
- licensed architect, professional engineer, professional land surveyor, 18-8-202
- professional, 37-67-101
- registered professional, 76-3-103, 76-4-102

Engineering
- architectural, engineering, and land surveying, 18-8-202
- practice of, 37-67-101
- rehabilitation, 53-7-101, 53-7-301

Enhanced recovery, 82-11-101
- existing enhanced recovery project, 15-36-303
- expanded enhanced recovery project, 15-36-303
- new enhanced recovery project, 15-36-303
- project, 15-36-303

Enhancement facility, coal, 15-35-102
Enlargement, 85-15-106
Enrollee, 33-31-102
- late, 33-22-1803

Enter or remain unlawfully, 45-6-201
Enterprise(s), 7-7-4602
- agricultural, 90-5-101
- employee-owned, 17-6-302, 90-5-303
- fund type, 17-2-102
- gambling, 23-5-112
- gift, 23-5-112
- illegal gambling, 23-5-112

Enterprise(s) (Continued)

locally owned, 17-6-302
Entitled
person entitled under the document, 30-7-102
person entitled to enforce, 30-3-301
Entitlement
basic, 20-9-306
school facility, 20-9-370
total per-ANB, 20-9-306
total school facility, 20-9-370
Entity(ies), 33-22-903, 35-1-113, 35-2-114, 53-6-702
business, 39-71-432
family business, 81-3-211
governmental, 2-9-101, 2-9-111, 39-51-1121
local, 7-7-131
local government, 2-7-501, 7-6-602, 17-8-311, 53-30-503
managed health care, 53-6-702
managing, 37-53-102
person or, 69-3-803
public, 17-5-1102
receiving, 72-16-446
registering, 72-6-301
support enforcement, 40-5-701
Entombment, 35-21-102
Entries in the regular course of business, copies of, Title 26, chapter 10, M.R.Ev., Rule 1001
Entrusting, 30-2-403
Entry
forcible, 70-27-102
salary, 2-18-101
townsite land, 70-28-301
Enucleator, 72-17-102
Envelope
return/verification, 13-19-102
secrecy, 13-19-102
Environment, 75-10-701, 80-8-102
clean and healthful, 17-6-302
total, 15-38-103
Environmental protection law, 75-2-103, 75-10-403
EPA, 80-15-102
Equalization
county equalization moneys, 20-9-334
state equalization aid, 20-9-343
Equal qualifications, substantially, 17-5-1526, 17-5-1527, 17-6-325, 39-30-103, 90-5-114
Equated plane hours, 15-23-401
Equine, 27-1-726
activity, 27-1-726
activity sponsor, 27-1-726
engage in an equine activity, 27-1-726
professional, 27-1-726
risks inherent in equine activities, 27-1-726
Equipment, 30-9-109, 50-60-101, 80-6-101, 80-6-1102, 80-8-102
air and water pollution, 15-6-135
associated, 23-5-602
authorized, 23-5-112
communications, 37-68-103
durable, 33-2-831

Equipment (Continued)

    major medical, 50-5-101
    specialized telecommunications, 53-19-302
    special mobile, 61-1-104
Equity security, 33-3-441
Equivalency, benefit, 33-22-1803
Equivalent
    actuarial, 19-2-303, 19-20-101
    chemical, 37-7-502
    full-time equivalent resident load, 53-1-401
    mill levy, 53-2-802
    therapeutically, 37-7-502
ERISA, 15-61-102
Error, customer billing, 69-3-221
Escort vehicle, funeral, 61-1-413
Escrow, 32-7-102
    business, 32-7-102
Essential elements of the position, 19-2-303
Establish, 76-5-103
Established
    catalog price, 18-4-301
    geographic service area, 33-22-1803
    name, 50-31-301
    perimeter of an airport or landing field, 67-1-101
Establishing, burden of, 30-1-201
Establishment, 50-40-103, 50-50-102, 50-51-102, 50-52-101
    commercial, 15-6-138, 50-50-102
    food manufacturing, 50-50-102
    food service, 50-31-103, 50-50-102
    official, 81-9-217
    retail, 50-31-103
Estate(s), 70-1-702, 72-1-103, 72-16-101, 72-16-601
    adjusted gross, 72-16-451
    adjusted tax difference with respect to the, 72-16-338
    certified real estate appraiser, 37-54-102
    improved real, 33-2-830
    in real property, 70-15-202
    licensed real estate appraiser, 37-54-102
    of freehold, 70-15-206
    of inheritance, 70-15-203
    oil and gas, 82-10-502
    person interested in the, 72-16-601
    probate, 72-2-222
    real, 15-1-101, 15-7-303, 37-51-102, 37-53-102, 37-54-102
    real estate appraisal, 37-54-102
    real estate improvement contract, 71-3-522
    real estate transaction, 37-51-102
    residential real estate-related transaction, 49-2-305
Estimates, reserve, 33-16-1008
Estray, 81-4-601
Event
    authorized control level, 33-2-1906
    company action level, 33-2-1904
    mandatory control level, 33-2-1907
    of disassociation, 35-8-102
    of withdrawal of a general partner, 35-12-504

Event (Continued)

- regulatory action level, 33-2-1905

Evidence, 26-1-101
- appropriate evidence of appointment or incumbency, 30-8-402
- circumstantial, 26-1-102
- conclusive, 26-1-102
- corroborative, 26-1-102
- cumulative, 26-1-102
- direct, 26-1-102
- of coverage, 33-31-102
- prima facie, 26-1-102
- relevant, Title 26, chapter 10, M.R.Ev., Rule 401

Examination, 30-14-102
- direct, 26-1-101
- make available for examination and reproduction, 46-1-202
- minimum mammography, 33-22-132
- oral, 1-1-202
- preliminary, 46-1-202
- special, 32-1-214

Examiner, 37-62-101
- hearing, 40-5-201
- mine, 50-73-102

Examining
- board, 39-73-101
- land surveyor, 76-3-103

Excavation(s), 50-73-102, 69-4-501

Excessive rates, 33-16-201

Exchange, 30-11-112
- access services, 10-4-101
- commodity exchange act, 30-10-103
- deposit for, 70-6-107
- loan for, 70-7-202
- local exchange company, 53-19-302
- net amount billed for the exchange access service fee, 10-4-204
- qualified exchange property, 72-16-331
- rate of, 25-9-702
- securities exchange act of 1934, 30-10-103

Exclusive representative, 39-31-103

Executed, 30-4A-301
- contract, 28-2-104

Execution, 1-1-203
- date, 30-4A-301

Executive
- authority, 46-30-101
- branch, 2-15-102, 7-1-4121
- chief, 7-1-4121, 7-5-101
- clemency, 46-23-103
- constitutionally designated and elected officials of the executive branch of government, 2-6-301
- head, 41-4-109, 61-2-209, 61-5-404
- principal executive officer, 10-3-103

Executory contract, 28-2-104

Exempt property, 72-1-103

Exercisable general power of appointment, presently, 72-2-222

Exerts control, obtains or, 45-2-101

Exhaustee, 39-51-2501

Exhibitor, 30-14-303

Existing
  enhanced recovery project, 15-36-303
  highway, 60-5-102
  right, 85-2-102
  uses, 75-5-103
Expanded enhanced recovery project, 15-36-303
Expanding, 15-31-124
Expansion, 15-24-1401, 15-24-2402, 15-36-303
  capital project, 90-3-102, 90-9-103
Expendable trust fund type, 17-2-102
Expenditure(s), 13-1-101
  capital, 50-5-101
  obligation for capital, 50-5-301
  state, 17-8-105
  uncovered, 33-31-102
Expense(s), 33-16-1008, 35-1-451, 35-2-446
  cleaning, 70-25-101
  common, 70-23-102
  eligible medical, 15-61-102
  health care, 33-22-903
  incidental, 7-12-2101, 7-12-4101
  necessary expenses of litigation, 70-30-306
  overhead, 30-14-202
  salaries and, 3-7-204
  timeshare, 37-53-102
  travel, 2-18-501
Experience
  factor, 39-51-1213
  rating, 33-16-1008
Experiment station, agricultural, 20-1-101
Expiry, age at, 33-20-212
Explanatory statement, attorney general's, 13-27-315
Exploitation, 52-3-803
  sexual, 41-3-102
Exploration, 82-4-303
Explosive(s), 37-72-101, 45-8-332, 61-1-506
Export, 15-70-201, 15-70-301, 15-70-503, 33-2-301, 75-11-302
Exporter, 15-70-201, 15-70-301, 75-11-302
Exposure, 50-16-701, 50-78-102
Express contract, 28-2-103
Ex-ship, 30-2-322
Extended
  benefit period, 39-51-2501
  benefits, 39-51-2501
  depth auger method, 15-35-102
  family member, 40-8-103
  health insurance, 33-22-802
Extension, 10-1-803
  of credit, 32-1-432
  of public sewage disposal system, 76-4-102
  of public water supply system, 76-4-102
Externalties, 69-3-1203
Extra
  lean ground beef, 50-31-103
  lean hamburger, 50-31-103

Extraordinary dividend or distribution, 33-2-1114
Extremely flammable, 50-30-209
Facilitator, 2-5-103
Facility(ies), 15-60-101, 15-65-101, 50-5-101, 50-5-301, 50-5-1103, 50-6-401, 50-8-101, 50-20-104, 53-20-102, 53-21-102, 75-10-403, 75-10-701, 75-10-903, 75-20-104, 75-20-1202, 76-4-102, 80-10-502, 87-4-406, 90-6-302
  air navigation, 67-1-101
  ambulatory surgical, 50-5-101
  anhydrous ammonia, 80-10-502
  animal, 81-30-102
  approved private treatment, 53-24-103
  approved public treatment, 53-24-103
  associated, 75-20-104
  canola seed oil processing, 15-6-136
  chemical dependency, 50-5-101
  class I, 75-10-431
  class II, 75-10-431
  class III, 75-10-431
  coal enhancement, 15-35-102
  community, 7-15-4402
  community-based, 53-20-102
  community corrections facility or program, 46-18-104, 53-30-303
  community residential, 76-2-411
  controlled-access, 60-5-102
  correctional, 41-5-103
  day-care, 52-2-703
  detention, 41-5-103
  developmental disabilities, 53-20-202
  electric or communication, 69-4-303
  eligible health, 90-7-104
  end-stage renal dialysis, 50-5-101
  energy, 90-4-302
  governmental, 39-2-1002
  hazardous waste management, 75-10-403
  hazardous waste transfer, 75-10-403
  health, 90-7-102
  health care, 7-6-2512, 7-34-2201, 27-6-103, 39-32-102, 50-4-504, 50-4-605, 50-5-101, 50-5-301, 50-6-401, 50-10-101, 50-16-504, 50-16-701, 50-16-1003, 53-6-106
  higher education, 90-5-101
  holding, 37-19-101
  hospital, 7-34-2102
  identified but unlocatable underground, 69-4-501
  locatable underground, 69-4-501
  long-term care, 37-9-101, 50-5-101, 50-5-301, 52-3-602, 52-3-803
  major industrial, 20-9-407
  major new industrial, 15-16-201
  medical assistance, 50-5-101, 50-5-301
  medical facility research and development project, 90-3-102
  mental health, 53-21-102
  motor vehicle wrecking, 75-10-501
  nonprofit health care, 50-5-101
  nuclear, 75-20-1202
  nursing, 15-60-101
  operator of a youth care, 41-3-1102
  outpatient, 50-5-101

Facility(ies) (Continued)

- overhead electric or communication, 69-4-303
- personal-care, 50-5-101
- processing, 82-4-403
- qualifying small power production, 69-3-601
- rail, 60-11-1102
- regional correctional, 53-30-503
- regional detention, 41-5-103
- rehabilitation, 50-5-101
- research, 81-30-102
- residential, 53-20-102
- residential care, 50-5-101
- residential facility screening team, 53-20-102
- residential treatment, 20-7-436, 50-5-101
- resource recovery, 75-10-103, 75-10-203
- sanitary, 50-70-103
- school facility entitlement, 20-9-370
- secure detention, 41-5-103
- shelter care facility, 41-5-103
- simulcast, 23-4-101
- state advance for school, 20-9-370
- state reimbursement for school, 20-9-370
- state youth correctional, 41-5-103
- total school facility entitlement, 20-9-370
- trauma, 50-6-401
- underground, 69-4-501
- underground electric or communication, 69-4-303
- vending, 18-5-402, 18-5-501
- youth care, 41-3-1102
- youth correctional facility of the department, 52-5-113
- youth detention, 41-5-103

Facsimile
- seal, 17-5-1102
- signature, 2-16-114, 5-2-105, 17-5-1102

Fact
- adverse material, 37-51-102
- mistake of, 28-2-409

Factor(s), 30-11-601
- experience, 39-51-1213
- inflation, 15-30-101
- payroll, 15-31-308
- property, 15-31-306
- sales, 15-31-310

Factory, 81-22-101
- branch, 61-4-201
- -built building, 50-60-101
- cheese, 81-22-101
- ice cream, 81-22-101
- ice cream mix, 81-22-101

Failure
- to conserve coal, 82-4-203
- unwarranted failure to comply, 82-4-203

FAIM project, 53-2-902, 53-4-201, 53-4-602, 53-4-702

Fair
- consideration, 33-2-1303
- current fair market value, 70-30-313

Fair (Continued)

- market value, 69-14-931
- value, 35-1-826

Faith, good, 30-1-201, 30-2-103, 30-3-102, 30-4A-105, 70-24-103
Fallen animal, dead or, 81-9-311
Familial status, 49-2-305
Family(ies)

- aid to families with dependent children, 53-4-201, 53-4-702
- business entity, 81-3-211
- day-care home, 52-2-703
- designated family member, 30-11-801, 61-4-131
- elderly, 7-15-4402
- extended family member, 40-8-103
- immediate, 2-2-106, 16-1-106, 23-4-101, 23-5-629, 39-33-102
- income, 15-30-128
- law order, 19-2-907, 19-20-305
- member, 45-5-206, 53-24-103
- member of the, 72-16-331
- member of the minor's, 72-26-502
- member of the victim's, 46-24-205
- members of the same, 81-3-211
- persons and families of lower income, 90-6-103
- practice, 50-5-602
- qualifying family member, 15-30-128
- residential unit, 7-13-202, 7-13-4502
- single family residence, 70-24-103
- support act of 1988, 53-4-702
- unit, 80-6-101

Fantasy sports league, 23-5-801
Farm, 39-51-205, 72-16-331

- applicator, 80-8-102
- commercial production of farm products, 76-2-902
- dairy, 81-22-101
- fur, 87-4-1001
- game, 87-4-406
- game farm animal, 87-4-406
- game bird, 87-4-901
- implement, 30-11-801
- operation, 70-31-102
- or ranch, 39-3-402
- products, 30-9-109
- raw and unprocessed farm products, 50-50-102
- tractor, 61-1-109
- worker, 39-3-402

Farmer(s), 61-1-134

- market, 50-50-102
- of low income, 7-15-2124
- or rancher, 15-30-241

Farming purposes, 72-16-331
Farmland, prime, 82-4-203
F.A.S. , 30-2-319
Father, alleged, 40-5-201
Fault, 30-1-201, 30-2A-103
Feasibility study, plan of operation or a, 33-11-102
Feasible

- financially, 90-2-1103

Feasible (Continued)

technically, 90-2-1103
Federal
 act(s), 50-5-101, 50-31-103, 70-31-102, 75-5-1102, 75-6-202
 agency, 7-7-4602
 -aid highway, 60-1-103
 -aid highway funds, 60-2-125
 -aid highway systems, 60-1-103
 -aid interstate system, 60-1-103
 -aid primary system, 60-1-103
 -aid secondary system, 60-1-103
 -aid systems, 60-4-401
 assistance programs, 17-3-102
 code of federal regulations, 81-22-101
 financial assistance, 70-31-102
 food, drug and cosmetic act, 81-9-217
 generation-skipping transfer tax, 72-16-1001
 government, 7-15-4206, 7-15-4402
 insurance contributions act, 19-1-102
 nonpromulgated federal standard, 80-15-102
 poverty level, 53-4-201
 promulgated federal standard, 80-15-102
 property, 18-5-402
 special revenue fund, 17-2-102
 statute, 2-1-403
 workers' compensation legislation, 39-71-2501
Federally insured
 mortgage, 90-6-103
 security, 90-6-103
Federation, library, 22-1-402
Fee(s), 15-60-101, 75-11-302
 -assessed units, 7-13-4502
 net amount billed for the exchange access service, 10-4-204
 official, 31-1-202
 service, 17-6-302
 simple, 60-1-103, 70-15-203, 70-15-204
 simple absolute, 70-15-204
 utilization, 15-60-101
Feed
 adulterated, 80-9-204
 bill, 17-7-305
 commercial, 80-9-101
 custom-mixed, 80-9-101
 ingredient, 80-9-101
 mineral, 80-9-101
 misbranded, 80-9-203
Feeder, garbage, 81-2-501
Feedlot, 81-3-201
Feedstock, 15-35-102
Felony, 45-2-101
 forcible, 45-2-101, 45-3-101
 juvenile felony offense, 46-24-207
 nonviolent felony offender, 46-18-104, 53-30-303
 persistent felony offender, 46-1-202, 46-18-501
 violent felony offense, 46-18-1001
Feminine and neuter, masculine includes, 1-2-105, 30-1-102

Fences, legal, 81-4-101
Feral, 87-5-702
Fertilizer(s)
    bulk, 80-10-101
    commercial, 80-10-101
    materials, 80-10-101
    mixed, 80-10-101
    organic, 15-32-302
    packaged, 80-10-101
    specialty, 80-10-101
Fetal death, 50-15-101
Fibrated product, 50-64-102
Fiduciary, 3-7-401, 15-30-101, 30-3-308, 30-10-402, 32-1-425, 72-1-103, 72-16-601, 75-10-701
    capacity, 32-1-802
    fund category, 17-2-102
Field, 82-11-101
    airport and landing, 67-1-101
    established perimeter of an airport or landing, 67-1-101
    of plumbing, 37-69-101
    trial, 87-4-915
File, 31-3-102, 35-2-114
Filed, 30-10-107, 35-2-114
Filing, 35-2-114
    electronic filing of documents, 3-1-114
    fixture, 30-2A-309, 30-9-313
    month, 15-31-510
    with the court, Title 25, chapter 20, M.R.Civ.P., Rule 5(e)
Fill bench, 82-4-203
Filled dairy product(s), 81-22-101, 81-22-411
Filth, contaminated with, 50-31-103
Final
    average compensation, 19-9-104, 19-13-104
    average final compensation, 19-20-101
    average salary, 19-3-520, 19-6-101, 19-7-101, 19-8-101
    cease and desist order which has become, 32-1-901
    cut, 82-4-403
    disposition, 41-5-103, 50-15-101
    order which has become, 32-1-901
    plat, 76-3-103
Finance, 17-5-1503
    administrator, 7-3-122
    agency, 61-4-402
    charge, 31-1-202
    company, 61-4-402
    insurance premium finance company, 33-14-102
    lease, 30-2A-103
    officer, 17-8-311
    premium finance agreement, 33-14-102
    sales finance company, 31-1-202
Financial
    assistance, 2-7-501
    federal financial assistance, 70-31-102
    hazardous financial condition, 33-11-102
    institution, 17-5-1503, 17-6-302, 32-1-382, 32-4-101, 32-6-103, 49-2-101, 72-6-201, 72-26-502
    interest, 3-7-401, 33-25-105

Financial (Continued)

  intermediary, 17-5-1102, 30-8-313
  organization, 70-9-102
  proof of financial responsibility, 61-6-102
  qualified united states financial institution, 33-2-1217, 33-2-1501
  report, 2-7-501
  service, 61-12-301
Financially
  feasible, 90-2-1103
  responsible person, 53-1-401
Financing
  agency, 30-2-104
  statement, 30-9-402
Findings, objective medical, 39-71-116
Fine art, 22-2-501
Fire
  boss, 50-73-102
  company, 19-17-102
  department, 19-18-101
  forest, 76-13-102
  forest fire protection, 76-13-102
  forest fire protection district, 76-13-102
  forest fire season, 76-13-102
  hazard, 76-13-401
  hazard reduction agreement, 76-13-401
  hazard reduction or management, 76-13-401
  local fire chief, 50-78-102
  master fire hazard reduction agreement, 76-13-401
  prevention and investigation program, 50-3-101
  protection service, 10-3-1103
Firefighter(s), 19-13-104
  full-paid, 19-13-104
  part-paid, 19-13-104
  volunteer, 19-17-102, 39-71-118
Fireworks, 50-37-101
Firm, 80-7-105
  research and development, 15-1-101
First
  city of the first class, 7-1-4111
  purchaser, 80-11-201, 80-11-402
Fiscal year, 17-2-110, 19-2-303, 19-17-102, 33-27-103, 39-51-1121, 39-71-116
  last fiscal year, 30-10-104
  school fiscal year, 20-1-301
Fish, game, 87-2-101
Fishing, 87-2-101
Fitting hearing aids — practice of selling, dispensing, and, 37-16-102
Fixed
  assets account group, 17-2-102
  between fixed termini, 69-12-101
  charges, 33-2-818
  net earnings available for fixed charges, 33-2-818
Fixture(s), 30-2A-309, 30-9-313, 70-15-103
  attached to mines, 70-15-104
  filing, 30-2A-309, 30-9-313
Flag, 45-8-215
  person, 61-1-411

Flag (Continued)

- vehicle, 61-1-412

Flammable, 50-30-209
- extremely, 50-30-209
- liquid, 61-1-507

Flathead basin, 75-7-303
Fleet, 61-3-318, 61-3-323, 61-3-712
Flight property, 15-23-401
Flood, 76-5-103
- of 100-year frequency, 76-5-103

Floodplain, 76-5-103
- designated, 76-5-103

Floodway, 76-5-103
- designated, 76-5-103

Floor, alluvial valley, 82-4-203
Flower seeds, 80-5-120
Flowing stream, perennial, 85-2-306
Fluid, 82-11-101
- hydraulic brake, 61-9-314
- milk plant, 81-21-101

Fluoridated water, 50-31-103
Flying club, 67-1-101
F.O.B. , 30-2-319
- market value f.o.b. mine, 15-35-107

Folio, 1-1-203
Food, 50-30-202, 50-31-103, 50-50-102
- additive(s), 50-31-103, 81-9-217, 81-22-101
- agricultural and food product, 81-8-701
- canned, 27-1-716
- eggs unfit for human, 81-20-205
- federal food, drug and cosmetic act, 81-9-217
- frozen food plant, 50-50-102
- manufacturing establishment, 50-50-102
- organic, 50-31-103, 50-31-222
- perishable, 27-1-716
- perishable food dealer, 50-50-102
- pet, 80-9-101
- potentially hazardous, 50-50-102
- programs and nutrition services, 50-49-103
- school food services, 20-1-101
- service establishment, 50-31-103, 50-50-102
- specialty pet, 80-9-101
- stamp or coupon, 45-6-312
- stamp program, 53-2-902
- warehouse, 50-50-102

Foot, functional, 37-6-102
For
- accommodation, 30-3-415
- hire, 61-1-511, 69-12-101

Forage, 80-7-903
Force, 45-5-501
- governmental military, 45-8-108
- likely to cause death or serious bodily harm, 45-3-101
- task, 50-1-403

Forces, armed, 39-29-101

Forcible
  detainer, 70-27-103
  entry, 70-27-102
  felony, 45-2-101, 45-3-101
Foreclosed agricultural land, holder of, 25-13-901
Foreclosure, 71-1-221, 75-10-701
Foreign
  corporation, 35-1-113, 35-2-114, 35-8-102
  country, 15-30-101, 33-2-1303
  government, 15-30-101
  guaranty association, 33-2-1303
  insurer, 33-1-201, 33-2-1902
  judgment, 25-9-502, 25-9-602
  limited liability company, 35-8-102
  limited partnership, 35-8-102, 35-12-504
  material other than dockage, 80-4-302
  mistake of foreign laws, 28-2-411
  money, 25-9-702
  -money claim, 25-9-702
  personal representative, 72-1-103
  professional corporation, 35-4-109
  professional limited liability company, 35-8-102
  state, 25-9-602
  trust company, 32-1-1001
Foreman, mine, 50-73-102
Forensic DNA laboratory, 44-6-101
Forest(s), 15-44-102
  clearwater state, 77-5-102
  coal creek state, 77-5-102
  development road, 61-8-110
  fire, 76-13-102
  fire protection, 76-13-102
  fire protection district, 76-13-102
  fire season, 76-13-102
  land, 15-44-102, 76-13-102, 76-13-302
  landowner, 76-13-302
  lincoln state, 77-5-102
  practices, 76-13-102, 77-5-302
  product, 76-13-401
  productivity value, 15-44-102
  state, 77-5-101
  stillwater state, 77-5-102
  sula state, 77-5-102
  swan river state, 77-5-102
  thompson river state, 77-5-102
Forestry, community and urban, 77-5-402
Form(s)
  bearer, 30-8-102
  beneficiary, 72-6-301
  certificate, 33-22-903
  commodity in package, 30-12-101
  policy, 33-15-323, 33-15-335, 33-22-903
  recognized nonfossil forms of energy generation, 15-32-102
  registered, 30-8-102
  solid dosage, 50-31-301

- **Formal**
  - delinquency proceeding, 33-2-1303
  - proceedings, 72-1-103
  - testacy proceeding, 72-3-302
- **Format**, 33-22-907
- **Former spouse**, relative of the divorced individual's, 72-2-814
- **Foster**
  - adult foster care home, 50-5-101
  - child, 41-3-1102
  - home, 41-5-103
  - youth foster home, 41-3-1102
- **Foundation**, 15-30-163
  - appraisal, 37-54-102
  - private, 72-34-201
- **IV-D**, 40-5-201
  - case, 40-5-701
- **4-year high school**, 20-6-501
- **Fractional**
  - interest in property held in joint tenancy with the right of survivorship, 72-2-222
  - parts, 30-12-106
- **Frame**, 61-3-210
- **Franchise**, 7-3-4201, 61-4-201
  - agency franchise agreement, 16-1-106
  - agreements, 37-51-102
  - disability insurance, 33-22-401
- **Franchisee**, 60-5-502, 61-4-201
- **Franchisor**, 61-4-201
- **Fraternal benefit society**, 33-7-105
- **Fraud**, 28-2-404, 53-6-155
  - actual, 28-2-405
  - constructive, 28-2-406
- **Fraudulent indorsement**, 30-3-420
- **Free**
  - alongside, 30-2-319
  - appropriate public education, 20-7-401
  - -lance correspondent, 39-51-204, 39-71-401
  - noxious weed seed, 80-7-903
  - on board, 30-2-319
  - pass, 69-11-207
  - public bridge, 7-14-2502
  - ticket, 69-11-207
  - transportation, 69-11-207
- **Freehold**, estates of, 70-15-206
- **Freeport merchandise**, 15-6-202
- **Freight**, 69-11-401
- **Freightage**, 69-11-401
- **French**
  - custard ice cream, 81-22-101
  - ice cream, 81-22-101
- **Frequency**, flood of 100-year, 76-5-103
- **Friend of respondent**, 53-21-102
- **Fringe benefits**, 39-2-903
- **Frisk**, 45-2-101
- **Front-end**
  - assembly, 61-3-210

Front-end (Continued)

- implementation funds, 75-10-103
- organizational funds, 75-10-103
- planning funds, 75-10-103

Frozen
- dessert plant, 81-22-101
- food plant, 50-50-102

Fruit ice cream, 81-22-101

Fuel
- alternative, 15-30-164
- aviation, 15-70-201
- delivered cost of motor, 30-14-803
- motor, 15-70-121, 30-14-803
- retail motor fuel outlet, 30-14-803
- special, 15-70-301, 75-11-302
- special fuel dealer, 15-70-301
- special fuel user, 15-70-301

Full
- face value of insignia, 16-11-102
- guardian, 72-5-305
- market value, 77-3-101
- -paid firefighter, 19-13-104
- -time employee, 2-18-601
- -time equivalent resident load, 53-1-401
- -time service, 19-20-101

Function(s), 2-15-102
- core, 50-1-403
- live and function independently, 53-19-102
- quasi-judicial, 2-15-102
- quasi-legislative, 2-15-102

Functional foot, 37-6-102

Fund(s), 7-6-101, 7-22-2207, 19-2-101, 19-18-101, 20-9-201, 39-51-201, 39-71-901, 39-71-2603, 75-10-701, 75-11-302
- agency, 17-2-102
- agency fund type, 17-2-102
- annuity and life income, 17-2-102
- annuity savings, 19-20-602
- budgeted, 20-9-201
- capital projects, 17-5-401
- capital projects fund type, 17-2-102
- current, 17-2-102
- debt service fund type, 17-2-102
- disability and pension, 19-18-101
- electronic funds transfer, 15-1-801, 17-8-301, 32-6-103
- endowment, 17-2-102, 72-30-102
- enterprise fund type, 17-2-102
- expendable trust fund type, 17-2-102
- federal-aid highway, 60-2-125
- federal special revenue, 17-2-102
- fiduciary fund category, 17-2-102
- front-end implementation, 75-10-103
- front-end organizational, 75-10-103
- front-end planning, 75-10-103
- general, 17-2-102
- governmental fund category, 17-2-102
- higher education, 17-2-102

Fund(s) (Continued)

highway capital projects, 17-5-506
improvement, 15-17-316
independent liability, 33-27-103
institutional, 72-30-102
internal service fund type, 17-2-102
matching, 90-3-102, 90-9-103
maximum general fund budget, 20-9-306
nonbudgeted, 20-9-201
nonexpendable trust fund type, 17-2-102
pension trust, 19-2-303, 19-17-102
pension trust fund type, 17-2-102
plant, 17-2-102
projected general fund budget deficit, 17-7-140
proprietary fund category, 17-2-102
renewable resource loan debt service, 85-1-102
reserve, 17-5-1604
revolving, 75-5-1102
revolving loan, 17-6-403
special revenue fund type, 17-2-102
state, 39-71-2501
state special revenue, 17-1-502, 17-2-102
student loan, 17-2-102
transfer, 30-4A-104
treasure state endowment, 90-6-701
unclaimed, 70-9-202
unemployment insurance administration, 39-51-201, 39-51-406

Funding program, BASE, 20-9-306

Funds-transfer
business day, 30-4A-105
system, 30-4A-105
system rule, 30-4A-501

Funeral
directing, 37-19-101
escort vehicle, 61-1-413
lead vehicle, 61-1-414
procession, 61-1-415

Fungi, 80-8-102

Fungible, 30-1-201

Fungicide, 80-8-102

Fur
-bearing animals, 87-2-101
dealers, 87-4-301
farm, 87-4-1001

Furbearer, 87-4-1001

Furnish, 71-3-1001

Future(s)
alternative future interest, 72-2-717
commodity futures trading commission, 30-10-103
contingent future interest, 70-1-324
damages, 25-9-401
goods, 30-2-105
interest, 70-1-322, 72-2-717
interest under the terms of a trust, 72-2-717
normal cost, 19-2-303
present tense includes, 1-2-105

Future(s) (Continued)

- primary future interest, 72-2-717
- reasonably anticipated future uses, 75-10-701
- vested future interest, 70-1-323
- younger-generation future interest, 72-2-717

Gallery, infiltration, 85-2-327
Gainful occupation, 39-73-101
Gallon, proof, 16-1-106
Gambling, 23-5-112
- activity, 23-5-112
- device, 23-5-112
- enterprise, 23-5-112
- illegal gambling device, 23-5-112
- illegal gambling enterprise, 23-5-112
- licensed gambling operation, 23-5-118
- public, 23-5-112
- video gambling machine, 23-5-112
- video gambling machine manufacturer-distributor, 23-5-602

Game, 87-4-701
- animals, 87-2-101, 87-4-406
- bird(s), 87-4-701, 87-4-901
- bird farm, 87-4-901
- card, 23-5-112
- card game table, 23-5-112
- card game tournament, 23-5-112
- crane, 23-6-101
- farm, 87-4-406
- farm animal, 87-4-406
- fish, 87-2-101
- live card, 23-5-112
- lottery, 23-7-103
- migratory game birds, 87-2-101
- of chance, promotional, 23-5-112
- sports tab, 23-5-501
- state game warden, 19-8-101
- upland game birds, 87-2-101

Garbage, 69-12-101, 81-2-501
- feeder, 81-2-501

Garden, urn, 35-21-102
Gas, 15-1-101, 15-36-303, 82-1-111
- compressed natural, 15-70-701
- compressed natural gas dealer, 15-70-701
- native, 82-10-301
- natural, 15-1-101, 15-36-303, 82-10-301
- natural gas public utility, 82-10-301
- oil and gas developer or operator, 82-10-502
- oil and gas estate, 82-10-502
- oil and gas operations, 82-10-502
- stripper natural, 15-36-303

Gasohol, 2-17-414
- dealer, 15-70-503

Gasoline, 7-14-301, 15-70-201, 75-11-302
- aviation, 75-11-302

Gassy mine, 50-73-102
Gate, 23-2-902
Gear, dolly or converter, 61-1-113

Gems, 77-3-101
General
  agents, 28-10-102
  anesthesia, 37-4-101
  anesthetic, 37-4-101
  apiary, 80-6-101
  assets, 33-2-1303
  attorney general's explanatory statement, 13-27-315
  common elements, 70-23-102
  contractor, 39-9-102
  election, 13-1-101
  event of withdrawal of a general partner, 35-12-504
  fund, 17-2-102
  health condition, 50-16-504
  intangibles, 30-9-106
  law enforcement duties, 7-32-201
  license, 75-3-103
  lien, 71-3-101
  managing general agent, 33-2-1501, 33-17-102
  maximum general fund budget, 20-9-306
  nutritional information, 37-25-102
  partner, 35-12-504
  power of appointment, 72-16-302
  presently exercisable general power of appointment, 72-2-222
  projected general fund budget deficit, 17-7-140
  recreational use, 77-1-101
  revenue source, 17-1-502
  supervision, 37-4-405
  taxing authority, 19-9-209, 19-13-214
Generation, 75-10-403
  recognized nonfossil forms of energy, 15-32-102
Generation-skipping
  federal generation-skipping transfer tax, 72-16-1001
  transfer, 72-16-1001
Generator, 75-10-403, 75-10-1003
Generic name, 37-7-502, 39-71-727
Genetic condition, 33-18-206
Genuine, 30-1-201
Geographic service area, established, 33-22-1803
Geotechnical boring, 37-43-102
Geothermal
  development, 77-4-102
  resources, 77-4-102
  system, 15-32-102
Germination, percentage of, 80-5-120
Gift, 70-3-101
  anatomical, 72-17-102
  document of, 72-17-102
  enterprise, 23-5-112
  instrument, 72-30-102
  in view of death, 70-3-201
  of substantial value, 2-2-102
  primary substitute, 72-2-613, 72-2-717
  prize and gift promotional offer, 37-53-102
  younger-generation substitute, 72-2-613, 72-2-717

Gifted and talented children, 20-7-901
Gives, 30-1-201
    notice, 30-1-201
Glass
    broker, 33-18-223
    -plastic glazing material, 61-9-405
Glazing material(s)
    glass-plastic, 61-9-405
    safety, 61-9-408
Gleaner, 27-1-716
Good(s), 18-1-101, 30-2-105, 30-2A-103, 30-7-102, 30-9-105, 31-1-202
    baked, 50-50-102
    cause, 16-3-415, 30-11-801, 39-2-903
    cause shown, 85-2-233
    consideration, 28-2-801
    consumer, 30-9-109
    faith, 30-1-201, 30-2-103, 30-3-102, 30-4A-105, 70-24-103
    future, 30-2-105
    household, 69-12-101
    member in good standing, 33-6-102
Goodwill, 30-13-121, 30-13-122
Governing
    authority, 20-5-402
    board, 72-30-102
    body(ies), 7-1-4121, 7-3-122, 7-6-101, 7-6-1101, 7-6-4465, 7-7-109, 7-7-4402, 7-7-4602, 7-12-1103, 7-22-2207, 7-22-2501, 17-5-101, 17-5-2101, 35-21-102, 67-1-101, 67-10-204, 67-11-203, 69-4-303, 75-7-202, 76-1-103, 76-3-103, 85-1-310, 90-5-101
    instrument, 72-1-103, 72-2-813, 72-2-814
    local governing body, 7-15-4206, 75-7-202
Government, 7-15-4402, 45-2-101, 76-15-103
    affected local government unit, 90-6-402
    constitutionally designated and elected officials of the executive branch of, 2-6-301
    eligible government unit, 17-5-1604
    federal, 7-15-4206, 7-15-4402
    foreign, 15-30-101
    local, 1-2-116, 2-6-401, 7-6-501, 7-6-1101, 7-12-1103, 7-13-3001, 7-32-2120, 7-32-2241, 10-4-101, 17-5-1503, 61-8-903, 61-12-102, 67-4-102, 75-10-103, 77-5-402, 90-6-701
    local government entity, 2-7-501, 7-6-602, 17-8-311, 53-30-503
    local government subdivision, 10-3-1103
    local government taxing jurisdiction, 15-1-112
    local government unit, 90-6-302, 90-6-402; Const., XI, 1
    plan of, 7-1-4121
    tribal, 18-11-102, 53-30-303
    unit of local, 7-11-203, 53-30-303
    units of, 76-1-103
Governmental, 76-15-103
    agency, 67-11-401, 75-6-202, 90-6-103
    authorized governmental agency, 61-3-106
    body, 18-4-123
    bonds, 17-5-1302
    entity(ies), 2-9-101, 2-9-111, 39-51-1121
    facility, 39-2-1002
    fund category, 17-2-102
    military force, 45-8-108
    state governmental unit, 90-4-102

Governmental (Continued)

- state or local governmental agency, 49-3-101
- subdivision, 35-1-113, 35-2-114
- unit, 50-5-101

Governor, 40-5-103, 46-30-101
- -elect, 2-15-221

Grade, 2-18-101, 80-10-101
Graded bull, 81-4-211
Grading, 81-22-101
Grain, 80-4-402
- official grain inspectors, 80-4-402
- official grain samplers, 80-4-402
- official grain standards, 80-4-402
- official grain weighers, 80-4-402
- standards act, 80-4-402
- terminal grain warehouse, 80-4-402

Grand jury, 3-15-103
Grandparent, deceased, 72-2-116
Grant(s), 18-4-123, 20-30-101, 70-1-507, 75-6-202
- block, 53-10-501
- reclamation and development grants account, 90-2-1103
- renewable resource grant and loan program state special revenue account, 85-1-102

Grantee agency, 17-3-102
Grantor, 30-11-801, 71-1-303
Gratuitous deposit, 70-6-301
Grave or burial ground — marked, unmarked, unrecorded, registered, or unregistered, 22-3-803
Graveyard, motor vehicle, 75-10-501
Grazeable woodlands, 76-14-103
Grazing preference, 76-16-103
Gross
- adjusted gross estate, 72-16-451
- annual gross value of product, 15-37-102
- deviation, 45-2-101
- earnings, 32-1-109
- household income, 15-30-171
- income, 15-30-101, 15-30-136, 15-31-113, 15-31-406, 23-5-602
- metal yield, 15-23-801
- misconduct, 39-51-201
- proceeds, 15-23-801, 23-5-112
- receipts, 15-50-101
- rent, 15-30-171
- revenue, 15-53-101
- taxable value, 15-36-303
- value of product, 15-23-801, 15-38-103, 15-38-125 — 15-38-127, 15-38-129
- vehicle weight, 61-1-502

Ground
- marked, unmarked, unrecorded, registered, or unregistered grave or burial, 22-3-803
- water, 80-15-102, 85-2-102, 85-2-329, 85-2-340, 85-2-342, 85-2-501
- water area, 85-2-501
- water assessment steering committee, 85-2-903
- water characterization program, 85-2-903
- water characterization study, 85-2-903
- water monitoring program, 85-2-903

Ground beef, 50-31-103
- extra lean, 50-31-103
- lean, 50-31-103

Ground beef (Continued)

  regular, 50-31-103
  super lean, 50-31-103
Group, 39-8-102, 39-71-432
  benefits, 2-18-809
  cultural, 22-3-805
  day-care home, 52-2-703
  disability insurance, 33-22-501
  employee ownership, 90-5-303
  fixed assets account, 17-2-102
  long-term care insurance, 33-22-1107
  long-term debt account, 17-2-102
  or team of employees, 2-18-1101
  professional employer, 39-8-102
  purchasing, 33-11-102
  risk retention, 33-11-102
  tribal, 22-3-803
  voting, 35-1-113
  water's-edge combined, 15-31-321
  youth group home, 41-3-1102
Grower(s), 80-11-201, 80-11-303, 80-11-402
  Montana certified seed, 80-5-120
  organization of cattle growers, 81-6-101
Grown, name of state in which the seed was, 80-5-120
Growth percentage, 17-8-106
Guaranteed, 30-10-103
  analysis, 80-10-102
  district guaranteed tax base ratio, 20-9-366
  statewide elementary guaranteed tax base ratio, 20-9-366
  statewide high school guaranteed tax base ratio, 20-9-366
  student loan program, 20-26-1101
Guarantee of the signature, 30-8-402
Guarantor, 30-8-201
Guaranty, 28-11-101
  association, 33-2-1303
  continuing, 28-11-108
  foreign guaranty association, 33-2-1303
  unconditional, 28-11-107
Guard
  armed private security, 37-60-101
  private security, 37-60-101
  unarmed private security, 37-60-101
Guardian, 20-5-320, 72-1-103, 72-5-305
  full, 72-5-305
  legal, 50-16-1003
  limited, 72-5-305
  parent or, 20-5-320
Guardian ad litem, 41-3-603
Guardianship, 41-5-103
Guard, national, 10-1-101
Guest, transient, 50-51-102
Guidance, anticipatory, 33-22-303, 33-22-512, 33-30-1014
Guide, 37-47-101
  professional, 37-47-101
Guideline(s), 7-1-4121, 40-5-201
  child support, 40-5-804

Gun, machine, 45-8-302
Gypsum, products of cement or, 15-59-101
Habilitation, 53-20-102
Habit, Title 26, chapter 10, M.R.Ev., Rule 406
Habitat, natural, 87-5-702
Habitual
    traffic offender, 61-11-203
    user of drugs, 37-2-111
Hairdressing, 37-31-101
Hair dye, 50-31-404
Hamburger, 50-31-103
    extra lean, 50-31-103
    lean, 50-31-103
    regular, 50-31-103
    superlean, 50-31-103
Handgun, 46-18-224
Handicap(ped), 13-3-202, 53-19-302
    person, 39-30-103
    vocationally, 18-5-101, 39-71-901
Handicap(s)
    individual with, 53-7-101
    individual with severe, 53-19-102
    person with an employment, 53-7-101, 53-7-301
Handled in the primary channels of trade, 80-11-303
Hard-to-place child, 52-2-503
Harm, 45-2-101
    force likely to cause death or serious bodily, 45-3-101
    threatened harm to a child's health or welfare, 41-3-102
    to a child's health or welfare, 41-3-102
Harnosal, 50-43-102
Harvest, 15-44-102
Hashish, 50-32-101
Haulers, coal and ore, 15-6-138
Hazard
    airport, 67-1-101
    airport hazard area, 67-1-101
    fire, 76-13-401
    fire hazard reduction agreement, 76-13-401
    fire hazard reduction or management, 76-13-401
    master fire hazard reduction agreement, 76-13-401
Hazardous, 81-22-101
    banned hazardous substance, 50-30-203
    chemical, 50-78-102
    commercial hazardous waste incinerator, 75-2-103
    financial condition, 33-11-102
    household hazardous waste, 75-10-203
    material, 10-3-1203, 61-1-137
    material incident, 75-10-716
    material incident response team, 10-3-1203
    misbranded hazardous substance, 50-30-202
    or deleterious substance, 75-10-701
    orphaned hazardous material, 10-3-1203
    potentially hazardous food, 50-50-102
    state hazardous material incident response team, 10-3-1203
    substance, 10-3-1203, 50-30-201, 75-10-602

Hazardous (Continued)

- waste, 75-2-103, 75-10-403, 75-10-602, 80-8-110
- waste management, 75-10-403
- waste management facility, 75-10-403
- waste transfer facility, 75-10-403

Head
- agency, 2-18-1101, 50-40-203
- department, 2-15-102
- executive, 41-4-109, 61-2-209, 61-5-404

Headquarters, 32-1-382
Healing, maximum medical, 39-71-116
Health
- adequate health care, 41-3-102
- basic health benefit plan, 33-22-1803
- basic health care services, 33-31-102
- benefit plan, 33-22-110, 33-22-243, 33-22-1703, 33-22-1803, 40-5-804
- care, 50-4-504, 50-16-504
- care advisory council, 50-4-504
- care expenses, 33-22-903
- care facility(ies), 7-6-2512, 7-34-2201, 27-6-103, 39-32-102, 50-4-504, 50-4-605, 50-5-101, 50-5-301, 50-6-401, 50-10-101, 50-16-504, 50-16-701, 50-16-1003, 53-6-106, 76-2-902
- care information, 50-16-504, 50-16-602
- care insurer, 33-22-125, 33-22-241, 33-22-243, 33-22-1703
- care professional, 37-8-103
- care provider, 25-9-411, 27-6-103, 33-9-101, 33-32-102, 50-1-403, 50-4-504, 50-9-102, 50-16-504, 50-16-1003, 53-5-901
- care services, 33-22-102, 33-22-1703, 33-31-102
- care services agreement, 33-31-102
- certificate, 81-2-702
- community mental health center, 53-21-201
- eligible health facility, 90-7-104
- extended health insurance, 33-22-802
- facility, 90-7-102
- general health condition, 50-16-504
- harm to a child's health or welfare, 41-3-102
- home health agency, 50-5-101
- home health care, 33-22-1001
- imminent danger to the health and safety of the public, 82-4-203
- individual health benefit plan, 33-22-241
- institution, 90-7-102
- insurer, 50-4-504
- local board of, 50-1-403, 50-53-102
- local department of, 75-5-103
- local health department, 20-5-402
- local health officer, 20-5-402, 50-2-101, 50-16-602, 50-16-1003, 50-53-102
- maintenance activities, 37-8-103
- maintenance organization, 33-31-102, 50-5-101, 53-6-702
- managed health care entity, 53-6-702
- mental health clinic, 53-21-201
- mental health facility, 53-21-102
- mental health professional, 27-1-1101
- mental health treatment center, 33-22-702
- naturopathic health care, 37-26-103
- nonprofit health care facility, 50-5-101
- occupational, 50-70-103, 50-72-102
- other health impairment, 20-7-401

Health (Continued)

participating health institution, 90-7-102
professional, 41-1-401
public health center, 50-5-101
public health improvement plan, 50-1-403
secretary of health and human services, 19-1-102
service corporation, 33-22-1201, 33-22-1501, 33-30-101
services, 33-30-101
standard health benefit plan, 33-22-1803
state health plan, 50-5-101
threatened harm to a child's health or welfare, 41-3-102
warning, 16-11-302
Healthful environment, clean and, 17-6-302
Hearing, 37-11-101
administrative, 40-5-226
aid, 37-16-102
examiner, 40-5-201
impairment, 20-7-401
officer, 40-5-201
practice of selling, dispensing, and fitting hearing aids, 37-16-102
probable cause, 41-5-103
Hearsay, Title 26, chapter 10, M.R.Ev., Rule 801
statements which are not, Title 26, chapter 10, M.R.Ev., Rule 801
Heat damaged seeds, 80-4-302
Heating oil, 75-11-302
Heavy
highway construction wage rates, 18-2-401
labor activity, 39-71-703
Height of buildings and structures, 67-1-101
Heir(s), 70-1-518, 72-1-103
eligible qualified, 72-16-331
qualified, 72-16-331
Held
closely held business amount, 72-16-451
interest in a closely held business, 72-16-453
Helpless, physically, 45-2-101
Herbicide, 80-8-102
Hereafter, 1-1-201
Heretofore, 1-1-201
Heritage
natural heritage program, 90-15-102
property, 22-3-421
Hide
animal, 81-9-401
certificate, 81-9-401
dealer, 81-9-401
High
county high school, 20-6-101, 20-6-501
county retirement mill value per high school ANB, 20-9-366
4-year high school, 20-6-501
-hazard area, 60-7-102
-hazard dam, 85-15-106
junior high school, 20-6-501
managerial agent, 45-2-311
mean annual high-water elevation, 75-7-202
ordinary high-water mark, 23-2-301

High (Continued)

- -quality waters, 75-5-103
- school, 20-6-501
- school district, 20-6-101
- senior high school, 20-6-501
- 6-year high school, 20-6-501
- statewide high school guaranteed tax base ratio, 20-9-366
- statewide mill value per high school ANB, 20-9-366

Higher education
- facilities, 90-5-101
- funds, 17-2-102
- institution of, 39-51-201, 90-5-101

Highly toxic, 50-30-205

Highway(s), 60-1-103, 61-1-201
- arterial, 60-5-102
- authority(ies), 60-1-103, 60-5-102
- capital projects fund, 17-5-506
- controlled-access, 60-5-102, 61-1-211
- existing, 60-5-102
- federal-aid, 60-1-103
- federal-aid highway funds, 60-2-125
- federal-aid highway systems, 60-1-103
- heavy highway construction wage rates, 18-2-401
- interstate, 60-5-102
- national highway system, 60-2-125
- patrol officer, 61-1-305
- primary highway system, 60-2-125
- projects, 17-5-903
- public, 60-1-103, 61-1-202, 69-12-101
- public roads and highways of this state, 15-70-301, 15-70-701
- revenues, 17-5-903
- secondary highway system, 60-2-125
- state, 60-1-103, 60-2-125
- through, 61-1-210
- traffic safety program, 61-2-102
- urban highway system, 60-2-125

Himself insecure, when he deems, 30-2A-109

Hire
- deposit for, 70-6-402
- for, 61-1-511, 69-12-101
- lobbying for, 5-7-102

Hiring, initial, 39-30-103

Historic
- dollar value, 72-30-102
- preservation office, 22-3-421
- preservation officer, 22-3-421
- records, 22-3-102
- records network, 22-3-102

Historical interest, site of significant, 72-16-446

History
- credit, 33-18-210
- criminal history record information, 44-5-103

HIV, 50-5-105, 50-16-1003
- -related condition, 50-5-105, 50-16-1003
- -related test, 50-16-1003

Hive, 80-6-101

Hobbyist
    apiary, 80-6-101
    beekeeper, 80-6-101
Holder, 30-1-201, 31-1-202, 70-9-102
    account, 15-61-102
    in due course, 30-3-302
    of bonds, 7-7-4602
    of foreclosed agricultural land, 25-13-901
    pledge, 71-2-101
Holding
    bank holding company, 32-1-109, 32-1-382
    facility, 37-19-101
    insurance holding company system, 33-2-1101
    owning bank holding company, 32-1-802
    public utility holding company act of 1935, 30-10-103
Holdover, 41-5-103
Hole, horizontal drain, 15-36-303
Holiday(s), 2-18-601
    legal, 1-1-216
Home(s), 46-18-1001, 50-5-101
    adult foster care, 50-5-101
    arrest, 46-18-1001
    community, 53-20-302
    community home for persons with severe disabilities, 52-4-202, 53-19-102
    detention, 41-5-1001
    family day-care, 52-2-703
    foster, 41-5-103
    group day-care, 52-2-703
    health agency, 50-5-101
    health care, 33-22-1001
    individual in need of home-based services, 53-6-145
    infusion therapy agency, 50-5-101
    infusion therapy services, 50-5-101
    mobile, 15-1-101, 15-24-201, 61-1-501, 61-4-309
    mobile home owner, 70-24-103
    mobile home park, 70-24-103
    motor, 61-1-130, 61-9-405
    nursing home administrator, 37-9-101
    retirement, 23-5-406, 50-51-102
    school, 20-5-102
    second, 90-6-109
    state, 40-5-103, 40-7-103
    study, 40-8-103
    tourist, 50-51-102
    youth foster, 41-3-1102
    youth group, 41-3-1102
Homemaker, displaced, 39-7-303
Homeopathic preparations, 37-26-103
Homestead, 15-30-171
Honey, 50-31-103
Honor, 30-1-201
Honorable conditions, under, 39-29-101
Horizontal drain hole, 15-36-303
Horizontally completed well, 15-36-303

Horse(s), 81-4-321
  abandoned, 81-4-501
Hospice, 50-5-101
Hospital(s), 27-6-103, 39-51-201, 50-5-101, 50-15-702, 72-17-102
  children's psychiatric, 20-7-436
  facilities, 7-34-2102
  inpatient hospital benefits, 33-22-702
  joint commission on accreditation of, 50-5-101
  state, 53-21-102
  trauma register, 50-6-401
Hotel, 50-51-102
Hotelkeeper, 87-4-701
Hours
  business, 69-6-103
  equated plane, 15-23-401
  volunteer, 39-71-118
House, main banking, 32-1-109
Household, 15-1-1001, 15-30-171
  goods, 69-12-101
  gross household income, 15-30-171
  hazardous waste, 75-10-203
  income, 15-30-171
  or domestic employment, 39-71-116
  waste, 75-10-203
House of prostitution, 45-2-101
Housetrailer(s), 15-24-201, 61-1-501
Housing, 50-52-101
  accommodation, 49-2-101, 49-4-203
  authority, 7-15-4402
  covered multifamily housing accommodation, 49-2-305
  development, 90-6-103
  development costs, 90-6-103
  for older persons, 49-2-305
  limited-profit housing sponsor, 90-6-103
  manufactured, 76-2-202, 76-2-302
  nonprofit housing sponsor, 90-6-103
  project, 7-15-4402, 7-15-4416
  sponsor, 90-6-103
  temporary, 10-3-103
Huckster, 7-21-2501
Human
  being, 45-2-101
  eggs unfit for human food, 81-20-205
  remains, 35-21-102, 37-19-101
  resource development council, 53-10-501
  secretary of health and human services, 19-1-102
  skeletal remains, 22-3-803
Hunt, 87-2-101
Hunter orange, 87-3-302
Husbandry, implement of, 61-1-121
Hybrid, 80-5-120
Hydraulic brake fluid, 61-9-314
Hygiene, practice of dental, 37-4-401
Ice, 81-22-101
  cooked ice cream, 81-22-101

Ice (Continued)

- cream, 81-22-101
- cream factory, 81-22-101
- cream mix, 81-22-101
- cream mix factory, 81-22-101
- custard, 81-22-101
- french custard ice cream, 81-22-101
- french ice cream, 81-22-101
- fruit ice cream, 81-22-101
- sherbet, 81-22-101
- water, 81-22-101

Identification, 30-2-501
- DNA identification index, 44-6-101
- DNR, 50-10-101
- unique identification device, 32-6-103
- vehicle identification number, 61-3-210

Identified but unlocatable underground facility, 69-4-501

Identifying
- information, 40-8-103
- number, 23-2-502

Identity, proof of, 44-2-511

Ill
- mentally, 53-21-102
- seriously mentally, 53-21-102

Illegal
- article, 45-2-101
- gambling device, 23-5-112
- gambling enterprise, 23-5-112

Illness, mental, 33-22-702

Imitation dangerous drug, 45-9-111

Imitation Indian arts or crafts articles, 30-14-601

Immediate
- container, 50-31-103
- denture, 37-29-102
- family, 2-2-106, 16-1-106, 23-4-101, 23-5-629, 39-33-102
- precursor, 50-32-101
- resale, 81-8-213

Imminent danger to the health and safety of the public, 82-4-203

Immovable property, 70-15-101

Immunization, 20-5-402

Impaired insurer, 33-10-202

Impairment
- hearing, 20-7-401
- mental, 39-30-103
- orthopedic, 20-7-401
- other health, 20-7-401
- speech-language, 20-7-401
- visual, 20-7-401

Implementation funds, front-end, 75-10-103

Implement
- farm, 30-11-801
- of husbandry, 61-1-121

Implications, action with taking or damaging, 2-10-103

Implied contract, 28-2-103

Import, 7-14-301, 15-59-101, 15-70-201, 15-70-301, 16-1-106, 75-11-302

Importation, 87-5-702

Importer, 15-70-201, 15-70-301, 61-4-201
  beer, 16-1-106
Imprint, code, 50-31-301
Improper means, 30-14-402
Improved, 7-12-2101, 7-12-4101
  real estate, 33-2-830
Improvement(s), 7-12-2101, 7-12-4101, 15-1-101
  agricultural, 69-4-401
  fund, 15-17-316
  leasehold, 15-1-101
  local improvement district, 7-3-122
  public health improvement plan, 50-1-403
  quality, 50-6-401
  real estate improvement contract, 71-3-522
Improving, 7-7-4602
Impure, 81-22-101
Inaccessible
  polling place, 13-3-207
  technically inaccessible but usable polling place, 13-3-207
Inactive
  member, 19-2-303
Inadequate rates, 33-16-201
Incapacitated
  by alcohol, 53-24-103
  mentally, 45-2-101
  person, 52-3-803, 72-1-103, 72-5-101
  principal, 72-2-616
Incapacity for performance of duty, 19-2-303
Incident, 10-3-103, 10-3-1203, 70-15-105
  hazardous material, 75-10-716
  hazardous material incident response team, 10-3-1203
  state hazardous material incident response team, 10-3-1203
  tactical, 10-3-702
Incidental
  damage(s), 30-2-715, 61-4-501
  expenses, 7-12-2101, 7-12-4101
Incinerator, 75-2-103
  commercial hazardous waste, 75-2-103
Included offense, 46-1-202
Includes, 35-1-113, 35-2-114
Income, 15-30-171, 40-5-103, 40-5-403, 72-34-404, 77-1-602
  annuity and life income fund, 17-2-102
  beneficiary, 72-34-402
  business, 15-31-302
  family, 15-30-128
  farmers of low, 7-15-2124
  from sources within this state, 15-31-403
  gross, 15-30-101, 15-30-136, 15-31-113, 15-31-406, 23-5-602
  gross household, 15-30-171
  household, 15-30-171
  interest and income moneys, 20-9-341
  low, 50-19-303
  Montana total personal, 17-8-105
  net, 15-30-101, 15-31-113
  nonbusiness, 15-31-302

Income (Continued)
    payor of, 40-5-804
    pension and annuity, 15-30-101
    persons and families of lower, 90-6-103
    persons of low, 7-15-4402
    right to, 72-2-222
    taxable, 15-30-101
    -withholding order, 40-5-103
Incompetent person, 50-20-203, 53-24-103
Incomplete instrument, 30-3-115
Incorporated city or town, 19-18-101
Incorporation, articles of, 35-1-113, 35-2-114
Incorrect, 30-12-202
Increase, rate, 69-3-901
Increased taxable value, 7-15-4292
Increment
    culmination of mean annual, 15-44-102
    tax, 7-15-4283
    tax increment provision, 7-15-4283
Incremental
    production, 15-35-102, 15-36-303
    taxable value, 7-15-4283
Incubated eggs, 81-20-205
Incubator, business, 15-24-1801
Incumbency, appropriate evidence of appointment or, 30-8-402
Incurred
    paid or, 15-30-101
    such injury, 39-71-807, 39-71-808
Indebtedness, 33-21-103
Indemnity, 28-11-301
    marine protection and indemnity insurance, 33-1-209
Indenture, 7-14-4602
    trust, 7-15-4402, 71-1-303
Independent
    appraisal service, 37-54-102
    auditor, 2-7-501
    committee, 13-37-216, 13-37-226
    contractor, 15-30-201, 39-51-201, 39-71-120, 39-72-102
    liability fund, 33-27-103
    living, 53-7-101, 53-7-301
Independently, live and function, 53-19-102
Index
    consumer price, 15-30-101
    DNA identification, 44-6-101
    rate, 33-22-1803
Indian, 2-18-111, 30-14-601
    american indian studies, 20-4-211
    imitation indian arts or crafts articles, 30-14-601
    reservation, 16-11-155
    tribe, 75-6-202
Indicated treatment, withholding of medically, 41-3-102
Indicator, program size, 17-7-102
Indicia, 16-11-102
Indigenous seeds, 80-5-120
Indirect costs, 17-3-102

Individual(s), 5-7-102, 13-1-101, 33-17-102, 33-19-104, 35-1-113, 35-2-114
  divorced, 72-2-814
  health benefit plan, 33-22-241
  in need of home-based services, 53-6-145
  insurance, 40-5-804
  relative of the divorced individual's former spouse, 72-2-814
  transportation, 20-10-101
  treatment planning team, 53-20-102
  with handicaps, 53-7-101
  with severe handicaps, 53-19-102
Industrial
  commercial or industrial activities, 75-15-103
  commercial or industrial zone, 75-15-103
  district, 7-15-4283
  infrastructure development project, 7-15-4283
  life insurance, 33-20-102
  major industrial facility, 20-9-407
  major new industrial facility, 15-16-201
  new industrial property, 15-6-135
  occupancy, 50-61-103
  park, 15-24-1901
  premises, 69-5-102
  unzoned commercial or industrial area, 75-15-103
  use, 16-1-106
  waste, 75-5-103, 75-6-102
  waste discharge system, 75-6-102
Indorser, 30-3-203, 30-3-607
Indorsement, 30-3-203
  anomalous, 30-3-204
  blank, 30-3-204
  fraudulent, 30-3-420
  special, 30-3-204
Industry, 15-24-1401, 15-24-2402, 23-2-702
  construction, 39-71-116
  new, 15-6-135
Inert ingredient, 80-8-102
Infectious, 75-10-1003
  airborne infectious disease, 50-16-701
  disease, 50-16-701
  disease control officer, 50-16-701
  waste, 75-10-1003
Inference, 26-1-501
Infestation, 80-7-501
Infiltration gallery, 85-2-327
Infirmary, 50-5-101
  -A, 50-5-101
  -B, 50-5-101
Inflation factor, 15-30-101
Influence
  airport influence area, 67-4-102
  payment to influence official action, 5-7-102
  under the, 61-8-401, 67-1-204
  undue, 28-2-407
Informal proceedings, 72-1-103

Information, 50-18-109
  agents, 15-30-101
  center, 75-15-103
  confidential criminal justice, 44-5-103
  criminal history record, 44-5-103
  criminal intelligence, 44-5-103
  criminal investigative, 44-5-103
  criminal justice, 44-5-103
  criminal justice information system, 44-5-103
  data and information technology resources, 2-15-102
  directory, 50-16-504
  general nutritional, 37-25-102
  health care, 50-16-504, 50-16-602
  identifying, 40-8-103
  medical, 31-3-102
  medical record, 33-19-104
  motorist information sign, 60-5-502
  nonidentifying, 40-8-103
  personal, 33-19-104
  privileged, 33-19-104
  public criminal justice, 44-5-103
  relevant, 61-3-106
  specific information sign, 60-5-502
  statistical, 44-5-103
  substantial credible, 85-2-102
  supplementary rate, 33-16-1008
  supporting, 33-16-1008
Informed consent, 50-20-104
  written, 50-16-1003, 50-16-1007
Infrastructure
  industrial infrastructure development project, 7-15-4283
  projects, 90-6-701
Infusion
  home infusion therapy agency, 50-5-101
  home infusion therapy services, 50-5-101
Ingredient(s)
  active, 80-8-102
  feed, 80-9-101
  inert, 80-8-102
  optional, 81-22-101
  statement, 80-8-102
Inhabitable real property, 75-3-602
Inherent in equine activities, risks, 27-1-726
Inheritance, estate of, 70-15-203
In-house
  buyer agent designate, 37-51-102
  seller agent designate, 37-51-102
Initial
  decree, 40-7-103
  hiring, 39-30-103
  transaction statement, 30-8-408
Initiating
  state, 40-5-103
  tribunal, 40-5-103
Injection well, class II, 82-11-101

Injunction, 27-19-101
Injured, 39-71-119
Injurious conduct, criminally, 53-9-103
Injury, 27-1-106, 39-71-119
  bodily, 45-2-101, 75-11-302
  date of, 39-71-807, 39-71-808
  incurred such, 39-71-807, 39-71-808
  mental, 41-3-102, 52-3-803
  personal, 2-9-101
  physical, 41-3-102, 52-3-803
  serious bodily, 45-2-101
  time of, 39-71-807, 39-71-808
  traumatic brain, 20-7-401, 53-6-501
In-kind payment, 72-16-446
  value of, 72-16-446
Inland Marine Definition Act, Nationwide, 33-1-221
Inmate, 7-32-2120, 7-32-2241, 45-2-101
Innovative
  agricultural technology, 90-9-103
  technology, 90-3-102
Inpatient benefits, 33-22-702, 33-22-705
Inquest, 46-4-201
  jury of, 3-15-105
Inquiry, 46-4-121
Insect(s), 80-8-102
  beneficial, 80-8-102
  pest, 7-22-2302, 80-7-501
Insecticide, 80-8-102
Insecure, when he deems himself, 30-1-208, 30-2A-109
Insemination, artificial, 81-2-401
Insider, 31-2-328
Insignia, 16-11-102
  full face value of, 16-11-102
Insolvency, 31-2-202, 33-2-1303
  proceedings, 30-1-201
Insolvent, 30-1-201, 31-2-202, 33-2-1303
  bank, 32-1-503
  insurer, 33-10-102
  private self-insurer, 39-71-2603
Inspecting authority, 50-8-101
Inspection, 37-1-302, 85-15-106
  continuous official, 81-8-701
  plant inspection certificate, 80-7-105
  shipping point, 80-3-302
Inspector(s), 50-72-102, 80-4-402, 81-9-401
  deputy state stock, 81-3-201
  official grain, 80-4-402
  state stock, 81-3-201
Installation, 75-11-203
Installer, 75-11-203
  licensed, 75-11-203
Installment
  contract, 30-2-612
  lease contract, 30-2A-103
  retail installment contract, 31-1-202

Installment (Continued)

- retail installment transaction, 31-1-202

Install, to, 75-11-203
Institution(s), 20-25-701, 20-30-101, 32-1-901, 61-3-462, 72-30-102
- banking, 32-1-601
- correctional, 45-2-101
- educational, 15-30-112, 49-2-101
- eligible educational, 20-26-1101
- financial, 17-5-1503, 17-6-302, 32-1-382, 32-4-101, 32-6-103, 49-2-101, 72-6-201, 72-26-502
- health, 90-7-102
- insurance, 33-19-104
- joint, 7-34-2501
- lending, 90-6-103
- medical care, 33-19-104
- of higher education, 39-51-201, 90-5-101
- of purely public charity, 15-6-201
- participating health, 90-7-102
- postsecondary, 20-26-103
- qualified united states financial, 33-2-1217, 33-2-1501

Institutional
- fund, 72-30-102
- occupancy, 50-61-103
- review board, 50-16-504
- source, 33-19-104

Instruction(s), 20-4-211, 30-8-308
- air, 67-1-101
- pupil, 20-1-101
- RBC, 33-2-1902
- superintendent of public, 20-1-101

Instructor
- aeronautics, 67-1-101
- of motorcycle safety training, 20-7-501

Instrument, 30-9-105, 30-3-104, 70-21-101
- gift, 72-30-102
- governing, 72-1-103, 72-2-813, 72-2-814
- incomplete, 30-3-115
- negotiable, 30-3-104
- of payment, 2-16-114
- timeshare, 37-53-102

Insurable interest, 33-15-201, 33-15-205
Insurance, 33-1-201, 33-11-102, 71-3-1113
- adjuster, 37-60-101
- arrangement, 33-22-1501
- blanket disability, 33-22-601
- casualty, 33-1-206, 33-15-335
- credit disability, 33-21-103
- credit life, 33-21-103
- declination of insurance coverage, 33-19-104
- deductible medical insurance premiums, 15-30-121
- definitions not mutually exclusive, 33-1-205
- disability, 33-1-207
- employee life, 33-20-1002
- extended health, 33-22-802
- federal insurance contributions act, 19-1-102
- franchise disability, 33-22-401
- group disability, 33-22-501

Insurance (Continued)

  group long-term care, 33-22-1107
  holding company system, 33-2-1101
  individual, 40-5-804
  industrial life, 33-20-102
  institution, 33-19-104
  life, 33-1-208
  life insurance corporation, 70-9-102
  limited benefit disability insurance policy, 33-22-1201
  long-term care, 33-22-1107
  marine and transportation, 33-1-209
  marine protection and indemnity, 33-1-209
  nationwide inland marine definition act, 33-1-221
  premium finance company, 33-14-102
  producer, 33-7-525, 33-17-102, 33-19-104, 33-30-311, 33-31-102
  producing insurance producer, 33-2-301
  property, 33-1-210
  reciprocal, 33-5-102
  subject of, 33-2-1201
  supplemental, 19-17-102
  -support organization, 33-19-104
  surety, 33-1-211
  surplus lines, 33-2-301
  surplus lines insurance producer, 33-2-301
  termination of an insurance policy, 33-19-104
  termination of insurance coverage, 33-19-104
  title, 33-1-212
  title insurance business, 33-25-105
  title insurance policy, 33-25-105
  title insurance producer, 33-25-105
  total disability insurance premium, 33-22-1513
  transaction, 33-19-104
  unemployment insurance administration fund, 39-51-201, 39-51-406
Insured, 33-22-102, 33-22-1703
  federally insured mortgage, 90-6-103
  federally insured security, 90-6-103
  rate of insured unemployment, 39-51-2501
Insurer, 33-1-201, 33-2-1101, 33-2-1303, 33-2-1501, 33-15-323, 33-15-1102, 33-16-1008, 33-16-1032, 33-18-231, 33-18-242, 33-22-243, 33-22-802, 33-22-1201, 33-22-1501, 39-71-116, 39-72-102, 71-3-1113
  alien, 33-1-201
  authorized, 33-1-201, 33-2-301
  captive, 33-2-1501
  controlled, 33-2-1501
  county mutual, 33-4-102
  domestic, 33-1-201, 33-2-1902
  domestic mutual, 33-3-102
  domestic stock, 33-3-102
  eligible surplus lines, 33-2-301
  foreign, 33-1-201, 33-2-1902
  health, 50-4-504
  health care, 33-22-125, 33-22-241, 33-22-243, 33-22-1703
  impaired, 33-10-202
  insolvent, 33-10-102
  life or disability, 33-2-1902
  member, 33-10-102, 33-10-202

Insurer (Continued)

- property and casualty, 33-2-1902
- reciprocal, 33-5-102
- resident domestic, 33-1-201
- state mutual, 33-4-102
- title, 33-25-105
- unauthorized, 33-1-201, 33-2-301, 33-19-104

Intangible(s), 72-16-101
- general, 30-9-106
- property, 70-9-102, 72-16-101

Integrated waste management, 75-10-802

Intelligence information, criminal, 44-5-103

Interchange, 75-15-103

Intercourse
- in the course of committing sexual intercourse without consent, 45-5-503
- sexual, 45-2-101

Interest(s), 2-5-103, 31-1-104, 35-1-826
- alternative future, 72-2-717
- and income moneys, 20-9-341
- chattel, 70-15-206
- claim of beneficial, 30-10-402
- commonality of business, 23-5-629
- community of, 30-11-801
- conflicting, 35-1-461
- conflict of interest transaction, 35-2-418
- contingent future, 70-1-324
- creation of a security, 30-2A-303
- director's conflicting interest transaction, 35-1-461
- financial, 3-7-401, 33-25-105
- fractional interest in property held in joint tenancy with the right of survivorship, 72-2-222
- future, 70-1-322, 72-2-717
- future interest under the terms of a trust, 72-2-717
- in a closely held business, 72-16-453
- in common, 70-1-313
- in property, 70-1-315
- in real property having recreational, conservation, or wildlife value, 72-16-446
- insurable, 33-15-201, 33-15-205
- in the limited liability company, 35-8-102
- joint, 70-1-307
- leasehold, 30-2A-103
- lessor's residual, 30-2A-103
- limited liability company, 35-8-102
- nonworking interest owner, 15-36-303
- partial, 15-7-303
- partnership, 35-12-504, 70-1-312
- pecuniary, 20-9-204
- primary future, 72-2-717
- principal party in, 49-4-502
- private, 2-2-102
- prurient interest in sex, 45-8-205
- purchase money security, 30-9-107
- recreational, 60-11-112
- regular, 19-2-303, 19-20-101
- required interest amount, 72-16-471
- security, 23-2-502, 30-1-201, 45-6-315
- site of significant historical, 72-16-446

Interest(s) (Continued)

- timeshare, 37-53-102
- vested future, 70-1-323
- working interest owner, 15-36-303
- younger-generation future, 72-2-717

Interested
- be interested in, 2-2-201
- party, 15-18-111
- person, 72-1-103, 75-5-103, 82-11-144
- person interested in the estate, 72-16-601
- person interested in the welfare of such protected person, 72-5-413

Interim numerical standard, 80-15-102
Interlocal cooperation commission, 53-30-503
Intermediary
- bank, 30-4-105, 30-4A-104
- confidential, 40-8-103
- financial, 17-5-1102, 30-8-313
- interpreter, 49-4-502
- reinsurance, 33-2-1501

Intermediary-broker, reinsurance, 33-2-1501
Intermediary-manager, reinsurance, 33-2-1501
Intermediate
- developmental disability care, 50-5-101
- nursing care, 15-60-101, 50-5-101

Interment, 35-21-102
- plot, 35-21-102
- space, 35-21-102

Intern, 37-7-101
- physical therapy, 37-11-101

Internal Revenue Code, 15-31-131, 72-16-331, 72-16-451, 72-16-1001
Internal service fund type, 17-2-102
International will(s), 72-2-901
- person authorized to act in connection with, 72-2-901

Intern
- engineer, 37-67-101
- land surveyor, 37-67-101

Internship, approved, 37-3-102
Interpretation of words in contracts, Title 28, chapter 3, part 5
Interpreter
- intermediary, 49-4-502
- qualified, 49-4-502

Intersection, 61-1-212, 75-15-103
- street, 7-12-2101, 7-12-4101
- throughway intersection area, 60-5-102

Interstate
- federal-aid interstate system, 60-1-103
- highway, 60-5-102
- system, 60-4-401, 75-15-103, 75-15-203
- tributary(ies), 85-20-103

Interval, timeshare, 37-53-102
Intervention, nursing, 37-8-102
Interview, pretext, 33-19-104
In the course of committing
- a theft, 45-5-401
- sexual assault, 45-5-502
- sexual intercourse without consent, 45-5-503

Intoxicated person, 53-24-103
Intoxicating
    quantity, 16-6-305
    substance, 45-2-101
Intrastate, 39-2-304
    commerce, 30-12-101, 81-22-101
    introduced into, 30-12-101
Introduced into intrastate commerce, 30-12-101
Introduction, 87-5-702
Inurnment, 35-21-102
Invalid, 39-71-116, 39-72-102
    marriage, 50-15-101
Inventory(ies), 30-9-109, 30-11-701
    business, 15-6-202
    value, 72-34-402
Investigating agency, 7-4-2917
Investigation, 37-1-302
    fire prevention and investigation program, 50-3-101
Investigative
    consumer report, 31-3-102, 33-19-104
    criminal investigative information, 44-5-103
Investigator, 19-7-701
    armed private, 37-60-101
    private, 37-60-101
    unarmed private, 37-60-101
Investment, 90-9-103
    adviser, 30-10-103
    adviser representative, 30-10-103
    capital, 15-32-102
    certified Montana small business investment capital company, 90-8-104
    commodity investment contract, 30-10-103
    company, 32-1-102, 32-1-108
    company act of 1940, 30-10-103
    qualified, 90-8-104
    qualified Montana small business investment capital company, 90-8-104
    small business investment company, 15-33-103
Investor, 23-5-629
    -owned public water system, 75-6-202
Invitation for bids, 18-4-301
Involuntary
    act, 45-2-101
    conversion, 72-16-331
    deposit, 70-6-103
    retirement, 19-5-101
Ionizing radiation, 75-3-103
Irons, running, 81-4-214
Irregularly shaped tract of land, 76-3-103
Irrevocable credit, 30-5-103
Irrigable land, 85-7-2205
Irrigation district, 76-3-406, 85-7-1402
Irritant, 50-30-207
Isomer, 50-32-222
Issuance, original, 17-5-1102
Issue, 13-1-101, 25-7-101, 25-31-801, 30-3-102, 30-3-125, 70-1-518, 72-1-103
    ballot, 13-1-101

Issue (Continued)

  of bonds, 85-7-2020
Issuer, 17-5-1102, 17-5-1302, 30-3-125, 30-5-103, 30-7-102, 30-8-201, 30-10-103, 33-22-903, 85-7-1402
  local, 17-5-1302
  state, 17-5-1302
Issuing
  state, 40-5-103
  tribunal, 40-5-103
Item, 30-4-104, 32-7-117
Itinerant vendor, 7-21-2301
IV-D
  agency, 23-7-312
  case, 40-5-701
Jail, 41-5-103
Jefferson River basin, 85-2-340
Job
  sharing, 2-18-101
  training partnership act, 53-2-1103
  training plan, 53-2-1103
JOBS program, 53-2-902, 53-4-602, 53-4-702
Joint, 72-16-101
  commission on accreditation of hospitals, 50-5-101
  custody, 40-4-224
  district, 7-13-302
  fractional interest in property held in joint tenancy with the right of survivorship, 72-2-222
  institution, 7-34-2501
  interest, 70-1-307
  local water quality districts, 7-13-4527
  tenants with the right of survivorship, 72-1-103
  words giving joint authority, 1-1-218
Jointly, 72-16-101
Journeyman
  electrician, 37-68-102
  plumber, 37-69-101
Judge, 3-1-1501, 41-5-103, 46-1-202
  retired, 19-5-101
  water, 85-2-102
Judgment, 46-1-202, 61-6-102; Title 25, chapter 20, M.R.Civ.P., Rule 54(a)
  foreign, 25-9-502, 25-9-602
  support, 40-6-102
Judicial
  districts, 3-5-101
  officers, 1-1-202
  record, 1-1-202
  remedies, 27-1-101
Junior high school, 20-6-501
Junk, 75-15-203
  vehicle, 75-10-501
Junkyard, 75-15-203
Jurisdiction(s), 10-3-702, 61-3-712
  local government taxing, 15-1-112
  9-1-1, 10-4-101
  reciprocating, 75-16-102
  taxing, 15-1-111, 15-31-702
Jurisdictional
  municipal jurisdictional area, 50-60-101

Jurisdictional (Continued)

- revenue disparity, 90-6-402

Juror, 45-2-101
Jury, 3-15-101
- grand, 3-15-103
- inquest, 3-15-105
- trial, 3-15-104

Justice
- administration of criminal, 44-5-103
- confidential criminal justice information, 44-5-103
- courts of, 3-1-101
- criminal justice agency, 44-5-103
- criminal justice information, 44-5-103
- criminal justice information system, 44-5-103
- public criminal justice information, 44-5-103

Justifiable, scientifically, 22-3-803
Juvenile
- detention program, 7-6-501
- felony offense, 46-24-207
- offender, serious, 41-5-103

K-12
- school district, 20-6-701
- specialist, 20-4-131
- vocational education, 20-1-101

Keeper, restaurant, 87-4-701
Keeping, deposit for, 70-6-106
Keno, 23-5-112
- caller, 23-5-112
- machine, 23-5-602

Keylock, 15-70-301
Kin, next of, 53-20-102, 53-21-102
Knife, switchblade, 45-8-331
Knowing, 45-2-101
Knowingly, 1-1-204, 15-30-101, 39-71-521, 45-2-101
Knowledge, 30-1-201
- with, 45-2-101

Knows, 30-1-201
Label, 50-30-211, 50-31-103, 50-78-102, 80-8-102, 80-9-101
Labeler, seed, 80-5-120
Labeling, 50-31-103, 80-5-120, 80-8-102, 80-9-101
Labor, 18-2-401
- agricultural, 15-30-201, 39-51-205
- commissioner of, 39-3-201
- dispute, 39-31-103
- heavy labor activity, 39-71-703
- light labor activity, 39-71-703
- medium labor activity, 39-71-703
- organization, 39-31-103, 49-2-101, 69-14-1101
- sedentary labor activity, 39-71-703
- unfair labor practice, 39-31-103

Laboratory
- clinical, 37-34-103, 50-5-101
- clinical laboratory science practitioner, 37-34-103
- clinical laboratory scientist, 37-34-103
- clinical laboratory specialist, 37-34-103
- clinical laboratory technician, 37-34-103

Laboratory (Continued)

- clinical laboratory test, 37-34-103
- forensic DNA, 44-6-101
- practice of clinical laboratory science, 37-34-103

Lading, bill of, 30-1-201
Laetrile, 50-41-101
Lake, 23-2-301, 75-7-202
- artificial lake or pond, 87-4-603
- change in definition by local government, 75-7-203

Lakeshore, 75-7-202
Land(s), 7-8-2702, 45-6-201, 70-15-102, 76-13-102, 77-1-101, 82-4-227
- affected, 82-4-403
- agricultural, 25-13-901, 80-12-102
- architectural, engineering, and land surveying, 18-8-202
- area of land affected, 82-4-203
- associated, 87-1-256
- building and, 15-24-2001
- covenants running with the, 70-17-201, 70-17-203
- disturbed, 82-4-303
- division of, 76-3-103
- entry townsite, 70-28-301
- examining land surveyor, 76-3-103
- forest, 15-44-102, 76-13-102, 76-13-302
- holder of foreclosed agricultural, 25-13-901
- irregularly shaped tract of, 76-3-103
- irrigable, 85-7-2205
- legally accessible state, 77-1-101
- licensed architect, professional engineer, professional land surveyor, 18-8-202
- membership, 35-16-301
- occupier, 76-15-103
- occupier of, 76-15-103
- open-space, 76-6-104
- parcel of, 50-52-101
- park and recreation, 7-16-2401
- practice of land surveying, 37-67-101
- professional land surveyor, 37-67-101
- public land survey corner, 70-22-103
- registered land surveyor, 76-3-103
- state, 77-1-101, 77-1-701
- subdivided, 15-7-202, 76-4-1101, 76-4-1202
- surveyor intern, 37-67-101
- under water, 85-16-104
- value of rural, 60-3-206

Landfill
- municipal solid waste, 75-10-203
- solid waste, 75-10-903

Landing
- airport and landing field, 67-1-101
- emergency landing strips, 67-5-102
- established perimeter of an airport or landing field, 67-1-101
- restricted landing area, 67-1-101

Landlord, 70-24-103
Landowner, 15-44-102, 80-6-101, 82-4-403
- apiary, 80-6-101
- forest, 76-13-302

Landscape
    architect, 37-66-103
    architecture, 37-66-103
Laned roadway, 61-1-207
Lane, stock, 7-14-2621
Large
    quantity radioactive material, 75-3-103
    -scale mineral development, 90-6-302, 90-6-402
Last fiscal year, 30-10-104
Last-known address, 70-9-102
Late
    claim, 85-2-102
    enrollee, 33-22-1803
Law(s), 1-1-101, 7-1-4121, 7-7-4602, 33-7-108, 40-5-103
    enforcement agency, 7-32-201, 44-11-303, 45-8-108
    enforcement agency of another state, 44-11-303
    enforcement agency of this state, 44-11-303
    enforcement officer, 7-32-201, 45-8-209
    environmental protection, 75-2-103, 75-10-403
    family law order, 19-2-907, 19-20-305
    general law enforcement duties, 7-32-201
    mistake of, 28-2-410
    mistake of foreign, 28-2-411
    party law enforcement agency, 44-11-303
    present law base, 17-7-102
    session, 5-11-211
    state, 39-51-2501
    unwritten, 1-1-107
    written, 1-1-104
Lawful product, 39-2-313
Lawfully taken wildlife, 87-3-117
Lead
    carrier, 33-22-1501
    certified community lead organization, 17-6-403, 90-1-116
    funeral lead vehicle, 61-1-414
Leader, crew, 39-51-206
Leading question, 26-1-101
League, fantasy sports, 23-5-801
Lean
    extra lean ground beef, 50-31-103
    extra lean hamburger, 50-31-103
    ground beef, 50-31-103
    hamburger, 50-31-103
    super lean ground beef, 50-31-103
    super lean hamburger, 50-31-103
Leap year, 1-1-303
Learn, 30-1-201
Learning disability, specific, 20-7-401
Lease, 30-2A-103, 72-1-103
    agreement, 30-2A-103
    consumer, 30-2A-103
    contract, 30-2A-103
    finance, 30-2A-103
    installment lease contract, 30-2A-103
    mining, 77-3-101

Lease (Continued)

- purchase money, 30-2A-309

Leasehold
- improvements, 15-1-101
- interest, 30-2A-103
- premises, 70-25-101

Leaseholder, 69-14-931

Leasing, 30-2A-103
- employee leasing arrangement, 39-8-102

Least restrictive setting, 52-2-302

Leave
- sick, 2-18-601
- vacation, 2-18-601

Legal
- assistant, 37-60-101
- custody, 41-5-103
- fences, 81-4-101
- guardian, 50-16-1003
- holidays, 1-1-216
- parent-child legal relationship, 41-3-603
- representative, 53-2-612, 72-26-502
- residence, 61-3-712
- service, 61-12-301

Legally accessible state lands, 77-1-101

Legend drug, 50-31-301

Legislation, federal workers' compensation, 39-71-2501

Legislative
- act, 2-9-111
- body, 2-9-111, 7-7-131, 7-14-4602
- council, 2-1-403
- local legislative body, 50-60-101

Legislature, proceedings of the, 5-11-211

Lender, 30-14-1102
- regulated, 31-1-111
- seller, lessor, or, 30-14-1102

Lending
- agency, 20-30-402
- institution, 90-6-103

Length, 61-10-104
- agreement not at arm's, 15-23-801
- combination, 61-10-104
- combined trailer, 61-10-104

Lessee, 30-2A-103
- in ordinary course of business, 30-2A-103
- merchant, 30-2A-103
- mining, 77-3-101

Lessor, 30-2A-103, 30-14-1102
- residual interest, 30-2A-103
- seller, lessor, or lender, 30-14-1102

Letter(s), 72-1-103
- of credit, 30-2-325, 30-5-103

Level
- authorized control level event, 33-2-1906
- authorized control level RBC, 33-2-1902
- base consumption, 15-35-102
- base production, 15-35-102

Level (Continued)

- company action level event, 33-2-1904
- company action level RBC, 33-2-1902
- federal poverty, 53-4-201
- mandatory control level event, 33-2-1907
- mandatory control level RBC, 33-2-1902
- maximum contaminant, 75-6-102
- no observable effect, 80-15-102
- RBC, 33-2-1902
- regulatory action level event, 33-2-1905
- regulatory action level RBC, 33-2-1902

Levied
- amount, 15-10-402
- amount of taxes, 15-10-402

Levy
- average, 15-23-211
- BASE budget, 20-9-306
- mill levy equivalent, 53-2-802
- over-BASE budget, 20-9-306

Liabilities, 19-2-303, 33-2-1303
- actuarial, 19-2-303
- unfunded, 19-2-303
- unfunded actuarial, 19-2-303

Liability, 33-11-102, 35-1-451, 35-2-446
- claim(s), 33-27-103, 33-35-103
- completed operations, 33-11-102
- domestic limited liability company, 35-8-102
- foreign limited liability company, 35-8-102
- foreign professional limited liability company, 35-8-102
- independent liability fund, 33-27-103
- interest in the limited liability company, 35-8-102
- limited liability company, 35-8-102, 39-71-116
- limited liability company interest, 35-8-102
- limited liability partnership, 35-10-102
- motor vehicle liability policy, 33-23-204, 61-6-103
- personal risk, 33-11-102
- product, 33-11-102
- professional limited liability company, 35-8-102
- surviving limited liability company, 35-8-102
- tax, 72-16-338

Libel, 27-1-802

Library, 22-1-1102, 90-15-102
- federation, 22-1-402
- network, 22-1-402
- public, 22-1-301, 22-1-326
- records, 22-1-1102
- systems, 22-1-402

License(s), 2-4-102, 16-11-302, 20-30-101, 23-5-112, 30-16-103, 32-5-102, 33-17-102, 37-1-302, 37-14-102, 37-16-102, 37-34-103, 40-5-701, 52-2-703, 61-6-102, 61-11-203, 75-11-203, 87-2-903
- adjuster, 33-17-102
- administrator, 33-17-102
- agreement, 30-14-303
- collegiate license plates, 61-3-462
- commercial driver's, 61-1-135
- consultant, 33-17-102
- decals, 23-2-502

License(s) (Continued)

- driver's, 61-1-136
- general, 75-3-103
- occupational, 53-7-101, 53-7-301
- original Montana license plate, 61-3-412
- personalized license plates, 61-3-401
- renderer, 81-9-311
- rendering plant, 81-9-311
- specific, 75-3-103
- year, 37-47-101

Licensed
- architect, professional engineer, professional land surveyor, 18-8-202
- gambling operation, 23-5-118
- installer, 75-11-203
- nutritionist, 37-25-102
- practitioner, 37-14-102
- producer, 33-2-1501
- professional, 18-8-202
- real estate appraiser, 37-54-102
- renderer, 81-9-311
- rendering plant, 81-9-311
- retailer, 16-11-102
- subjobber, 16-11-102
- wholesaler, 16-11-102

Licensee, 23-5-112, 32-5-102, 32-7-102, 33-14-102, 37-22-102, 37-23-102, 37-27-103, 37-60-101, 39-8-102, 52-2-703, 80-10-101, 81-23-101

Licensing, 2-4-102
- agency, 50-8-101
- authority, 35-4-109, 35-8-102, 40-5-701, 61-5-402
- one-step, 50-8-102

Lien, 1-1-205, 30-2A-103, 31-2-328, 71-3-101, 71-3-522
- construction, 71-3-522
- creditor, 30-9-301
- general, 71-3-101
- property, 72-16-471
- property tax, 15-17-121
- special, 71-3-101
- valid, 31-2-328

Lienholder, 23-2-502
- specific, 61-3-106

Life
- annuity and life income fund, 17-2-102
- cave, 23-2-902
- or disability insurer, 33-2-1902

Life insurance, 33-1-208
- corporation, 70-9-102
- credit, 33-21-103
- employee, 33-20-1002
- industrial, 33-20-102

Life-sustaining, 50-10-101
- treatment, 50-9-102

Light
- labor activity, 39-71-703
- personal care, 50-5-101
- transmission, 61-9-405

Limit(s)
  city, 32-1-109
  loan, 32-4-101
  threshold limit values, 50-70-103
Limited
  benefit disability insurance policy, 33-22-1201
  certificate of limited partnership, 35-12-504
  common elements, 70-23-102
  domestic limited liability company, 35-8-102
  domestic limited partnership, 35-12-504
  emancipation, 41-3-102
  foreign limited liability company, 35-8-102
  foreign limited partnership, 35-8-102, 35-12-504
  foreign professional limited liability company, 35-8-102
  guardian, 72-5-305
  interest in the limited liability company, 35-8-102
  liability company, 35-8-102, 39-71-116
  liability company interest, 35-8-102
  liability partnership, 35-10-102
  partner, 35-12-504
  partnership, 35-8-102, 35-12-504
  permit technician, 37-14-102
  professional limited liability company, 35-8-102
  -profit housing sponsor, 90-6-103
  publicly traded limited partnership, 39-71-2501
  surviving limited liability company, 35-8-102
Lincoln State Forest, 77-5-102
Line(s), 69-5-102
  eligible surplus lines insurer, 33-2-301
  overhead utility, 69-4-401
  sewer service, 76-4-102
  surplus lines insurance, 33-2-301
  surplus lines insurance producer, 33-2-301
  telephone access, 53-19-302
  trucks, 50-76-101
  used for the distribution of electricity, 69-4-102
  water service, 76-4-102
Liquefied petroleum
  dealer, 82-15-101
  product, 82-15-101
  product container, 82-15-101
Liquid, flammable, 61-1-507
Liquor, 16-1-106
  agency liquor store, 16-1-106
  state liquor warehouse, 16-1-106
Listing
  agreement, 37-51-102
  priority, 17-7-102
List, workplace chemical, 50-78-102
Litigation, necessary expenses of, 70-30-306
Live and function independently, 53-19-102
Live birth, 50-15-101
Live card game, 23-5-112
Livestock, 15-1-101, 15-24-901, 15-24-921, 60-7-102, 81-2-702, 87-3-130, 81-3-201, 81-8-213, 81-9-217
  dealer, 81-8-213

Livestock (Continued)

- market, 81-8-213
- ordinary, 69-11-422
- product, 81-9-217
- satellite video livestock auction market, 81-8-213

Living, independent, 53-7-101, 53-7-301
Living will protocol, 50-9-102
Load
- axle, 61-10-107
- full-time equivalent resident, 53-1-401
- shipper's weight, load and count, 30-7-301

Loan, 22-3-503, 31-1-101, 32-1-432, 75-5-1102, 75-6-202, 90-9-103
- agricultural development project loan agreement, 90-9-103
- building and loan association, 32-2-101
- consumer type loan business, 32-5-102
- development, 17-6-403
- for exchange, 70-7-202
- for use, 70-7-102
- guaranteed student loan program, 20-26-1101
- limit, 32-4-101
- microbusiness, 17-6-403
- mortgage, 90-6-103
- of money, 31-1-101, 31-1-308
- participation, 17-6-302
- policy, 33-20-135
- renewable resource grant and loan program state special revenue account, 85-1-102
- renewable resource loan debt service fund, 85-1-102
- renewable resource loan proceeds account, 85-1-102
- research and development project, 90-3-102, 90-9-103
- reverse annuity mortgage, 90-6-503
- review committee, 17-6-503
- revolving loan fund, 17-6-403
- savings and loan association, 32-2-101
- science and technology development project loan agreement, 90-3-102
- seed capital project, 90-3-102, 90-9-103
- student loan fund, 17-2-102

Lobbying, 5-7-102
- for hire, 5-7-102

Lobbyist, 5-7-102
Local
- administration, 72-4-101
- affected local government unit, 90-6-402
- agency, 18-8-202, 52-2-302
- authorities, 61-1-306
- board, 50-1-403, 50-2-101, 50-16-602, 50-16-1003, 50-17-102
- board of health, 50-1-403, 50-53-102
- building department, 50-60-101
- economic development organization, 15-24-1801, 15-24-1901, 15-24-2001
- emergency operations plan, 10-3-1203
- emergency response authority, 10-3-1203
- entity, 7-7-131
- exchange company, 53-19-302
- fire chief, 50-78-102
- governing body, 7-15-4206, 75-7-202
- government, 1-2-116, 2-6-401, 7-6-501, 7-6-1101, 7-12-1103, 7-13-3001, 7-32-2120, 7-32-2241, 10-4-101, 17-5-1503, 61-8-903, 61-12-102, 67-4-102, 75-10-103, 77-5-402, 90-6-701

Local (Continued)

- government entity, 2-7-501, 7-6-602, 17-8-311, 53-30-503
- government subdivision, 10-3-1103
- government taxing jurisdiction, 15-1-112
- government unit, 90-6-302, 90-6-402; Const., XI, 1
- health officer, 20-5-402, 50-2-101, 50-16-602, 50-16-1003, 50-53-102
- health department, 20-5-402
- improvement district, 7-3-122
- issuer, 17-5-1302
- joint local water quality districts, 7-13-4527
- legislative body, 50-60-101
- ombudsman, 52-3-602
- personal representative, 72-4-101
- portion, 17-5-1302
- public procurement unit, 18-4-401
- registrar, 50-15-101
- state or local child support enforcement agency, 39-51-3106
- state or local governmental agency, 49-3-101
- unit of local government, 7-11-203, 53-30-303
- water quality district, 7-13-4502
- zoning regulations, 76-2-401

Locally owned enterprise, 17-6-302
Locatable underground facility, 69-4-501
Located in this state, 32-1-382
Locum tenens, 37-20-401
Lodge, 33-7-108
Long
- approved long-range building program budget amendment, 17-7-102
- group long-term care insurance, 33-22-1107
- -range building program, 17-5-401
- -range building program bonds, 17-5-401
- -term benefit to the Montana economy, 17-6-302
- -term care facility(ies), 37-9-101, 50-5-101, 50-5-301, 50-5-1103, 52-3-602, 52-3-803, 53-6-401
- -term care insurance, 33-22-1107
- -term care medicaid services, 53-6-401
- -term care ombudsman, 50-5-1103, 52-3-602
- -term care preadmission screening and resident review, 53-6-401
- -term debt account group, 17-2-102
- -term resident, 53-1-401

Longevity, 2-18-304
Lookback period, 15-30-201
Loss(es)
- actual wage, 39-71-116
- developed, 33-16-1008
- net operating, 15-31-119
- noneconomic, 25-9-411
- pecuniary, 46-18-243
- profit and, 32-1-109
- profit and loss account, 32-1-109
- proof of, 33-18-231
- prospective loss costs, 33-16-1008
- trending, 33-16-1008

Lost wages, 39-2-903
Lot, 30-2-105, 30-2A-103
Lottery, 23-5-112, 23-7-103
- game, 23-7-103

Lottery (Continued)

- state, 23-7-103

Low
- emission wood or biomass combustion device, 15-32-102
- vision, 53-7-301

Lower income, persons and families of, 90-6-103
Lowest prevailing market price, 33-18-222
Low-hazard area, 60-7-102
Low income, 50-19-303
- farmers of, 7-15-2124
- persons of, 7-15-4402

Lumber, 71-3-601
Luminous reflectance, 61-9-405
Luxuries, 7-6-4461
Machine
- antique slot, 23-5-153
- bingo, 23-5-602
- draw poker, 23-5-602
- gun, 45-8-302
- keno, 23-5-602
- slot, 23-5-112
- vending, 18-5-402, 18-5-501
- video gambling, 23-5-112
- video gambling machine manufacturer-distributor, 23-5-602
- voting, 13-17-305
- voting machine or device, 13-1-101

Madison River basin, 85-2-340
Mail
- ballot election, 13-19-102
- out-of-state service pharmacy, 37-7-702
- registered, 1-1-202

Main
- banking house, 32-1-109
- office, 32-1-802
- street, 7-12-2101, 7-12-4101

Maintain, 50-16-504, 75-15-103
Maintenance, 7-12-4401, 53-7-101, 53-7-301, 60-1-103, 75-15-103
- care, 39-71-116
- cost of operation and, 85-1-102
- health maintenance activities, 37-8-103
- health maintenance organization, 33-31-102, 50-5-101, 53-6-702

Major
- contributing cause, 39-71-407
- industrial facility, 20-9-407
- medical equipment, 50-5-101
- new industrial facility, 15-16-201
- project, 17-5-1503

Majority, 2-15-124, 70-23-102
- of the unit owners, 70-23-102

Make available for examination and reproduction, 46-1-202
Maker, 30-3-102
Malice, 1-1-204
Maliciously, 1-1-204
Malpractice claim, 25-9-411, 27-6-103, 27-12-103
Malt beverage, 16-1-106
Mammography examination, minimum, 33-22-132

Managed
    care, 52-2-302
    care community network, 53-6-702
    health care entity, 53-6-702
Management, 77-6-212, 80-7-1101, 87-5-102
    active, 72-16-331
    best management plans, 80-15-102
    best management practices, 80-15-102
    emergency resources management plan, 10-3-502
    fire hazard reduction or, 76-13-401
    hazardous waste, 75-10-403
    hazardous waste management facility, 75-10-403
    integrated waste, 75-10-802
    multiple-use management concept, 77-1-203
    official, 39-31-103
    range, 76-14-103
    solid waste management district, 7-13-202
    solid waste management system, 75-10-103, 75-10-203
    streamside management zone, 77-5-302
    vertebrate pests, of, 7-22-2501
    weed, 7-22-2101
Manager, 35-8-102, 70-23-102
    property, 37-51-102
    resident, 37-60-101
Managerial agent, high, 45-2-311
Managing
    entity, 37-53-102
    general agent, 33-2-1501, 33-17-102
Mandatory
    control level event, 33-2-1907
    control level RBC, 33-2-1902
Manicuring, 37-31-101
    salon, 37-31-101
Manifest, 75-10-403
Man includes woman, 1-1-201
Manipulated manures, 80-10-101
Manual therapists, 37-11-101
Manufacture, 50-32-101, 80-9-101, 80-10-101
Manufactured
    dairy product, 81-22-101
    dairy products plant, 81-22-101
    housing, 76-2-202, 76-2-302
    structure, 31-1-202
Manufacturer(s), 16-10-103, 23-2-502, 23-5-112, 30-14-1202, 37-7-602, 50-31-301, 61-1-316, 61-4-201, 61-4-402, 61-4-501, 80-10-101
    chemical, 50-78-102
    representative, 61-4-221
Manufacturing, 15-31-124
    employer, 50-78-102
    food manufacturing establishment, 50-50-102
Manures, manipulated, 80-10-101
Map service, 61-12-301
Margin of safety, 80-15-102
Marijuana, 50-32-101

Marine
    and transportation insurance, 33-1-209
    nationwide inland marine definition act, 33-1-221
    protection and indemnity insurance, 33-1-209
    sanitation device, 23-2-522
Mark, 30-13-301, 69-4-501
    ordinary high-water, 23-2-301
    service, 30-13-301
Marked, unmarked, unrecorded, registered, or unregistered grave or burial ground, 22-3-803
Marker, 44-6-101
Market, 33-16-1008, 81-23-101
    area, 30-14-303
    current fair market value, 70-30-313
    fair market value, 69-14-931
    farmer's, 50-50-102
    full market value, 77-3-101
    livestock, 81-8-213
    lowest prevailing market price, 33-18-222
    meat, 50-50-102
    ratio, 2-18-101
    residual market mechanism, 33-19-104
    salary, 2-18-101
    satellite video livestock auction, 81-8-213
    value, 15-8-111
    value f.o.b. mine, 15-35-107
    video auction, 81-8-213
Marketable coal, 82-4-203
Marketing, 15-7-202, 80-11-101
Marking system, uniform state waterway, 23-2-502
Marriage, 72-2-222
    dissolution of, 50-15-101
    invalid, 50-15-101
    related by blood or, 52-2-703
Masculine includes feminine and neuter, 1-2-105, 30-1-102
Massachusetts trust, 35-5-101
Master, 39-2-601; Title 25, chapter 20, M.R.Civ.P., Rule 53(a)
    electrician, 37-68-102
    fire hazard reduction agreement, 76-13-401
    plan, 76-1-103
    plumber, 37-69-101
    water, 85-2-102
Matching funds, 90-3-102, 90-9-103
Material(s), 23-2-902, 45-8-205, 71-3-1001
    adverse material fact, 37-51-102
    burial, 22-3-803
    byproduct, 75-3-103
    display or dissemination of obscene material to minors, 45-8-205
    documentary, 30-14-102
    fertilizer, 80-10-101
    foreign material other than dockage, 80-4-302
    glass-plastic glazing, 61-9-405
    hazardous, 10-3-1203, 61-1-137
    hazardous material incident, 75-10-716
    hazardous material incident response team, 10-3-1203
    large quantity radioactive, 75-3-103

Material(s) (Continued)
- nesting, 80-6-1102
- orphaned hazardous, 10-3-1203
- participation, 72-16-331
- postconsumer, 15-32-601, 75-10-802
- radioactive, 10-3-1203
- reclaimable, 15-32-601
- recycled, 15-32-601
- safety data sheet, 50-78-102
- safety glazing, 61-9-408
- soils, 82-4-403
- source, 75-3-103
- special nuclear, 75-3-103
- state hazardous material incident response team, 10-3-1203
- sunscreening, 61-9-405

Matter
- defamatory, 45-2-101, 45-8-212
- raw organic, 15-32-302

Mausoleum, 35-21-102
- business, 35-21-102
- -columbarium, 35-21-102
- -columbarium authority, 35-21-102
- -columbarium business or purposes, 35-21-102
- endowment care mausoleum-columbarium, 35-21-615
- nonendowment care mausoleum-columbarium, 35-21-616

Maximum
- contaminant level, 75-6-102
- general fund budget, 20-9-306
- medical healing, 39-71-116

Mayor, 7-14-4602, 7-15-2112, 7-15-4206, 7-15-4402, 7-32-4153, 76-1-103

MCSD account, 32-3-805

Mean(s), 35-1-113, 35-2-114
- annual high-water elevation, 75-7-202
- annual net wood production, 15-44-102
- culmination of mean annual increment, 15-44-102
- improper, 30-14-402

Measure(s), 30-12-101
- effectiveness, 17-7-102
- emergency, 7-3-1224, 7-3-4326
- weights and, 30-12-101

Meat, 81-9-217
- market, 50-50-102
- spot, 81-20-205

Mechanism, residual market, 33-19-104

Medicaid, 53-6-155
- agency, 53-6-155
- community-based medicaid services, 53-6-401
- long-term care medicaid services, 53-6-401

Medical
- approved medical school, 37-3-102
- approved naturopathic medical college, 37-26-103
- assistance facility, 50-5-101, 50-5-301
- care, 40-5-804
- care institution, 33-19-104
- care savings account, 15-61-102
- control, 50-6-302

Medical (Continued)
   deductible medical insurance premiums, 15-30-121
   eligible medical expense, 15-61-102
   emergency, 50-20-203, 50-20-303
   emergency medical care provider, 10-3-1103
   emergency medical reasons, 37-7-602
   emergency medical service(s), 50-6-302, 50-6-401
   emergency medical services advisory council, 50-6-401
   emergency medical services personnel, 50-9-102, 50-10-101
   emergency medical technician, 50-6-202
   facility research and development project, 90-3-102
   information, 31-3-102
   major medical equipment, 50-5-101
   maximum medical healing, 39-71-116
   nontransporting medical unit, 50-6-302
   objective medical findings, 39-71-116
   off-line medical director, 50-6-302
   practitioner, 37-2-101
   primary medical services, 39-71-116
   professional, 33-19-104
   qualified medical child support order, 40-5-804
   qualified medical direction, 37-28-102
   reasonable medical certainty, 53-21-102
   record information, 33-19-104
   recoverable medical assistance, 53-6-165
   secondary medical services, 39-71-116
   services, 50-15-702
   stability, 39-71-116
   supplies, 7-6-4461
   support order, 40-5-804
   waste, 75-2-103
Medically indicated treatment, withholding of, 41-3-102
Medicare, 33-22-903, 33-22-1501
   supplement policy, 33-22-903
Medications, topical, 37-11-101
Medicine, 7-6-4461, 37-7-101
   naturopathic, 37-26-103
   practice of, 37-3-102
   veterinary, 37-18-102
Medium
   labor activity, 39-71-703
   visual, 45-5-620
Meet, race, 23-4-101
Meeting, 2-3-202
Megalandfill, 75-10-903, 75-10-950
Member(s), 10-1-803, 19-2-303, 19-17-102, 19-20-101, 32-2-101, 32-4-101, 33-6-102, 33-16-102, 35-2-114, 35-8-102, 35-16-301, 35-17-103, 35-18-102, 39-71-2603
   active, 19-2-303, 19-17-102
   approved by the, 35-2-114
   benefit, 33-7-108
   board, 32-1-901
   class, 72-2-613, 72-2-716, 72-2-717
   contributions, 19-3-315, 19-20-602
   designated family, 30-11-801, 61-4-131
   extended family, 40-8-103
   family, 45-5-206, 53-24-103

Member(s) (Continued)

- inactive, 19-2-303
- in good standing, 33-6-102
- insurer, 33-10-102, 33-10-202
- of the family, 72-16-331
- of the minor's family, 72-26-502
- of the same family, 81-3-211
- of the victim's family, 46-24-205
- qualifying family, 15-30-128
- retired, 19-17-102
- vested, 19-2-303

Membership, 32-3-304, 35-2-114
- active, 19-20-302
- capital share deposit, 32-3-805
- contract, 33-6-102, 33-30-101
- lands, 35-16-301
- service, 19-2-303

Memorandum, on, 30-2-326

Memorial, 5-17-301

Menace, 28-2-403

Menagerie, roadside, 87-4-801

Men includes women, 1-1-201

Mental
- community mental health center, 53-21-201
- disease or defect, 46-14-101
- disorder, 53-21-102
- emotional or mental distress, 27-1-310
- health center, 50-5-101
- health facility, 53-21-102
- health professional, 27-1-1101
- health treatment center, 33-22-702
- illness, 33-22-702
- impairment, 39-30-103
- injury, 41-3-102, 52-3-803
- physical or mental disability, 49-2-101, 49-3-101
- qualified mental retardation professional, 53-20-102

Mentally
- defective, 45-2-101
- ill, 53-21-102
- incapacitated, 45-2-101
- seriously mentally ill, 53-21-102

Menu, 50-31-103

Merchandise, 30-11-301
- freeport, 15-6-202

Merchant(s), 30-2-104, 30-11-301, 32-6-103, 87-4-701
- between, 30-2-104
- lessee, 30-2A-103
- transient retail, 7-21-2401

Merchantable value, 15-23-801

Merge, 32-1-109

Merit, object of significant artistic, 72-16-446

Metal
- gross metal yield, 15-23-801
- parameters, 75-5-103
- precious, 30-10-103
- tire, 61-1-127

Metalliferous minerals, 77-3-101
Method(s)
  direct dispatch, 10-4-101
  extended depth auger, 15-35-102
  of operation, 82-4-203
  relay, 10-4-101
  transfer, 10-4-101
Microbusiness
  certified microbusiness development corporation, 17-6-403
  development corporation, 17-6-403
  loan, 17-6-403
  qualified, 17-6-403
Middle school, 20-6-501
Midnight deadline, 30-4-104
Midwife, 37-27-103
Midwifery, practice of direct-entry, 37-3-103, 37-27-103
Migratory game birds, 87-2-101
Mileage, rural road, 60-3-206
Military force, governmental, 45-8-108
Militia, 10-1-101
Milk, 81-22-101, 81-23-101
  class I, 81-23-101
  class II, 81-23-101
  class III, 81-23-101
  fluid milk plant, 81-21-101
  or cream station, 81-22-101
  raw, 81-22-101
  raw milk products, 81-22-101
  sherbet, 81-22-101
  skimmed milk cheese, 81-22-101
Mill
  county retirement mill value per elementary ANB, 20-9-366
  county retirement mill value per high school ANB, 20-9-366
  district mill value per ANB, 20-9-366
  levy equivalent, 53-2-802
  statewide mill value per elementary ANB, 20-9-366
  statewide mill value per high school ANB, 20-9-366
Minable coal, 82-4-203
Mine(s), 50-72-102, 50-73-102
  boss, 50-73-102
  coal, 50-73-102
  examiner, 50-73-102
  fixtures attached to, 70-15-104
  foreman, 50-73-102
  gassy, 50-73-102
  market value f.o.b., 15-35-107
  new, 82-4-103
Miner, small, 82-4-303
Mineral(s), 15-38-103, 82-4-103, 82-4-203, 82-4-303, 82-4-403, 90-2-1103
  development, 90-2-1103
  development employee, 90-6-402
  development student, 90-6-402
  feed, 80-9-101
  large-scale mineral development, 90-6-302, 90-6-402
  metalliferous, 77-3-101

Mineral(s) (Continued)

- water, 50-31-103

Minimum
- capital reserve requirement, 90-6-119
- mammography examination, 33-22-132
- 9-1-1 service(s), 10-4-101
- retirement date, 19-9-104, 19-13-104
- wage, 39-3-404

Mining, 77-3-101, 82-4-303
- abandonment of surface or underground, 82-4-303
- contour strip, 82-4-203
- lease, 77-3-101
- lessee, 77-3-101
- occupant of real property or mining claim, 70-27-103
- opencut, 82-4-403
- placer or dredge, 82-4-303
- strip, 15-35-102, 39-4-104, 82-4-103, 82-4-203
- surface, 82-4-303
- underground, 15-35-102, 82-4-103, 82-4-203, 82-4-303

Minor(s), 20-25-501, 23-4-101, 41-1-101, 41-2-103, 45-8-205, 50-20-203, 72-1-103, 72-26-502
- display or dissemination of obscene material to, 45-8-205
- emancipated, 20-25-501, 50-20-203
- member of the minor's family, 72-26-502
- misdemeanor offense, 53-21-138
- ritual abuse of a, 27-2-217
- surgery, 37-26-103
- ward, 72-5-101

Minority, 20-3-336

Misappropriation, 30-14-402
- of patient property, 53-6-155

Misbranded, 80-8-102, 81-9-217, 81-22-101
- feed, 80-9-203
- hazardous substance, 50-30-202

Misconduct, gross, 39-51-201

Misdemeanor, 45-2-101
- minor misdemeanor offense, 53-21-138

Missing
- child, 44-2-502
- child report, 44-2-502

Mislabeled, 45-6-318, 81-22-101, 82-15-101

Missouri River basin, upper, 85-2-342

Mistake, 28-2-408
- of fact, 28-2-409
- of foreign laws, 28-2-411
- of law, 28-2-410

Mitigation, 90-2-1103
- project, 75-3-602

Mix, 81-22-101
- beef patty, 50-31-103
- ice cream, 81-22-101
- ice cream mix factory, 81-22-101

Mixed fertilizers, 80-10-101

Mixing zone, 75-5-103

Mobile
- home, 15-1-101, 15-24-201, 61-1-501, 61-4-309
- home owner, 70-24-103

Mobile (Continued)

home park, 70-24-103
special mobile equipment, 61-1-104
Modalities, physical agent, 37-24-103
Modification
contract, 18-4-123
decree, 40-7-103
weather modification and control, 85-3-101
Moldy, 81-20-205
Money(s), 15-6-204, 25-9-702, 30-1-201
county equalization, 20-9-334
foreign, 25-9-702
interest and income, 20-9-341
loan of, 31-1-101
of the claim, 25-9-702
purchase money lease, 30-2A-309
purchase money security interest, 30-9-107
surplus, 19-18-403
Moneyed capital, 15-31-703
Monitoring
device, 46-18-1001
ground water monitoring program, 85-2-903
well constructor, 37-43-102
Montana('s)
bona fide resident of, 18-2-401
business, 90-8-104
certified Montana capital company, 90-8-104
certified Montana small business investment capital company, 90-8-104
certified seed grower, 80-5-120
code annotated, construction of words and phrases, 1-2-106
coordinate system NAD 27, 70-22-201, 70-22-202, 70-22-205
coordinate system NAD 83, 70-22-201, 70-22-205
coordinate system NAD 27, central zone, 70-22-202, 70-22-205
coordinate system NAD 27, north zone, 70-22-202, 70-22-205
coordinate system NAD 27, south zone, 70-22-202, 70-22-205
economy, 17-6-302
long-term benefit to the Montana economy, 17-6-302
-made, 18-1-101
original Montana license plate, 61-3-412
private college, 15-30-163
qualified Montana capital company, 90-8-104
qualified Montana small business investment capital company, 90-8-104
rangeland resource program, 76-14-103
total personal income, 17-8-105
wellhead protection program, 75-6-102
Montanan, older, 52-3-502
Month, 1-1-301, 15-16-613
filing, 15-31-510
Monthly
last monthly compensation, 19-13-104
published monthly average, 33-20-134
Monument, 70-22-103
reference, 70-22-103
Mortgage, 1-1-205, 7-15-4402, 30-9-105, 71-1-101, 71-1-103, 71-1-107, 72-1-103, 90-5-101, 90-6-103, 90-6-503
construction, 30-2A-309, 30-9-313

Mortgage (Continued)

- federally insured, 90-6-103
- loan, 90-6-103
- reverse annuity mortgage loan, 90-6-503

Mortgagee, 90-6-503
Mortgagor, 90-6-503
Mortician, 37-19-101
Mortuary, 37-19-101
- science, 37-19-101

Mosquito, 7-22-2401
- pest, 7-22-2401

Motel, 50-51-102
Motor
- carrier, 61-1-320, 69-12-101
- club service, 61-12-301
- commercial motor carrier, 39-2-304
- commercial motor vehicle, 61-1-134
- delivered cost of motor fuel, 30-14-803
- -driven cycle, 61-1-106
- fuel, 15-70-121, 30-14-803
- home, 61-1-130, 61-9-405
- new motor vehicle, 61-3-502
- new motor vehicle dealer, 61-4-201
- retail motor fuel outlet, 30-14-803
- uninsured motor vehicle, 33-23-201
- used motor vehicle, 61-1-117
- vehicle(s), 7-14-301, 7-14-4103, 15-70-201, 15-70-301, 15-70-701, 31-1-202, 33-23-204, 61-1-102, 61-4-111, 61-4-501, 69-12-101
- vehicle graveyard, 75-10-501
- vehicle liability policy, 33-23-204, 61-6-103
- vehicle wrecking facility, 75-10-501

Motorboat, 23-2-502
Motorcycle, 61-1-105
- instructor of motorcycle safety training, 20-7-501
- safety training course, 20-7-501

Motorist
- information sign, 60-5-502
- service, 60-5-502

Motortruck, 61-1-107
Mountain double, rocky, 61-10-104
Multiagency service needs
- child with, 52-2-302
- children with, 52-2-202

Multifamily housing accommodation, covered, 49-2-305
Multijurisdictional
- detention center, 7-32-2120, 7-32-2241
- service district, 53-30-503

Multilibrary card, state, 22-1-301
Multipurpose vehicle, 61-9-405
Multiple
- employer welfare arrangement, 33-35-103
- -party account, 72-6-201
- self-funded multiple employer welfare arrangement, 33-35-103
- use, 7-8-2503
- -use management concept, 77-1-203

Municipal
  airport authority, 67-1-101
  authority, 67-1-101
  corporation, 7-6-4202, 15-1-101
  jurisdictional area, 50-60-101
  solid waste landfill, 75-10-203
Municipality(ies), 7-1-4121, 7-2-4704, 7-6-4202, 7-7-4402, 7-7-4602, 7-12-2101, 7-12-4101, 7-13-2201, 7-15-4206, 7-15-4283, 7-15-4402, 7-15-4416, 15-1-101, 15-17-316, 19-9-104, 19-13-104, 19-18-101, 19-19-101, 50-1-403, 50-60-101, 67-1-101, 75-5-1102, 85-1-310, 90-5-101
  office of the, 7-1-4121
Museum(s), 7-16-2201, 22-3-503
  public museums, art galleries, zoos, and observatories, 15-6-201
Mustard seed
  tough, 80-4-305
  weevily, 80-4-306
Mutual
  aid agreement, 10-3-1103, 44-11-303
  association, 32-2-101
  benefit corporation, 35-2-114
  consent, 28-2-303
  county mutual insurer, 33-4-102
  domestic mutual insurer, 33-3-102
  state mutual insurer, 33-4-102
NAD 27, Montana coordinate system, 70-22-201, 70-22-202, 70-22-205
NAD 83, Montana coordinate system, 70-22-201, 70-22-205
NAIC, 33-2-1501, 33-2-1902
Name
  assumed business, 30-13-201
  brand, 37-7-502, 39-71-727, 80-9-101
  chemical, 50-78-102
  common, 50-78-102
  established, 50-31-301
  generic, 37-7-502, 39-71-727
  of state in which the seed was grown, 80-5-120
  product, 80-9-101
  trade, 30-13-301
Narcotic drug, 50-32-101
National
  advertising, 30-14-102
  guard, 10-1-101
  highway system, 60-2-125
  origin, 49-2-101
Nationwide Inland Marine Definition Act, 33-1-221
Native
  plant community, 7-22-2101, 80-7-701
  plant, 7-22-2101, 80-7-701
Native gas, 82-10-301
Natural, 75-5-306
  area, 76-12-104
  areas system, 76-12-104
  compressed natural gas, 15-70-701
  compressed natural gas dealer, 15-70-701
  disaster, 15-16-611
  diverted away from a natural water body, 23-2-301
  gas, 15-1-101, 15-36-303, 82-10-301

Natural (Continued)

- gas public utility, 82-10-301
- habitat, 87-5-702
- heritage program, 90-15-102
- obstruction, 76-5-103
- resource(s), 75-10-701, 75-10-950
- stripper natural gas, 15-36-303

Naturopathic
- approved naturopathic medical college, 37-26-103
- childbirth attendance, 37-26-103
- health care, 37-26-103
- medicine, 37-26-103
- physical applications, 37-26-103
- physician, 37-26-103

Naturopathy, 37-26-103

Navigable air space, 67-1-101

Navigation
- air, 67-1-101
- air navigation facility, 67-1-101

Necessary, 17-7-102
- articles, 40-2-210
- expenses of litigation, 70-30-306
- parties, 41-5-103

Need(s), 40-5-201
- certificate of, 50-5-101
- child with multiagency service, 52-2-302
- children with multiagency service, 52-2-202
- youth in need of care, 41-3-102, 41-3-603, 41-5-103
- youth in need of supervision, 41-5-103

Needy person, 53-2-101, 53-2-802

Negative trend, 33-2-1902

Neglect, 1-1-204, 52-3-803
- child abuse or, 41-3-102
- patient, 53-6-155

Neglected, abused or, 41-3-102

Negligence, 1-1-204
- with, 45-2-101

Negligent, 1-1-204, 45-2-101

Negligently, 1-1-204, 45-2-101

Negotiable instrument, 30-3-104

Negotiated
- duly, 30-7-102
- rulemaking, 2-5-103
- rulemaking committee, 2-5-103

Negotiation(s), 30-3-202, 37-51-102

Neighborhood development program, 7-15-4206

Nemas, 80-8-102

Nematocide, 80-8-102

Nematodes, 80-8-102

Nepotism, 2-2-301

Nest destroyer, 80-6-1102

Nesting materials, 80-6-1102

Net
- amount billed for the exchange access service fee, 10-4-204
- average annual net earnings, 70-31-102
- contribution, 72-6-211

Net (Continued)

- cost, 30-11-701
- current net price, 30-11-701
- direct written premiums, 33-10-102
- earnings, 32-1-109
- earnings available for fixed charges, 33-2-818
- income, 15-30-101, 15-31-113
- mean annual net wood production, 15-44-102
- operating loss, 15-31-119
- proceeds, 17-5-507
- share rental, 72-16-331

Network, 53-6-702
- computer, 45-2-101
- historic records, 22-3-102
- library, 22-1-402
- managed care community, 53-6-702
- restricted network provision, 33-22-1803
- statewide data, 2-17-501

Neuter
- gender, reference to any gender, 30-1-102
- masculine includes neuter and feminine, 1-2-105, 30-1-102

New, 15-24-1401
- business premium rate, 33-22-1803
- corporation, 15-31-124
- drug, 50-31-103
- employer, 39-51-1121
- enhanced recovery project, 15-36-303
- industrial property, 15-6-135
- industry, 15-6-135
- major new industrial facility, 15-16-201
- mine, 82-4-103
- motor vehicle, 61-3-502
- motor vehicle dealer, 61-4-201
- proposals, 17-7-102
- service, 69-3-810
- service area, 69-4-102
- snowmobile, 23-2-601
- state building, 22-2-403
- trial, 25-11-101, 46-1-202

Newborn, 50-19-201
Newspaper carrier, 39-51-204, 39-71-401
Newsstand, 45-8-205
Next of kin, 50-16-1003, 53-20-102, 53-21-102
Niche, 35-21-102
Night, casino, 23-5-701
Nighttime, 1-1-301, 61-8-303
9-1-1
- jurisdiction, 10-4-101
- minimum 9-1-1 service(s), 10-4-101

No arrival, no sale, 30-2-324
Noise, 39-71-802
Noisy employment, 39-71-802
Nonadverse party, 72-2-222
Nonbudgeted fund, 20-9-201
Nonbusiness income, 15-31-302
Noncash proceeds, 30-9-306

Noncompliance, period of covered, 75-2-423
Noncommunity water system, transient, 75-6-102
Nonconformity, 30-14-1202
Nonconsumer
  package, 30-12-101
  package of nonconsumer commodity, 30-12-101
Nonconsumptive use, 85-2-329, 85-2-340, 85-2-342
Noneconomic loss, 25-9-411
Nonendowment care mausoleum-columbarium, 35-21-616
Nonexpendable trust fund type, 17-2-102
Nonfossil forms of energy generation, recognized, 15-32-102
Nongame wildlife, 87-2-101, 87-5-102
Nongovernmental agency, 53-30-303
Nonidentifying information, 40-8-103
Nonissuer, 30-10-103
Nonmanufacturing employer, 50-78-102
Nonpoint source, 80-15-102
Nonprobate transfers to others, decedent's, 72-2-222
Nonprofit
  arts organization, 16-4-303
  convention and visitors bureau, 15-65-101
  corporation, 15-6-201, 27-1-732
  health care facility, 50-5-101
  housing sponsor, 90-6-103
  organization, 23-5-112, 23-6-101, 75-6-202
  private, nonprofit organization, 69-12-102
  regional nonprofit tourism corporation, 15-65-101
Nonpromulgated federal standard, 80-15-102
Nonpublic school, 20-5-102
Nonreadily tradable stock, 72-16-455
Nonresident(s), 37-47-101, 61-1-313
  bidder, 18-1-101
  decedent, 72-1-103
  operating privilege, 61-6-102
Nontransporting medical unit, 50-6-302
Nonviolent felony offender, 46-18-104, 53-30-303
Nonworking interest owner, 15-36-303
No observable effect level, 80-15-102
Normal
  cost, 19-2-303
  future normal cost, 19-2-303
North zone, Montana coordinate system NAD 27, 70-22-202, 70-22-205
Not
  do not resuscitate order, 50-10-102
  do not resuscitate protocol, 50-10-101
Notarial
  act, 1-5-602
  officer, 1-5-602
Notation credit, 30-5-108
Note(s), 30-3-104, 90-3-102, 90-9-103
  superseded, 46-1-202
Notice, 7-32-2131, 25-3-101, 30-1-201, 35-1-113, 35-2-114, 50-72-102, 81-30-102, 85-9-103
  actual, 1-1-217, 50-20-203
  constructive, 1-1-217
  due, 76-15-103

Notice (Continued)

- effective date of, 35-1-113, 35-2-114
- gives, 30-1-201
- public, 82-4-403
- receives, 30-1-201
- to appear, 46-1-202

Notification, 30-1-201
- one-call notification center, 69-4-501

Notifies, 30-1-201
Novation, 28-1-1501
Noxious weed(s), 7-22-2101, 80-7-801
- prohibited noxious weed seeds, 80-5-120
- restricted noxious weed seeds, 80-5-120
- seed free, 80-7-903

Nuclear
- facility, 75-20-1202
- special nuclear material, 75-3-103

Nuisance, 27-30-101
- private, 27-30-102
- public, 27-30-102, 45-8-111

Number
- approximate, 80-5-120
- average number belonging, 20-1-101
- base, 87-4-410
- certificate of, 23-2-502
- definitional rule, 1-2-105
- identifying, 23-2-502
- vehicle identification, 61-3-210

Numerical
- interim numerical standard, 80-15-102
- risk assessment, 80-15-102

Nurse, advanced practice registered, 37-8-102
Nursery, 80-7-105
- stock, 80-7-105
- stock certification, 80-7-105

Nursing
- analysis, 37-8-102
- education program, 37-8-102
- facility, 15-60-101
- home administrator, 37-9-101
- intermediate nursing care, 50-5-101, 15-60-101
- intervention, 37-8-102
- practice of, 37-8-102
- practice of practical, 37-8-102
- practice of professional, 37-8-102
- skilled nursing care, 15-60-101, 50-5-101, 50-5-216

Nutrition
- assessment, 37-25-102
- counseling, 37-25-102
- food programs and nutrition services, 50-49-103

Nutritional information, general, 37-25-102
Nutritionist, 37-25-102
- licensed, 37-25-102

Oath, 1-1-201
- verification upon oath or affirmation, 1-5-602

Object of
    contract, 28-2-601
    contract, what is unlawful, 28-2-701
    significant artistic merit, 72-16-446
Objective medical findings, 39-71-116
Obligated
    bank, 30-3-421
    parent, 40-5-804
Obligation(s), 17-5-1102, 27-1-105, 28-1-101
    certificated public, 17-5-1102
    child support, 39-51-3106
    conditional, 28-1-401
    contractual, 33-10-202
    for capital expenditure, 50-5-301
    public, 17-5-1102
    short-term, 7-6-1101
    support, 40-5-201, 40-5-701
    uncertificated public, 17-5-1102
Obligee, 7-14-4602, 7-15-4206, 7-15-4402, 18-1-201, 40-5-103, 40-5-201, 40-5-403, 40-5-701
    of the authority, 7-15-4402
    of the commission, 7-14-4602
Obligor, 40-5-103, 40-5-201, 40-5-403, 40-5-701
Obscene material to minors, display or dissemination of, 45-8-205
Observable effect level, no, 80-15-102
Observation bed, 50-5-101
Observatories — public museums, art galleries, zoos, and, 15-6-201
Obstruction
    artificial, 76-5-103
    natural, 76-5-103
Obtain(s), 45-2-101
    or exerts control, 45-2-101
    the use of, 45-6-310
Occupancy
    assembly, 50-61-103
    business, 50-61-103
    educational, 50-61-103
    industrial, 50-61-103
    institutional, 50-61-103
    residential, 50-61-103
Occupant of real property or mining claim, 70-27-103
Occupation, 37-1-302, 39-3-402, 41-2-103
    asbestos-related, 75-2-502
    gainful, 39-73-101
    radon-related, 75-3-602
Occupational
    certified occupational therapy assistant, 37-24-103
    deafness, 39-71-802
    disease, 39-72-102, 50-70-103
    health, 50-70-103, 50-72-102
    license, 53-7-101, 53-7-301
    therapist, 37-24-103
    therapy aide, 37-24-103
    therapy assistant, 37-24-103
Occupied
    dwelling, 23-2-301

Occupied (Continued)

- owner-occupied residence, 15-1-1001
- structure, 45-2-101

Occupier
- land, 76-15-103
- of land, 76-15-103

Offender, 45-2-101, 53-30-303
- an, 45-7-303
- habitual traffic, 61-11-203
- nonviolent felony, 46-18-104, 53-30-303
- persistent felony, 46-1-202, 46-18-501
- serious juvenile, 41-5-103
- sexual or violent, 46-23-502

Offense, 45-2-101, 46-1-202
- included, 46-1-202
- juvenile felony, 46-24-207
- minor misdemeanor, 53-21-138
- sexual, 44-6-101, 46-23-502
- violent, 44-6-101, 46-23-502
- violent felony, 46-18-1001

Offer, 20-30-101, 30-10-103, 37-53-102, 50-5-101, 76-4-1202
- prize and gift promotional, 37-53-102
- to sell, 30-10-103

Offering, 37-53-102

Offeror, responsible bidder or, 18-4-301

Off-highway vehicle, 23-2-801

Off-line medical director, 50-6-302

Office, 7-3-4201, 32-1-561
- branch, 37-60-101
- employment, 39-51-201
- historic preservation, 22-3-421
- main, 32-1-802
- of the municipality, 7-1-4121
- principal, 35-1-113, 35-2-114
- public, 2-16-602, 13-1-101
- separate office of a bank, 30-1-111, 30-4-106
- supply, 18-4-301
- trust, 32-1-802

Officer(s), 7-1-4121, 7-3-4201, 10-1-101, 32-1-561, 33-6-102, 50-53-102
- and employees, 61-4-103
- authorized, 2-16-114, 17-5-1102
- auxiliary, 7-32-201
- designated, 50-16-701
- detention, 44-4-302
- finance, 17-8-311
- hearing, 40-5-201
- highway patrol, 61-1-305
- historic preservation, 22-3-421
- infectious disease control, 50-16-701
- judicial, 1-1-202
- law enforcement, 7-32-201, 45-8-209
- local health, 20-5-402, 50-2-101, 50-16-602, 50-16-1003, 50-53-102
- notarial, 1-5-602
- peace, 1-1-207, 7-32-303, 44-11-303, 45-2-101, 45-8-108, 46-1-202, 53-21-102
- police, 7-32-4122, 61-1-304
- principal executive, 10-3-103

Officer(s) (Continued)

- procurement, 18-4-123
- public, 2-2-102, 7-15-4206
- public safety communications, 7-31-201, 44-4-302
- recording, 70-23-102
- reserve, 7-32-201
- state, 2-2-102, 2-9-601

Official(s), 17-5-1102
- act, 2-2-102
- action(s), 2-2-102 17-5-1102
- body, 17-5-1102
- capacity, 35-1-451, 35-2-446
- compendium, 50-31-103
- constitutionally designated and elected officials of the executive branch of government, 2-6-301
- continuous official inspection, 81-8-701
- detention, 45-2-101, 45-7-306
- elected, 5-7-102
- establishment, 81-9-217
- fees, 31-1-202
- grain inspectors, 80-4-402
- grain samplers, 80-4-402
- grain standards, 80-4-402
- grain weighers, 80-4-402
- management, 39-31-103
- party, 45-2-101
- payment to influence official action, 5-7-102
- proceeding, 45-2-101
- public, 5-7-102
- records, 2-6-301
- sample, 80-9-101, 80-10-101
- test, 81-22-101
- traffic-control devices, 61-1-403

Oil, 15-36-303, 82-1-111
- and gas developer or operator, 82-10-502
- and gas estate, 82-10-502
- and gas operations, 82-10-502
- canola seed oil processing facility, 15-6-136
- heating, 75-11-302
- stripper, 15-36-303
- used, 75-10-403

Older
- americans act, 52-3-401
- housing for older persons, 49-2-305
- Montanan, 52-3-502
- person, 52-3-803

Ombudsman
- local, 52-3-602
- long-term care, 50-5-1103, 52-3-602

On
- consignment, 30-2-326
- memorandum, 30-2-326
- payable on demand, 30-3-108

Oncogenic potential, 80-15-102

One
- -call notification center, 69-4-501
- complete set, 5-11-211

One (Continued)

  -step licensing, 50-8-102
100-year frequency, flood of, 76-5-103
Ongoing activities, 39-71-2501
Open
  -end credit, 33-21-103
  -end credit transaction, 33-14-301
  range, 60-7-102, 81-4-203, 81-4-501
  season, 87-2-101
  -space land, 76-6-104
  ways of this state open to the public, 61-6-102, 61-8-101
Opencut mining, 82-4-403
Operate, 20-30-101, 23-2-502
  aircraft, 67-1-101
Operated, 15-23-401
Operates, owns or, 75-10-701
Operating, 15-23-401
  agreement, 35-8-102
  net operating loss, 15-31-119
  nonresident's operating privilege, 61-6-102
Operation(s), 82-4-103, 82-4-203, 85-3-101
  completed operations liability, 33-11-102
  cost of operation and maintenance, 85-1-102
  farm, 70-31-102
  licensed gambling, 23-5-118
  local emergency operations plan, 10-3-1203
  method of, 82-4-203
  of aircraft, 67-1-101
  oil and gas, 82-10-502
  plan of, 33-22-1803
  plan of operation or a feasibility study, 33-11-102
  timber, 72-16-331
  unitary business, 15-31-141
Operator(s), 15-36-303, 23-2-502, 23-2-601, 23-2-702, 23-5-112, 23-6-101, 37-42-102, 50-73-102, 61-1-311, 61-8-903, 75-5-103, 75-11-203, 75-11-302, 76-13-102, 77-5-302, 82-4-103, 82-4-203, 82-4-403
  commercial, 80-8-102
  commercial air, 67-1-101
  commercial tow truck, 61-8-903
  of a youth care facility, 41-3-1102
  oil and gas developer or, 82-10-502
  owner or, 75-5-103
  qualified tow truck, 61-8-903
  ski area, 23-2-732
  snowmobile area, 23-2-652
  warehouse, 80-4-402
Ophthalmologist, 72-17-102
Opiate, 50-32-101
Opium poppy, 50-32-101
Optimum carrying capacity, 87-5-102
Option, commodity, 30-10-103
Optional ingredients, 81-22-101
Optometry, practice of, 37-10-101
Oral
  examination, 1-1-202
  surgeon, 37-4-515

Orange, hunter, 87-3-302
Order, 30-3-102, 39-71-116, 39-72-102, 50-72-102
    cease and desist order which has become final, 32-1-901
    change, 18-4-123
    child support, 40-5-103
    corrective, 33-2-1902
    delivery, 30-7-102
    division, 82-10-110
    do not resuscitate, 50-10-101
    family law, 19-2-907, 19-20-305
    income-withholding, 40-5-103
    medical support, 40-5-804
    payable to, 30-3-111
    payment, 30-4A-103
    qualified medical child support, 40-5-804
    spousal support, 40-5-103
    stop sale, 80-3-302
    support, 40-5-103, 40-5-201, 40-5-403, 40-5-701, 40-6-102
    which has become final, 32-1-901
Ordinance, 7-1-4121, 7-6-1101, 7-15-2112, 69-4-303
Ordinary
    buyer in ordinary course of business, 30-1-201, 30-2A-103
    care, 30-3-102
    high-water mark, 23-2-301
    lessee in ordinary course of business, 30-2A-103
    livestock, 69-11-422
Ore
    coal and ore haulers, 15-6-138
    cyanide ore-processing reagent, 82-4-303
    processing, 82-4-303
Organic
    fertilizer, 15-32-302
    food, 50-31-103, 50-31-222
    raw organic matter, 15-32-302
Organization, 30-1-201, 70-24-103, 72-1-103
    advisory, 33-16-102, 33-16-1008
    articles of, 35-8-102
    banking, 70-9-102
    certified community lead, 17-6-403, 90-1-116
    financial, 70-9-102
    health maintenance, 33-31-102, 50-5-101, 53-6-702
    insurance-support, 33-19-104
    labor, 39-31-103, 49-2-101, 69-14-1101
    local economic development, 15-24-1801, 15-24-1901, 15-24-2001
    nonprofit, 23-5-112, 23-6-101
    nonprofit arts, 16-4-303
    of cattle growers, 81-6-101
    political party, 13-37-216
    private, nonprofit, 69-12-102
    procurement, 72-17-102
    professional employer, 39-8-102
    proprietary security, 37-60-101
    qualified private, 76-6-104
    rating, 33-16-102
Organizational funds, front-end, 75-10-103

Original, Title 26, chapter 10, M.R.Ev., Rule 1001
    issuance, 17-5-1102
    Montana license plate, 61-3-412
    transferor, 72-16-1001
Origin, national, 49-2-101
Originator(s), 30-4A-104
    bank, 30-4A-104
Orphaned hazardous material, 10-3-1203
Orthopedic impairment, 20-7-401
OSHA standard, 50-78-102
Ostensible
    agency, 28-10-103
    authority, 28-10-403
Osteopathy, practicing, 37-5-101
Other(s)
    crop seeds, 80-5-120
    decedent's nonprobate transfers to, 72-2-222
    foreign material other than dockage, 80-4-302
    health impairment, 20-7-401
    person, 33-2-1369
    professional, 33-9-101
    property, 18-5-402
    significant, 50-16-1003
    state, 45-2-101
    waste(s), 75-5-103, 75-6-102
Outdoor advertising, 75-15-103
Outfitter(s), 37-47-101
    council, 37-47-101
Outlet, retail motor fuel, 30-14-803
Out-of-state mail service pharmacy, 37-7-702
Outpatient
    benefits, 33-22-702, 33-22-705
    facility, 50-5-101
Outstanding
    bonds, 17-5-903
    resource waters, 75-5-103
Over a regular route, 69-12-101
Over-BASE budget levy, 20-9-306
Overburden, 82-4-203, 82-4-403
Overhead
    electric or communication facilities, 69-4-303
    expense, 30-14-202
    utility line, 69-4-401
Overissue, 30-8-104
Overseas, 30-2-323
Owned enterprise, locally, 17-6-302
Owner(s), 7-12-1103, 7-12-2110, 7-12-4111, 23-2-502, 23-2-601, 23-2-902, 23-4-304, 30-13-141, 35-21-102, 45-2-101, 50-60-101, 61-1-310, 70-9-102, 70-24-103, 71-3-1001, 75-11-203, 75-11-302, 76-5-103, 76-13-102, 77-5-302, 81-7-301, 81-7-402, 81-7-601, 81-30-102, 82-11-101, 82-15-101, 85-1-102, 85-7-1826, 85-9-103, 85-15-106
    affected property, 22-3-421
    association, 37-53-102
    association of unit, 70-23-102
    broker, 37-51-102
    common, 23-5-629

Owner(s) (Continued)

- contracting, 71-3-522
- majority of the unit, 70-23-102
- mobile home, 70-24-103
- nonworking interest, 15-36-303
- -occupied residence, 15-1-1001
- or operator, 75-5-103
- plot, 35-21-102
- real property, 7-2-4704
- surface, 82-4-203, 82-10-502
- timeshare, 37-53-102
- unit, 70-23-102
- working interest, 15-36-303

Ownership, 70-1-101
- absolute, 70-1-303
- certificate of, 23-2-502, 23-2-601, 23-2-801, 61-1-509
- common, 32-1-109
- employee ownership group, 90-5-303
- qualified, 70-1-304
- record, 77-1-701

Owning bank holding company, 32-1-802

Owns or operates, 75-10-701

Package, 16-1-106, 50-31-103
- commodity in package form, 30-12-101
- consumer, 30-12-101
- nonconsumer, 30-12-101
- of consumer commodity, 30-12-101
- of nonconsumer commodity, 30-12-101

Packaged fertilizer, 80-10-101

Paid, 15-30-101
- -in capital, 32-1-109
- or accrued, 15-30-101
- or incurred, 15-30-101
- property tax, 15-30-171
- rent-equivalent tax, 15-30-171
- taxes paid on production, 15-35-102

Paleontological remains, 22-3-421

Palliative care, 39-71-116

Panel, 27-6-103, 27-12-103
- principal display, 50-31-103

Paper(s), Title 25, chapter 19, M.U.Dist.Crt. Rule 1
- chattel, 30-9-105

Paralegal, 37-60-101

Paralleling, 69-14-101

Parameter(s), 75-5-103
- metal, 75-5-103

Paraphernalia, drug, 45-10-101

Parasite, 80-6-1102

Parcel of land, 50-52-101

Pardon, 46-23-301

Parent, 40-5-201, 40-5-804, 40-8-103, 41-3-102, 41-5-103, 72-1-103
- adoptive, 40-8-103
- and child relationship, 40-6-102
- birth, 40-8-103
- -child legal relationship, 41-3-603
- deceased, 72-2-116

Parent (Continued)

- obligated, 40-5-804
- or guardian, 20-5-320
- person acting as, 40-7-103
- primary, 40-5-804
- surrogate, 20-7-401

Parfaits, 81-22-101
Park
- and recreation land, 7-16-2401
- industrial, 15-24-1901
- mobile home, 70-24-103

Parking, 61-1-407
- commission, 7-14-4602
- private parking service, 61-12-102

Parole, 46-1-202, 46-23-103, 46-23-1001
Part(s), 72-17-102
- component, 61-3-210, 75-10-501
- fractional, 30-12-106
- of the same, 87-4-701
- -paid firefighter, 19-13-104
- payment, 27-2-409
- -time employee, 2-18-601
- -time service, 19-20-101

Partial
- interest, 15-7-303
- permanent partial disability, 39-71-116, 39-72-102
- temporary partial disability, 39-71-116

Participant, 19-2-101, 19-2-907, 19-17-302, 19-20-305, 27-1-726, 37-47-101
Participating
- health institution, 90-7-102
- shares, 35-1-815

Participation
- loan, 17-6-302
- material, 72-16-331

Partner(s), 35-12-504, 45-5-206
- event of withdrawal of a general, 35-12-504
- general, 35-12-504
- limited, 35-12-504

Partnership, 35-10-102
- agreement, 35-10-102, 35-12-504
- at will, 35-10-102
- certificate of limited, 35-12-504
- domestic limited, 35-12-504
- foreign limited, 35-8-102, 35-12-504
- interest, 35-12-504, 70-1-312
- job training partnership act, 53-2-1103
- limited, 35-8-102, 35-12-504
- limited liability, 35-10-102
- publicly traded limited, 39-71-2501

Party(ies), 2-4-102, 30-1-201, 30-3-102, 35-1-451, 35-2-446, 72-6-201
- accommodated, 30-3-415
- accommodation, 30-3-415
- aggrieved, 30-1-201
- associated with a political, 13-10-507
- charter, 70-8-201
- emergency service, 10-3-1103

Party(ies) (Continued)

  interested, 15-18-111
  law enforcement agency, 44-11-303
  necessary, 41-5-103
  nonadverse, 72-2-222
  official, 45-2-101
  political party organization, 13-37-216
  prevailing, 70-24-442
  principal party in interest, 49-4-502
  secured, 30-9-105
  third, 33-27-103, 53-2-612
Pass
  child support pass-through payments, 53-2-902
  free, 69-11-207
Passage, 1-2-201
Passenger, 23-2-502
  seating position, 20-10-101
  tramway, 23-2-702
Passive solar system, 15-32-102
Pasteurization, 81-22-101
Pasteurizing, 81-22-101
Pasture, tame, 76-14-103
Paternity blood test, 40-5-201
Pathogen, 80-6-1102
Pathologist(s)
  college of american, 50-5-101
  speech-language, 37-15-102
Pathology
  practice of speech-language, 37-15-102
  speech-language pathology aide, 37-15-102
Patient, 25-9-411, 50-5-101, 50-6-302, 50-16-504, 50-16-701, 53-21-102
  abuse, 53-6-155
  misappropriation of patient property, 53-6-155
  neglect, 53-6-155
  qualified, 50-9-102
Patrol
  highway patrol officer, 61-1-305
  street patrol service, 37-60-101
Patty mix, beef, 50-31-103
Paved, 7-12-2101, 7-12-4101
Pawnbroker, 7-21-2120
Pay
  administer and, 39-71-116
  termination, 19-20-101
Payable
  on demand, 30-3-108
  to bearer, 30-3-111
  to order, 30-3-111
Payment(s), 5-7-102, 28-1-101, 39-73-101, 72-6-201, 80-4-608
  child support pass-through, 53-2-902
  date, 30-4A-401
  delayed payment contract, 80-4-402
  documentary demand for, 30-5-103
  in-kind, 72-16-446
  instrument of, 2-16-114
  order, 30-4A-103

Payment(s) (Continued)

- part, 27-2-409
- periodic, 25-9-401
- plan, 40-5-701
- suspends, 30-4-104
- to influence official action, 5-7-102
- value of in-kind, 72-16-446

Payor, 40-5-403, 40-5-804, 72-1-103
- bank, 30-4-105
- of income, 40-5-804

Payroll, 39-71-116, 39-71-2501
- annual, 39-51-201, 39-71-116
- annual payroll for the preceding year, 39-71-116
- factor, 15-31-308

PCE, 15-6-134, 15-23-515 — 15-23-518
Peace officer, 1-1-207, 7-32-303, 44-11-303, 45-2-101, 45-8-108, 46-1-202, 53-21-102
Pecuniary
- benefit, 45-2-101
- interest, 20-9-204
- loss, 46-18-243

Pedestrian, 61-1-308
Peer review, 50-16-504
Pending action, 25-1-103
Pension, 19-2-303, 19-20-101
- and annuity income, 15-30-101
- disability and pension fund, 19-18-101
- reserve, 19-20-101
- trust fund, 19-2-303, 19-17-102
- trust fund type, 17-2-102

People, as a political body, 1-1-401
Per
- county retirement mill value per elementary ANB, 20-9-366
- county retirement mill value per high school ANB, 20-9-366
- district mill value per ANB, 20-9-366
- statewide mill value per elementary ANB, 20-9-366
- statewide mill value per high school ANB, 20-9-366

Percent, 80-9-101
- or percentage, 80-10-101

Percentage, 80-9-101
- applicable, 72-2-227
- approximate, 80-5-120
- growth, 17-8-106
- of germination, 80-5-120
- percent or, 80-10-101
- viability, 80-5-120

Per diem, 53-1-401
Perennial flowing stream, 85-2-306
Perfection, 30-9-303
Performance, 45-8-205
- audit, 2-8-102
- incapacity for performance of duty, 19-2-303
- of x-ray procedures, 37-14-102
- standard of, 75-5-103

Performer, 30-13-141
Perimeter of an airport or landing field, established, 67-1-101

Period
  base, 39-51-201
  claim, 15-1-1001, 15-30-171
  deferral, 72-16-471
  eligibility, 39-51-2501
  extended benefit, 39-51-2501
  lookback, 15-30-201
  of covered noncompliance, 75-2-423
  postpartum, 37-27-103
  rating, 33-22-1803
  reasonable period of time, 30-4-406
  warranty, 61-4-501
Periodic payment, 25-9-401
Perishable, 81-22-101
  food, 27-1-716
  food dealer, 50-50-102
Permanent
  employee, 2-18-601
  partial disability, 39-71-116, 39-72-102
  position, 2-18-101
  status, 2-18-101
  total disability, 19-17-102, 39-71-116
Permanently and totally disabled, 15-30-111
Permit(s), 20-30-101, 23-5-112, 37-14-102, 76-16-103, 81-2-702, 85-2-102
  antiquities, 22-3-421
  limited permit technician, 37-14-102
Persistent felony offender, 46-1-202, 46-18-501
Person(s)
  abortions, 50-20-111
  acting as parent, 40-7-103
  administrative procedure, 2-4-102
  adoption agency, 52-2-401
  aeronautics laws, 67-1-101
  affected, 50-5-101
  aged, 50-5-101, 52-3-202
  agricultural chemical ground water protection, 80-15-102, 80-15-411
  agricultural commodities, 80-4-402
  agricultural marketing associations, 35-17-103
  agricultural seeds, 80-5-120, 80-5-402
  AIDS prevention provisions, 50-16-1003
  air quality, 75-2-103
  alfalfa leaf-cutting bee provisions, 80-6-1102
  anatomical gifts, 72-17-102
  and families of lower income, 90-6-103
  animal and research facilities protection provisions, 81-30-102
  apiculture, 80-6-101
  appropriate, 30-8-308
  architectural, engineering, and land surveying services contracts, 18-8-202
  artist-art dealer relationship, 22-2-501
  asbestos regulation, 50-64-102, 75-2-502
  assumed business name, 30-13-201
  authorized, 72-2-901
  authorized signature of the represented, 30-3-403
  authorized to act in connection with international wills, 72-2-901
  banks and trust companies, 32-1-425, 32-6-103

Person(s) (Continued)

- blind, 18-5-402, 18-5-501
- boats and boating, 23-2-502
- campgrounds, 50-52-101
- cave conservation, 23-2-902
- certified blind, 18-5-402
- cesspool, septic tank, and privy cleaners, 37-41-104
- cigarette sales act, 16-10-103
- cigarette tax law, 16-11-102
- cities and towns, 7-1-4121
- citizens, persons not, 1-1-405
- clean indoor air act, 50-40-103
- collateral source reductions, 27-1-307
- collective bargaining, 39-31-103
- commercial feeds, 80-9-101
- commercial fertilizers, 80-10-101
- community home for persons with severe disabilities, 52-4-202, 53-19-102
- compressed natural gas tax provisions, 15-70-701
- consumer loan businesses, 32-5-102
- consumer product safety, 50-30-102
- consumer protection, 30-14-102
- consumer reporting agencies, 31-3-102
- controlled substances, 50-32-101
- controlling, 33-2-1501, 39-8-102
- corporation provisions, 35-1-113
- cosmetics, 50-31-103
- county predator control for sheep protection, 81-7-301
- criminal code, 45-2-101, 45-6-319, 45-8-302
- dairies and dairy products, 81-22-101
- dam safety, 85-15-106
- deaf, 49-4-502
- debt adjusting, 31-3-201
- declaratory judgment, 27-8-104
- discrimination provisions, 49-2-101
- displaced, 70-31-102
- disqualified, 35-4-109, 35-8-102
- drug dispensing provisions, 37-2-101
- drug product selection, 37-7-502
- drugs, 45-9-111, 50-31-103, 50-32-101
- economically disadvantaged, 53-2-1103
- elections, 13-1-101
- electronic funds transfer, 32-6-103
- eligible, 33-22-1501
- emergency medical services, 50-6-302
- eminent domain, 70-31-102
- energy emergencies, 90-4-302
- entitled to enforce, 30-3-301
- entitled under the document, 30-7-102
- escrow businesses, 32-7-102
- estates generally, 72-1-103
- estate tax, 72-16-601
- evidence, voluntary payment of claims, 26-1-702
- facility siting, 75-20-104
- farm implements dealership agreements, 30-11-801
- fiduciaries, security deposits, 32-1-425
- fiduciary security transfers, 30-10-402

Person(s) (Continued)

- financially responsible, 53-1-401
- fish and game licenses and permits, 87-2-101
- fish and wildlife, 87-2-101
- flag, 61-1-411
- food, 50-31-103
- food establishments, 50-50-102
- foreign-money claims, 25-9-702
- forest protection and conservation, 76-13-102
- fraudulent transfers, 31-2-328
- gambling provisions, 23-5-112
- game farms, 87-4-406
- garbage feeders, 81-2-501
- grazing districts, 76-16-103
- handicapped, 39-30-103
- hazardous substances, 50-30-102
- hazardous substances, remedial action to prevent or alleviate release, 75-10-701
- hazardous waste provisions, 75-10-403
- health care facilities, 50-5-101
- health care information, 50-16-504
- health maintenance organizations, 33-31-102
- horses and horseracing, 23-4-101
- hotels and lodging establishments, 50-51-102
- housing for older, 49-2-305
- incapacitated, 52-3-803, 72-1-103, 72-5-101
- in charge of disposition of a dead body, 50-15-101
- incompetent, 53-24-103
- inheritance tax, 72-16-601
- insurance code, 33-1-202
- insurance guaranty association provisions, 33-10-102, 33-10-202
- insurance holding company system provisions, 33-2-1101
- insurance information and privacy protection provisions, 33-19-104
- insurance producer provisions, 33-17-102
- insurer's delinquency proceedings, 33-2-1310
- interested, 72-1-103, 75-5-103, 82-11-144
- interested in the estate, 72-16-601
- interested in the welfare of such protected person, 72-5-413
- in the position of a seller, 30-2-707
- intoxicated, 53-24-103
- justice and city court rules of civil procedure, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4A
- labor, 39-31-103
- landlord and tenant, 70-24-103
- legislative proceedings, 5-11-211
- limited liability companies, 35-8-102
- limited partnership, 35-12-504
- livestock markets, 81-8-213
- livestock marks and brands, 81-3-201
- living will provisions, 50-9-102
- lobbying provisions, 5-7-102
- local option motor fuel excise tax, 7-14-301
- low income, of, 7-15-4402
- medicaid managed care program, 53-6-702
- megalandfill siting, 75-10-903
- metabolic testing of newborns, 50-19-201
- metal mining, 82-4-303, 82-4-353
- milk price control, 81-23-101

Person(s) (Continued)

mining, 82-1-301, 82-4-103, 82-4-203, 82-4-303, 82-4-353, 82-4-403
Montana code annotated, 1-1-201
Montana insurance code, 33-1-202
Montana quality label, 81-8-701
motor carriers, 69-12-101
motor vehicle graveyards and wrecking facilities, 75-10-501
motor vehicles and traffic regulations, 61-1-307
needy, 53-2-101, 53-2-802
negotiated rulemaking, 2-5-103
nongame and endangered species, 87-5-102
nonprofit corporation provisions, 35-2-114
noxious weed management, 7-22-2101
noxious weed seed, 80-7-903
nuclear regulation, 75-3-103, 75-3-301
obscene material, display or dissemination to minor provisions, 45-8-205
occupational health, 50-70-103
oil and gas, 82-11-101
older, 52-3-803
opencut mining, 82-4-403
or entity, 69-3-803
other, 33-2-1369
partnerships, 35-10-102
pesticides act, 80-8-102
petroleum products, 82-15-101
petroleum storage tank release provisions, 75-11-302
pharmacy provisions, 37-7-101, 37-7-502
physicians', nurses', physical therapists', occupational therapists', chiropractors', dentists', psychologists', licensed social workers', licensed professional counselors', and hospitals' liens, 71-3-1113
planning boards, 76-1-103
predator control for sheep protection, 81-7-301
predatory animal control program, 81-7-601
private, 85-1-102
private investigator and security patrol officer provisions, 37-60-101
produce act, 80-3-302
product safety, 50-30-102
professionally qualified, 20-7-901
property, 70-9-102
protected, 72-1-103, 72-5-101
public water supply, 75-6-102
qualified, 20-25-501, 35-4-109, 35-8-102
rabies control, 50-23-101
radon control, 75-3-602
railroad car companies, 15-23-211
railroad rehabilitation revenue bonds, 60-11-1102
railroad rolling stock revenue bonds, 60-11-1202
rangeland resources, 76-14-103
real estate broker and salesman provisions, 37-51-102
related, 35-1-461
renewable energy sources, 90-4-102
representative of a, 72-2-811
represented, 30-3-308
responsible, 53-20-102, 82-11-101
responsible for a child's welfare, 41-3-102
retail installment sales, 31-1-202

Person(s) (Continued)

retail motor fuel marketing provisions, 30-14-803
roundup of abandoned horses, 81-4-501
rules of civil procedure, Title 25, chapter 20, M.R.Civ.P., Rule 4A
securities, 30-10-103, 30-10-402
securities deposit, 32-1-425
seed potato disease control, 80-5-402
service of process, Title 25, chapter 20, M.R.Civ.P., Rule 4A; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4A
small business licensing coordination provisions, 30-16-103
smoking in public places, 50-40-103
snowmobiles, 23-2-601
solid waste management, 75-10-103, 75-10-203
sound recordings, 30-13-141
state procurement, 18-4-123
sterilization, 50-5-501
streambed protection, 75-7-103
streamside management zones, 77-5-302
strip and underground mining, 82-4-103, 82-4-203
subdivisions out-of-state, in-state sales, 76-4-1202
swimming pools, 50-53-102
taxation, 15-1-102, 15-7-303, 15-70-201, 15-70-301, 72-16-601
telecommunications services, 69-3-803
third, 1-1-206
timber slash and debris control, 76-13-401
timeshare provisions, 37-53-102
tobacco products, control of youth access to, 16-11-302
trademarks and service marks, 30-13-301
trade secrets, 30-14-402
trailer courts, 50-52-101
transboundary pollution reciprocal access, 75-16-102
transfers to minors, 72-26-502
trust code, 72-33-108
unclaimed property, 70-9-102
underground storage tank installer licensing and permitting, 75-11-203
unfair trade practices, 30-14-102, 30-14-202
uniform commercial code, 30-1-201, 30-2-707, 30-7-102, 30-8-308
urban renewal, 7-15-4206
utilities, excavations near underground facilities, 69-4-501
utilities, rural cooperative, 35-18-102
utility meters, bypassing or tampering, 69-4-1102
water, 75-5-103, 75-5-615, 85-2-102, 85-2-408
water conservancy districts, 85-9-103
weed management, 7-22-2101
weights, measures, and grades, 30-12-101
wine distributor and supplier provisions, 16-3-415
with an employment handicap, 53-7-101, 53-7-301
with a developmental disability, 52-3-803
with severe disabilities, 53-19-102
yellowstone river, 85-20-103
youth residential services, 41-3-1102

Personal
assistant services, 53-6-145
benefit, 13-37-240
care, 50-5-101
-care facility, 50-5-101

Personal (Continued)

- foreign personal representative, 72-1-103
- information, 33-19-104
- injury, 2-9-101
- light personal care, 50-5-101
- local personal representative, 72-4-101
- Montana total personal income, 17-8-105
- property, 1-1-205, 15-1-101, 70-1-108
- representative, 72-1-103, 72-26-502
- risk liability, 33-11-102
- solicitation, 30-14-502
- solicitation sale, 30-14-502
- staff, 2-18-101
- successor personal representative, 72-1-103
- watercraft, 23-2-502

Personalized license plates, 61-3-401

Personnel, emergency medical services, 50-9-102, 50-10-101

Pest(s), 80-6-101, 80-8-102
- insect, 7-22-2302, 80-7-501
- management of vertebrate, 7-22-2501
- mosquito, 7-22-2401
- plant, 80-7-105
- vertebrate, 7-22-2501, 80-7-1101

Pesticide, 80-8-102
- chemical, 50-31-103, 81-9-217
- restricted-use, 80-8-102
- waste, 80-8-102

Pet, 80-9-101
- food, 80-9-101
- specialty, 80-9-101
- specialty pet food, 80-9-101

Petition, 72-1-103, 76-15-103

Petroleum, 75-11-302
- dealer, 15-70-123, 82-15-101
- liquefied petroleum dealer, 82-15-101
- liquefied petroleum product, 82-15-101
- liquefied petroleum product container, 82-15-101
- pipeline company, 90-4-302
- prime petroleum supplier, 90-4-302
- product(s), 75-10-701, 75-11-302, 90-4-302
- standard petroleum product, 82-15-201
- storage tank, 75-11-302

Pharmacist, 37-7-101

Pharmacy, 37-2-101, 37-7-101
- community, 37-2-101
- out-of-state mail service pharmacy, 37-7-702
- technician or auxiliary, 37-7-101

Phosetamin, 50-43-102

Photographs, Title 26, chapter 10, M.R.Ev., Rule 1001

Physical
- abuse, 50-20-203
- agent modalities, 37-24-103
- custody, 40-7-103
- injury, 41-3-102, 52-3-803
- naturopathic physical applications, 37-26-103
- or mental disability, 49-2-101, 49-3-101

Physical (Continued)

- restoration, 53-7-101, 53-7-301
- restraint, 20-4-302
- therapist, 37-11-101
- therapist assistant, 37-11-101
- therapist assistant student, 37-11-101
- therapy aide, 37-11-101
- therapy intern, 37-11-101
- therapy practitioner, 37-11-101
- therapy specialist, 37-11-101
- therapy student, 37-11-101

Physically helpless, 45-2-101

Physician(s), 27-6-103, 37-8-103, 39-71-116, 50-2-101, 50-9-102, 50-10-101, 50-15-101, 50-20-203, 50-20-303, 72-17-102
- assistant-certified, 37-20-401
- attending, 50-9-102
- chiropractic, 27-12-103
- naturopathic, 37-26-103
- primary care, 39-71-1105
- resident, 50-5-602
- treating, 39-71-116

Physiotherapist, 37-11-101

Physiotherapy practitioner, 37-11-101

Pickup cover, 61-9-405

Pipeline
- bulk pipeline terminal, 90-4-302
- petroleum pipeline company, 90-4-302

Placard, 50-31-103

Place
- accessible polling, 13-3-207
- enclosed public, 50-40-103
- inaccessible polling, 13-3-207
- of trial, 46-1-202
- of work, 50-40-103
- public, 16-1-106, 45-2-101, 76-1-103
- public bathing, 50-53-102
- reasonably safe place to work, 39-71-116
- rural polling, 13-3-207
- technically inaccessible but usable polling, 13-3-207
- work, 50-70-103

Placement, 2-18-606, 33-22-130, 33-30-1016, 33-31-114
- for adoption, 40-8-103

Placer
- deposit, 82-4-303
- or dredge mining, 82-4-303

Plaintiff, 27-1-307

Plan(s), 10-3-1203, 30-16-103, 33-31-102, 40-5-804, 41-5-1001, 69-3-1203
- administrator, 40-5-804
- association, 33-22-1501
- association plan premium, 33-22-1501
- basic health benefit, 33-22-1803
- benefit, 72-26-502
- best management, 80-15-102
- coal conservation, 82-4-203
- eligible deferred compensation, 19-2-101
- emergency resources management plan, 10-3-502

Plan(s) (Continued)

- health benefit, 33-22-110, 33-22-243, 33-22-1703, 33-22-1803, 40-5-804
- individual health benefit, 33-22-241
- job training, 53-2-1103
- master, 76-1-103
- of government, 7-1-4121
- of operation, 33-22-1803
- of operation or a feasibility study, 33-11-102
- payment, 40-5-701
- prior, 19-9-104, 19-13-104
- public health improvement, 50-1-403
- rating, 33-15-1102
- RBC, 33-2-1902
- reclamation, 82-4-303, 82-4-403
- rehabilitation, 39-71-1011, 53-7-101, 53-7-301
- sick-pay, 2-18-601
- standard health benefit, 33-22-1803
- state, 52-3-401
- state health, 50-5-101
- state solid waste, 75-10-103
- statistical, 33-16-1008
- treatment, 41-3-603
- urban renewal, 7-15-4206
- utilization, 37-7-101

Plane hours, equated, 15-23-401
Planned unit development, 76-3-103
Planning

- and advisory council, 53-20-202
- and service area, 52-3-401
- board, 76-1-103
- comprehensive, 76-6-104
- costs, 69-3-1203
- front-end planning funds, 75-10-103
- individual treatment planning team, 53-20-102

Plant

- coal preparation, 82-4-203
- fluid milk, 81-21-101
- frozen dessert, 81-22-101
- frozen food, 50-50-102
- fund, 17-2-102
- inspection certificate, 80-7-105
- licensed rendering, 81-9-311
- manufactured dairy products, 81-22-101
- native, 7-22-2101, 80-7-701
- native plant community, 7-22-2101, 80-7-701
- of the employer, 39-71-116
- pest, 80-7-105
- regulator, 80-8-102
- seed conditioning, 80-5-120
- title, 33-25-105
- wastewater treatment, 37-42-102
- water-bottling, 50-31-103
- water treatment, 37-42-102

Plat, 76-1-103, 76-3-103

- final, 76-3-103
- preliminary, 76-3-103

Plate(s)
    collegiate license, 61-3-462
    original Montana license, 61-3-412
    personalized license, 61-3-401
Pledge, 1-1-205, 71-1-107, 71-2-101
    holder, 71-2-101
Plot, 35-21-102
    interment, 35-21-102
    owner, 35-21-102
Plumber
    journeyman, 37-69-101
    master, 37-69-101
Plumbing
    field of, 37-69-101
    system, 37-69-101
Plural includes singular, 1-2-105, 30-1-102
Pneumatic tire, 61-1-125
Pneumoconiosis, 39-72-102
POD designation, 72-6-201
Podiatrist, 37-6-101
Podiatry, 37-6-101
Point
    of standards application, 80-15-102
    public safety answering, 10-4-101
    shipping point inspection, 80-3-302
    source, 75-5-103, 80-15-102
Poison, 37-7-101
Poker
    draw poker machine, 23-5-602
    run, 23-5-318
Pole trailer, 61-1-114
Police
    dog, 45-8-209
    officer, 7-32-4122, 61-1-304
    vehicle, 61-1-118
Policy, 33-15-102, 33-15-323, 33-15-335, 33-20-135, 33-22-1107
    covered, 33-10-202
    form, 33-15-323, 33-15-335, 33-22-903
    limited benefit disability insurance, 33-22-1201
    loan, 33-20-135
    medicare supplement, 33-22-903
    motor vehicle liability, 33-23-204, 61-6-103
    public, 39-2-903
    termination of an insurance, 33-19-104
    title insurance, 33-25-105
Policyholder(s), 33-19-104, 33-20-135
    surplus to, 33-2-1201
Policyowner, 33-20-142, 33-22-122
Political
    associated with a political party, 13-10-507
    committee, 13-1-101
    party organization, 13-37-216
    responsible political subdivision, 76-5-103
    subdivision(s), 2-9-101, 2-16-602, 7-1-4121, 7-6-101, 7-7-109, 10-3-103, 10-3-502, 13-1-101, 13-19-102, 17-5-101, 19-1-102, 19-2-101, 50-52-101, 61-2-102, 67-1-101, 76-5-103, 85-2-102

Pollination
    apiary, 80-6-101
    controlling the, 80-5-120
Pollinator, custom, 80-6-1102
Polling
    accessible polling place, 13-3-207
    inaccessible polling place, 13-3-207
    rural polling place, 13-3-207
    technically inaccessible but usable polling place, 13-3-207
Pollutant(s), 50-70-103
    air, 75-2-103
Pollution, 75-5-103, 75-6-102, 82-11-101
    air, 75-2-103
    air and water pollution equipment, 15-6-135
Pond, artificial lake or, 87-4-603
Pool, 82-11-101
    calcutta, 23-5-221
    public swimming, 50-53-102
    sports, 23-5-501
Poppy
    opium, 50-32-101
    straw, 50-32-101
Population, 7-1-4121
    based on, 16-1-411
    rural, 60-3-206
    urban, 60-3-211
Portable sawmill, 76-13-501
Port authority, 15-24-1901
Portfolio
    company, 90-3-102, 90-9-103
    development costs, 69-3-1203
Portion
    local, 17-5-1302
    state, 17-5-1302
Position, 2-18-101, 2-18-111, 39-29-101, 39-30-103
    administrative, 20-4-208
    essential elements of the, 19-2-303
    passenger seating, 20-10-101
    permanent, 2-18-101
    person in the position of a seller, 30-2-707
    seasonal, 2-18-101
    temporary, 2-18-101
Possession, 45-2-101, 81-30-102
Postconsumer material, 15-32-601, 75-10-802
Posted
    price, 16-1-106
    rack price, 30-14-803
Post-1985 well, 15-36-303
Postpartum period, 37-27-103
Postsecondary
    education, 20-30-101
    institution, 20-26-103
    school, 20-5-402
Posttest counseling, 50-16-1003

Potato(es)
  certified seed, 80-5-402
  seed, 80-5-402
Potential, oncogenic, 80-15-102
Potentially hazardous food, 50-50-102
Poultry, 15-1-101, 81-2-702, 81-9-217
  product, 81-9-217
Poverty level, federal, 53-4-201
Power, 70-15-301, 72-2-222
  durable power of attorney, 72-5-501
  general power of appointment, 72-16-302
  of appointment, 72-2-222
  presently exercisable general power of appointment, 72-2-222
  qualifying small power production facility, 69-3-601
  site, 77-4-202
  voting, 35-2-114
Practical nursing, practice of, 37-8-102
Practice(s)
  advanced practice registered nurse, 37-8-102
  alternative, 77-5-302
  and teaching of cosmetology, 37-31-101
  best management, 80-15-102
  commences, 15-30-188
  conservation, 76-15-541
  dietetic-nutrition, 37-25-102
  family, 50-5-602
  forest, 76-13-102, 77-5-302
  of architecture, 37-65-102
  of audiology, 37-15-102
  of barbering, 37-30-101
  of clinical laboratory science, 37-34-103
  of dental hygiene, 37-4-401
  of denturitry, 37-29-102
  of direct-entry midwifery, 37-3-103, 37-27-103
  of engineering, 37-67-101
  of land surveying, 37-67-101
  of medicine, 37-3-102
  of nursing, 37-8-102
  of optometry, 37-10-101
  of practical nursing, 37-8-102
  of professional nursing, 37-8-102
  of psychology, 37-17-102
  of public accounting, 37-50-101
  of selling, dispensing, and fitting hearing aids, 37-16-102
  of speech-language pathology, 37-15-102
  routine, Title 26, chapter 10, M.R.Ev., Rule 406
  the profession of sanitarian, 37-40-101
  unfair labor, 39-31-103
  water quality protection, 75-2-103
Practicing
  dentistry, 37-4-101
  osteopathy, 37-5-101
Practitioner, 50-32-101
  clinical laboratory science, 37-34-103
  licensed, 37-14-102

Practitioner (Continued)

- medical, 37-2-101
- physical therapy, 37-11-101
- physiotherapy, 37-11-101
- respiratory care, 37-28-102
- student respiratory care, 37-28-102

Preadmission screening and resident review, long-term care, 53-6-401
Precedent, condition, 28-1-403
Preceding
- annual payroll for the preceding year, 39-71-116
- year, 61-3-712

Precinct, election, 13-3-101
Precious metal, 30-10-103
Precursor, immediate, 50-32-101
Predator, 80-6-1102
Predatory animal, 81-7-101, 87-2-101
Preexisting condition, 33-22-1107, 33-22-1501
Preference, 33-2-1353
- grazing, 76-16-103

Preferred
- claim, 33-2-1303
- dividend requirement, 33-2-819
- provider, 33-22-1703
- provider agreement, 33-22-1703

Pregnancy, 50-20-303
Pregnant, 50-20-303
Prejudice, without, 30-1-207
Preliminary
- examination, 46-1-202
- plat, 76-3-103
- report, 33-25-105

Premarital agreement, 40-2-603
Premises, 23-5-112, 30-11-301, 32-6-103, 45-2-101, 69-5-102, 70-24-103
- commercial, 69-5-102
- industrial, 69-5-102
- leasehold, 70-25-101
- temporary, 7-21-2401

Premium(s), 33-2-705, 33-7-108, 33-10-202, 33-15-102, 33-15-1102, 33-22-1803
- association plan, 33-22-1501
- base premium rate, 33-22-1803
- deductible medical insurance, 15-30-121
- finance agreement, 33-14-102
- insurance premium finance company, 33-14-102
- net direct written, 33-10-102
- new business premium rate, 33-22-1803
- pure premium rate, 33-16-1008
- total disability insurance, 33-22-1513
- unearned, 33-14-102, 33-23-217

Pre-1985 well, 15-36-303
Preparation(s)
- coal, 82-4-203
- coal preparation plant, 82-4-203
- homeopathic, 37-26-103

Preparatory work, 82-4-103
Prepared, 81-9-217
Preschool, 20-5-402

Prescriber, 37-7-502
Prescription, 37-7-101, 50-32-101
  drug, 37-7-602
Prescriptive easement, 23-2-322
Presence, 41-3-1012
Present
  compendium standard, 37-7-502
  law base, 17-7-102
  sale, 30-2-106
  tense includes the future, 1-2-105
  value, 30-1-201, 30-2A-103
Presenter, 30-5-112
Presenting bank, 30-4-105
Presently exercisable general power of appointment, 72-2-222
Presentment, 30-3-504
Preservation
  historic preservation office, 22-3-421
  historic preservation officer, 22-3-421
  review board, 22-3-421
Preserves, 50-50-102
President, 75-10-602
Presumed, 30-1-201
Presumption(s), 30-1-201; Title 26, chapter 10, M.R.Ev., Rule 301
  rebuttable, 70-24-431
Pretest counseling, 50-16-1003
Pretext interview, 33-19-104
Prevailing
  lowest prevailing market price, 33-18-222
  party, 70-24-442
  standard prevailing rate of wages, 18-2-401
  standard prevailing wage, 18-2-401
Prevention, 53-24-103
  fire prevention and investigation program, 50-3-101
Previous coverage, qualifying, 33-22-241, 33-22-1803
Price(s)
  amendment, 30-10-204
  cash sale, 31-1-202
  consumer price index, 15-30-101
  contract, 71-3-522
  contract sales, 15-35-102
  current net, 30-11-701
  established catalog, 18-4-301
  lowest prevailing market, 33-18-222
  posted, 16-1-106
  posted rack, 30-14-803
  producer, 81-23-101
  retail, 16-1-106
  time sale, 31-1-202
  transfer, 30-14-803
  wholesale, 16-11-201
Prima facie evidence, 26-1-102
Primary, 13-1-101
  care physician, 39-71-1105
  cause, 39-71-119
  devise, 72-2-613

Primary (Continued)

- election, 13-1-101
- federal-aid primary system, 60-1-103
- future interest, 72-2-717
- handled in the primary channels of trade, 80-11-303
- highway system, 60-2-125
- medical services, 39-71-116
- parent, 40-5-804
- recovery, 15-36-303
- reserves, 82-11-206
- substitute gift, 72-2-613, 72-2-717
- system, 75-15-103, 75-15-203

Prime
- agency, 20-9-701
- farmland, 82-4-203
- petroleum supplier, 90-4-302

Principal, 5-7-102, 20-1-101, 28-10-101, 72-34-404, 75-2-103
- balance, 31-1-202
- city, 7-11-203
- county, 76-15-521
- data source agencies, 90-15-102
- display panel, 50-31-103
- executive officer, 10-3-103
- incapacitated, 72-2-616
- office, 35-1-113, 35-2-114
- party in interest, 49-4-502
- shareholder, 32-1-109

Print, 22-1-211

Printed, 7-1-4121

Printing, 1-1-203, 18-4-123

Prior
- custody decree, 40-4-219
- plan, 19-9-104, 19-13-104
- service, 19-20-101

Priority listing, 17-7-102

Prisoner, 46-23-401

Prison, 46-18-219
- state, 46-23-401

Private
- activity bonds, 17-5-1302
- approved private treatment facility, 53-24-103
- armed private investigator, 37-60-101
- armed private security guard, 37-60-101
- concern, 75-5-1102
- consultant, 18-8-102
- corporate capital stock, 17-6-201
- detention center, 7-32-2120, 7-32-2241
- distinctly, 49-2-101
- foundation, 72-34-201
- insolvent private self-insurer, 39-71-2603
- interest, 2-2-102
- investigator, 37-60-101
- Montana private college, 15-30-163
- nonprofit organization, 69-12-102
- nuisance, 27-30-102
- parking service, 61-12-102

Private (Continued)

- person, 85-1-102
- property, 2-10-103
- qualified private organization, 76-6-104
- railroad cars, 15-23-211
- road, 61-1-205
- safety agency, 10-4-101
- seal, 1-4-201
- sector, 2-8-301, 90-3-102, 90-9-103
- security guard, 37-60-101
- self-insurer, 39-71-2603
- statute, 1-1-106
- telecommunications service, 69-3-803
- unarmed private investigator, 37-60-101
- unarmed private security guard, 37-60-101
- writings, 2-6-101

Privatization, 2-18-1202
Privatize, 2-8-301
Privilege(s)
- airport protection, 67-1-101
- nonresident's operating, 61-6-102

Privileged
- communication, 27-1-804
- information, 33-19-104
- publication, 27-1-804

Prize, 23-6-101
- and gift promotional offer, 37-53-102

Probable cause hearing, 41-5-103
Probate estate, 72-2-222
Probation, 46-1-202, 46-23-1001
Procedure(s),
- confirmatory, 80-15-102
- life-sustaining, 50-10-101
- performance of x-ray, 37-14-102
- security, 30-4A-201
- scored, 39-29-101

Proceeding(s), 3-7-401, 35-1-113, 35-1-451, 35-2-114, 35-2-446, 72-1-103
- administrative, 45-2-101
- custody, 40-7-103
- delinquency, 33-2-1303
- derivative, 35-1-451, 35-2-1301
- distribution, 25-9-702
- formal, 72-1-103
- formal delinquency, 33-2-1303
- formal testacy, 72-3-302
- informal, 72-1-103
- insolvency, 30-1-201
- official, 45-2-101
- of the legislature, 5-11-211
- protective, 72-1-103, 72-5-101
- special, 27-1-102
- testacy, 72-1-103

Proceeds, 30-9-306
- cash, 30-9-306
- custodial account for shippers', 81-8-213
- gross, 15-23-801, 23-5-112

Proceeds (Continued)

- net, 17-5-507
- noncash, 30-9-306
- renewable resource loan proceeds account, 85-1-102

Process, 1-1-202, 7-32-2131, 15-32-601, 25-3-101
- creditor, 30-4A-502
- energy conversion, 15-35-102

Processed butter, 81-22-101
Procession, funeral, 61-1-415
Processing, 50-31-103
- canola seed oil processing facility, 15-6-136
- facilities, 82-4-403
- ore, 82-4-303

Procurement, 18-4-123
- local public procurement unit, 18-4-401
- officer, 18-4-123
- organization, 72-17-102
- public procurement unit, 18-4-401
- state public procurement unit, 18-4-401

Produce, 80-3-302
- dealer, 80-3-302

Produced, 15-35-102
Producer, 15-36-303, 33-2-1501, 33-25-105, 80-4-402, 80-7-903, 81-22-101, 81-23-101, 82-11-101
- controlling, 33-2-1501
- -distributor, 81-23-101
- insurance, 33-7-525, 33-17-102, 33-19-104, 33-30-311, 33-31-102
- licensed, 33-2-1501
- of title business, 33-25-105
- prices, 81-23-101
- producing insurance, 33-2-301
- rodeo, 81-3-211
- surplus lines insurance, 33-2-301
- title insurance, 33-25-105

Producing insurance producer, 33-2-301
Product(s)
- agricultural, 35-17-103, 80-11-101
- agricultural and food, 81-8-701
- annual gross value of, 15-37-102
- commercial production of farm, 76-2-902
- drug, 37-7-502, 39-71-727
- farm, 30-9-109
- fibrated, 50-64-102
- filled dairy, 81-22-101, 81-22-411
- forest, 76-13-401
- gross value of, 15-23-801, 15-38-103, 15-38-125 — 15-38-127, 15-38-129
- lawful, 39-2-313
- liability, 33-11-102
- liquefied petroleum, 82-15-101
- liquefied petroleum product container, 82-15-101
- livestock, 81-9-217
- manufactured dairy, 81-22-101
- manufactured dairy products plant, 81-22-101
- name, 80-9-101
- of cement or gypsum, 15-59-101
- petroleum, 75-10-701, 75-11-302, 90-4-302
- poultry, 81-9-217

Product(s) (Continued)
    raw and unprocessed farm, 50-50-102
    raw milk, 81-22-101
    selection, 37-7-502
    standard petroleum, 82-15-201
    tobacco, 16-11-302, 20-5-411
    work, 46-1-202
Production, 50-32-101
    agricultural, 82-10-502
    base production level, 15-35-102
    commercial production of farm products, 76-2-902
    decline rate, 15-36-303
    incremental, 15-35-102, 15-36-303
    mean annual net wood, 15-44-102
    qualifying small power production facility, 69-3-601
    taxes paid on, 15-35-102
Productivity value, forest, 15-44-102
Profession, 33-23-311, 37-1-302
    practice the profession of sanitarian, 37-40-101
Professional
    corporation, 35-4-109
    counseling, 37-23-102
    developmental disabilities, 53-20-102
    domestic professional corporation, 35-4-109
    employer arrangement, 39-8-102
    employer group, 39-8-102
    employer organization, 39-8-102
    engineer, 37-67-101
    equine, 27-1-726
    foreign professional corporation, 35-4-109
    foreign professional limited liability company, 35-8-102
    guide, 37-47-101
    health, 41-1-401
    health care, 37-8-103
    land surveyor, 37-67-101
    licensed, 18-8-202
    licensed architect, professional engineer, professional land surveyor, 18-8-202
    limited liability company, 35-8-102
    medical, 33-19-104
    mental health, 27-1-1101
    other, 33-9-101
    person, 53-21-102
    practice of professional nursing, 37-8-102
    qualified mental retardation, 53-20-102
    registered professional engineer, 76-3-103, 76-4-102
    service, 35-4-109, 35-8-102
Professionally qualified persons, 20-7-901
Profit(s)
    and loss, 32-1-109
    and loss account, 32-1-109
    limited-profit housing sponsor, 90-6-103
    undivided, 32-1-109
    undivided profits accounts, 32-1-109
Progeny, radon, 75-3-602
Program(s), 2-8-102, 2-8-301, 2-18-101, 17-6-403, 17-7-102, 33-22-1803, 53-2-1103, 53-4-702, 53-6-702, 53-19-302, 75-5-1102, 75-6-202, 81-6-302, 87-1-256, 87-5-602, 90-14-102

Program(s) (Continued)

- advisory council, 20-26-103
- alternative control, 80-7-501
- approved long-range building program budget amendment, 17-7-102
- approved teacher education, 20-4-131
- BASE funding, 20-9-306
- community corrections facility or, 46-18-104, 53-30-303
- computer, 45-2-101
- cropland spraying, 80-7-501
- energy conservation, 90-4-602
- energy conservation program bonds, 90-4-602
- federal assistance, 17-3-102
- fire prevention and investigation, 50-3-101
- food programs and nutrition services, 50-49-103
- food stamp, 53-2-902
- ground water characterization, 85-2-903
- ground water monitoring, 85-2-903
- guaranteed student loan, 20-26-1101
- highway traffic safety, 61-2-102
- JOBS, 53-2-902, 53-4-602, 53-4-702
- juvenile detention, 7-6-501
- long-range building, 17-5-401
- long-range building program bonds, 17-5-401
- Montana rangeland resource, 76-14-103
- Montana wellhead protection, 75-6-102
- natural heritage, 90-15-102
- neighborhood development, 7-15-4206
- nursing education, 37-8-102
- public assistance, 53-2-1103
- renewable resource grant and loan program state special revenue account, 85-1-102
- size, 17-7-102
- size indicator, 17-7-102
- supervised work, 53-7-202
- treasure state endowment, 90-6-701
- vocational rehabilitation, 18-5-402
- winter work, 7-16-4301
- year, 53-2-1103

Progress report, 82-4-403

Prohibited noxious weed seeds, 80-5-120

Prohibition, writ of, 27-27-101

Project(s), 7-6-101, 7-14-4602, 17-3-301, 17-5-1503, 37-53-102, 50-19-303, 60-11-1102, 60-11-1202, 70-23-102, 75-5-1102, 75-6-202, 75-7-103, 85-1-102, 90-2-1103, 90-5-101

- agricultural development, 90-9-103
- agricultural development project loan agreement, 90-9-103
- asbestos, 75-2-502
- capital projects account, 17-5-801
- capital projects fund, 17-5-401
- capital projects fund type, 17-2-102
- change in, 50-5-301
- costs, 17-5-1503
- employment and training demonstration, 53-2-902
- enhanced recovery, 15-36-303
- existing enhanced recovery, 15-36-303
- expanded enhanced recovery, 15-36-303
- expansion capital, 90-3-102, 90-9-103
- FAIM, 53-2-902, 53-4-201, 53-4-602, 53-4-702

Project(s) (Continued)

highway, 17-5-903
highway capital projects fund, 17-5-506
housing, 7-15-4402, 7-15-4416
industrial infrastructure development, 7-15-4283
infrastructure, 90-6-701
major, 17-5-1503
medical facility research and development, 90-3-102
mitigation, 75-3-602
new enhanced recovery, 15-36-303
property, 7-15-4292
qualified energy, 20-9-471
rehabilitation, 60-11-1102
research and development, 90-3-102, 90-9-103
research and development project loan, 90-3-102, 90-9-103
rolling stock, 60-11-1202
science and technology development, 90-3-102
science and technology development project loan agreement, 90-3-102
secondary recovery, 15-36-303
seed capital, 90-3-102, 90-9-103
seed capital project loan, 90-3-102, 90-9-103
startup capital, 90-3-102
technology transfer and assistance, 90-9-103
tertiary recovery, 15-36-303
urban renewal, 7-15-4206
water development, 85-1-102
Projected general fund budget deficit, 17-7-140
Promise, 30-3-102
Promoter, 37-53-102
Promotional
game of chance, 23-5-112
offer, prize and gift, 37-53-102
Promulgated federal standard, 80-15-102
Proof, 26-1-101
gallon, 16-1-106
of financial responsibility, 61-6-102
of identity, 44-2-511
of loss, 33-18-231
Properly
registered, 61-3-712
restrained, 61-9-419
Property, 1-1-205, 15-1-101, 22-3-503, 27-20-101, 31-2-328, 35-10-102, 40-2-603, 45-2-101, 70-1-101, 70-23-102, 72-1-103, 72-2-222, 72-16-101, 72-33-108
acquired from decedent, 72-16-332
affected property owner, 22-3-421
and casualty insurer, 33-2-1902
benefited, 7-14-2901
commensurate, 76-16-103
comparable, 15-1-101
controlling corner, 70-22-103
corner, 70-22-103
custodial, 72-26-502
damage, 2-9-101, 75-11-302
dependent commensurate, 76-16-103
disposition or appointment of, 72-2-813, 72-2-814
estates in real, 70-15-202

Property (Continued)

- exempt, 72-1-103
- factor, 15-31-306
- federal, 18-5-402
- flight, 15-23-401
- fractional interest in property held in joint tenancy with the right of survivorship, 72-2-222
- heritage, 22-3-421
- immovable, 70-15-101
- inhabitable real, 75-3-602
- insurance, 33-1-210
- intangible, 70-9-102, 72-16-101
- interest in, 70-1-315
- interest in real property having recreational, conservation, or wildlife value, 72-16-446
- lien, 72-16-471
- manager, 37-51-102
- misappropriation of patient, 53-6-155
- new industrial, 15-6-135
- occupant of real property or mining claim, 70-27-103
- of another, 45-2-101
- other, 18-5-402
- personal, 1-1-205, 15-1-101, 70-1-108
- private, 2-10-103
- project, 7-15-4292
- public, 7-1-4121
- public school building or, 20-5-411
- qualified exchange, 72-16-331
- qualified real, 72-16-331
- qualified replacement, 72-16-331, 72-16-349
- qualifying, 15-24-2402
- real, 1-1-205, 7-1-4121, 7-15-4206, 7-15-4402, 37-54-102, 67-1-101, 70-1-106, 70-15-101
- real property owner, 7-2-4704
- registered, 22-3-421
- replaced, 72-16-349
- state, 18-5-402, 18-5-501
- stolen, 45-2-101
- taxable, 7-6-4254
- taxes, 15-17-121
- tax lien, 15-17-121
- tax paid, 15-30-171
- tax record, 15-8-701
- trust, 72-33-108

Proposals
- new, 17-7-102
- request for, 18-4-301, 52-2-302

Proposed supplemental appropriation, 17-7-301

Proprietary
- fund category, 17-2-102
- security organization, 37-60-101

Proprietor, 35-21-102
- sole, 39-71-116

Prosecuting attorney, 40-5-103

Prosecutor, 46-1-202

Prospecting, 82-4-203

Prospective loss costs, 33-16-1008

Prosthetic appliance, 53-7-101, 53-7-301

Prostitution, house of, 45-2-101

Protected
  person, 72-1-103, 72-5-101
  person interested in the welfare of such protected person, 72-5-413
  variety, 80-5-120
Protection
  airport protection privileges, 67-1-101
  certified wellhead protection area, 75-6-102
  environmental protection law, 75-2-103, 75-10-403
  fire protection service, 10-3-1103
  forest fire, 76-13-102
  forest fire protection district, 76-13-102
  marine protection and indemnity insurance, 33-1-209
  Montana wellhead protection program, 75-6-102
  water quality protection practices, 75-2-103
Protective
  proceeding, 72-1-103, 72-5-101
  services, 52-3-202, 53-2-101
Protest, under, 30-1-207
Protocol, 37-20-401
  do not resuscitate, 50-10-101
  living will, 50-9-102
Prove, 30-3-102, 30-4A-105
Provider, 10-4-101, 33-22-1703, 33-31-102, 50-4-102, 50-4-504, 52-2-302, 53-6-155
  emergency medical care, 10-3-1103
  emergency services, 50-16-701
  health care, 25-9-411, 27-6-103, 33-9-101, 33-32-102, 50-1-403, 50-4-504, 50-9-102, 50-16-504, 50-16-1003, 53-5-901
  preferred, 33-22-1703
  preferred provider agreement, 33-22-1703
  rehabilitation, 39-71-1011
  respite care, 41-3-1102
  service, 50-19-303
  small telecommunications, 69-3-901
Provision
  dedicated revenue, 17-1-502
  restricted network, 33-22-1803
  tax increment, 7-15-4283
Prurient interest in sex, 45-8-205
Psychiatric
  children's psychiatric hospital, 20-7-436
  residential psychiatric care, 50-5-101
Psychologist, 37-17-102
Psychology, practice of, 37-17-102
Psychotherapy, 37-22-102
Public
  accommodation, 49-2-101
  adjuster, 33-17-102
  administrator, 72-16-101
  agency, 7-1-4121, 7-11-103, 18-1-101, 18-11-102, 67-10-204, 67-11-203
  aircraft, 67-1-101
  appropriate public authorities, 41-4-103
  approved public treatment facility, 53-24-103
  assistance, 40-5-201, 53-2-101, 53-2-802, 53-4-201
  assistance program, 53-2-1103
  authority, 18-1-201

Public (Continued)

bathing place, 50-53-102
benefit corporation, 35-2-114
benefits, 85-1-102, 90-2-1103
board of public education, 20-1-101
body, 7-15-4206, 17-5-202, 17-5-2101, 76-6-104
bridges, 7-14-2201
building, 37-65-102
certificated public obligation, 17-5-1102
certificate of public advantage, 50-4-605
consumption, 81-21-101
contractor, 15-50-101
corporation, 39-71-116
criminal justice information, 44-5-103
document, 18-7-302
employee, 2-2-102, 39-31-103
employer, 39-29-101, 39-30-103, 39-31-103
enclosed public place, 50-40-103
entity, 17-5-1102
extension of public sewage disposal system, 76-4-102
extension of public water supply system, 76-4-102
free appropriate public education, 20-7-401
free public bridge, 7-14-2502
gambling, 23-5-112
health center, 50-5-101
health improvement plan, 50-1-403
highway(s), 60-1-103, 61-1-202, 69-12-101
imminent danger to the health and safety of the, 82-4-203
institutions of purely public charity, 15-6-201
investor-owned public water system, 75-6-202
land survey corner, 70-22-103
library, 22-1-301, 22-1-326
local public procurement unit, 18-4-401
museums, art galleries, zoos, and observatories, 15-6-201
natural gas public utility, 82-10-301
notice, 82-4-403
nuisance, 27-30-102, 45-8-111
obligation, 17-5-1102
office, 2-16-602, 13-1-101
officer, 2-2-102, 7-15-4206
official, 5-7-102
place, 16-1-106, 45-2-101, 76-1-103
policy, 39-2-903
practice of public accounting, 37-50-101
procurement unit, 18-4-401
property, 7-1-4121
record(s), 2-6-202, 2-6-401, 39-71-221
resources, 90-2-1103
roads and highways of this state, 15-70-301, 15-70-701
safety agency, 10-4-101
safety answering point, 10-4-101
safety communications officer, 7-31-201, 44-4-302
school building or property, 20-5-411
seal, 1-4-201
security, 2-16-114
servant, 45-2-101

Public (Continued)

- sewage disposal system, 76-4-102
- sewage system, 75-6-103
- sewer system, 37-69-101
- state public body, 7-14-4602
- state public procurement unit, 18-4-401
- statute, 1-1-106
- superintendent of public instruction, 20-1-101
- swimming pool, 50-53-102
- uncertificated public obligation, 17-5-1102
- utility, 69-3-101, 69-3-221, 69-3-1203, 69-4-303
- utility applicator, 80-8-102
- utility holding company act of 1935, 30-10-103
- view, 75-10-501
- warehouse, 80-4-402
- warehouses, 16-11-102
- water supply, 37-69-101
- water supply system, 75-6-102, 76-4-102
- water system, 75-6-202
- ways of this state open to the, 61-6-102, 61-8-101
- writings, 2-6-101

Publication
- privileged, 27-1-804
- state, 22-1-211

Publicly traded limited partnership, 39-71-2501
Publish, 45-6-307
Published monthly average, 33-20-134
Punishment, corporal, 20-4-302
Pupil(s), 20-1-101
- instruction, 20-1-101

Purchase, 30-1-201, 30-2A-103, 61-4-402
- contract, 80-4-402
- description, 18-4-301
- money lease, 30-2A-309
- money security interest, 30-9-107

Purchaser(s), 15-8-202, 15-17-121, 15-35-102, 30-1-201, 37-53-102, 76-4-1202, 76-13-401
- bona fide, 30-8-302
- first, 80-11-201, 80-11-402
- qualified, 15-35-102
- salvage vehicle, 61-3-210
- subsequent, 30-8-102, 30-9-314
- under contract for deed, 70-20-115

Purchasing
- agency, 18-4-123, 18-5-501
- cooperative, 18-4-401
- group, 33-11-102

Purebred bull, 81-4-211
Purely public charity, institutions of, 15-6-201
Pure premium rate, 33-16-1008
Purified water, 50-31-103
Purpose(s), 45-2-101
- commercial, 37-7-101
- employment, 31-3-102
- energy conservation, 15-32-102
- farming, 72-16-331
- mausoleum-columbarium business or, 35-21-102

Purpose(s) (Continued)

- recreational, 70-16-301
- single, 7-14-2531
- with the, 45-2-101

Purposeful activity, 37-24-103
Purposely, 15-30-101, 45-2-101
Pursuant to commitment, 30-9-105
Quadricycle, 61-1-133
Qualifications, 49-3-101
- substantially equal, 17-5-1526, 17-5-1527, 17-6-325, 39-30-103, 90-5-114

Qualified
- actuary, 19-19-205, 33-2-521
- business, 17-6-503
- director, 35-1-463
- elector(s), 7-12-4243, 76-15-103
- eligible qualified heir, 72-16-331
- energy project, 20-9-471
- exchange property, 72-16-331
- heir, 72-16-331
- interpreter, 49-4-502
- investment, 90-8-104
- medical child support order, 40-5-804
- medical direction, 37-28-102
- mental retardation professional, 53-20-102
- microbusiness, 17-6-403
- Montana capital company, 90-8-104
- Montana small business investment capital company, 90-8-104
- ownership, 70-1-304
- patient, 50-9-102
- person, 20-25-501, 35-4-109, 35-8-102
- private organization, 76-6-104
- professionally qualified persons, 20-7-901
- purchaser, 15-35-102
- real property, 72-16-331
- replacement property, 72-16-331, 72-16-349
- shares, 35-1-464
- tow truck operator, 61-8-903
- united states financial institution, 33-2-1217, 33-2-1501
- use, 72-16-331
- woodland, 72-16-331

Qualifying, 15-24-1401
- agent, 37-60-101
- employee, 15-24-2402
- family member, 15-30-128
- previous coverage, 33-22-241, 33-22-1803
- property, 15-24-2402
- small power production facility, 69-3-601

Quality
- improvement, 50-6-401
- joint local water quality districts, 7-13-4527
- local water quality district, 7-13-4502
- water quality protection practices, 75-2-103

Quantity(ies)
- commercial, 77-3-314
- intoxicating, 16-6-305
- large quantity radioactive material, 75-3-103

Quarter
  block, 7-12-2101, 7-12-4101
  calendar, 15-60-101, 39-51-201, 61-3-721
Quasi-judicial function, 2-15-102
Quasi-legislative function, 2-15-102
Queen apiary, 80-6-101
Question, leading, 26-1-101
Quota, 16-11-155
Race, 23-2-614
  meet, 23-4-101
Rack price, posted, 30-14-803
Radiation, ionizing, 75-3-103
Radioactive
  large quantity radioactive material, 75-3-103
  material, 10-3-1203
  substance, 50-30-210
Radiologic technologist, 37-14-102
Radon, 75-3-602
  progeny, 75-3-602
  -related occupation, 75-3-602
Raffle, 23-5-112
Railbed, 60-11-112
Rail facilities, 60-11-1102
Railroad, 61-1-317, 69-12-101, 69-14-101
  car company, 15-23-211
  company, 69-14-601
  private railroad cars, 15-23-211
  rolling stock, 60-11-1202
  sign, 61-1-404
  signal, 61-1-404
  train, 61-1-124
Ranch, farm or, 39-3-402
Rancher, farmer or, 15-30-241
Range, 76-16-103
  condition, 76-14-103
  management, 76-14-103
  open, 60-7-102, 81-4-203, 81-4-501
Rangeland, 76-14-103, 76-14-104
  Montana rangeland resource program, 76-14-103
  users of, 76-14-103
Raptors, 87-5-202
Rate(s), 33-15-1102, 33-16-1008, 33-25-105, 69-3-901
  all-inclusive, 53-1-401
  bank-offered spot, 25-9-702
  base premium, 33-22-1803
  excessive, 33-16-201
  heavy highway construction wage, 18-2-401
  inadequate, 33-16-201
  increase, 69-3-901
  index, 33-22-1803
  new business premium, 33-22-1803
  of exchange, 25-9-702
  of insured unemployment, 39-51-2501
  production decline, 15-36-303
  pure premium, 33-16-1008

Rate(s) (Continued)

- spot, 25-9-702
- standard prevailing rate of wages, 18-2-401
- supplementary rate information, 33-16-1008

Rated capacity, 20-10-111

Rating
- experience, 33-16-1008
- organization, 33-16-102
- period, 33-22-1803
- plan, 33-15-1102

Ratio
- district guaranteed tax base, 20-9-366
- market, 2-18-101
- statewide elementary guaranteed tax base, 20-9-366
- statewide high school guaranteed tax base, 20-9-366

Raw
- agricultural commodity, 50-31-103, 81-9-217
- and unprocessed farm products, 50-50-102
- milk, 81-22-101
- milk products, 81-22-101
- organic matter, 15-32-302

RBC
- adjusted RBC report, 33-2-1902
- authorized control level, 33-2-1902
- company action level, 33-2-1902
- instructions, 33-2-1902
- level, 33-2-1902
- mandatory control level, 33-2-1902
- plan, 33-2-1902
- regulatory action level, 33-2-1902
- report, 33-2-1902

Reagent, cyanide ore-processing, 82-4-303

Real
- certified real estate appraiser, 37-54-102
- chattels, 70-15-206
- estate, 15-1-101, 15-7-303, 37-51-102, 37-53-102, 37-54-102
- estate appraisal, 37-54-102
- estate improvement contract, 71-3-522
- estates in real property, 70-15-202
- estate transaction, 37-51-102
- improved real estate, 33-2-830
- inhabitable real property, 75-3-602
- interest in real property having recreational, conservation, or wildlife value, 72-16-446
- licensed real estate appraiser, 37-54-102
- occupant of real property or mining claim, 70-27-103
- property, 1-1-205, 7-1-4121, 7-15-4206, 7-15-4402, 37-54-102, 67-1-101, 70-1-106, 70-15-101
- property owner, 7-2-4704
- qualified real property, 72-16-331
- residential real estate-related transaction, 49-2-305

Reasonable
- allowance for use, 61-4-501
- cause, 45-8-206
- effort, 20-9-802
- medical certainty, 53-21-102
- period of time, 30-4-406
- time, 30-1-204

Reasonably
    accurate, 69-4-501
    anticipated future uses, 75-10-701
    safe place to work, 39-71-116
    safe tools and appliances, 39-71-116
Reasons, emergency medical, 37-7-602
Rebuttable presumption, 70-24-431
Receipt(s), 30-2-103, 80-4-402
    gross, 15-50-101
    received, 15-23-801
    warehouse, 30-1-201, 80-4-402
Receive, 72-6-201
Received, 15-30-101
    or accrued, 15-30-101
    receipts, 15-23-801
Receiver, 33-2-1303
Receives, 30-1-201
    notice, 30-1-201
Receiving
    appropriate authority in the receiving state, 41-4-104
    bank, 30-4A-103
    entity, 72-16-446
    temporary receiving vault, 35-21-102
Recipient, 53-2-612, 53-6-155, 53-6-165
Reciprocal
    insurance, 33-5-102
    insurer, 33-5-102
    state, 33-2-1303
Reciprocating
    jurisdiction, 75-16-102
    state, 33-3-502
Reclaimable material, 15-32-601
Reclamation, 82-4-203, 82-4-403
    and development grants account, 90-2-1103
    plan, 82-4-303, 82-4-403
Recodify, 1-11-101
Recognized
    agency, 76-13-102
    nonfossil forms of energy generation, 15-32-102
Record(s), 16-11-102, 53-6-155
    administrator, 7-3-122
    corner, 70-22-104
    courts of, 3-1-102
    criminal history record information, 44-5-103
    custodian, 2-6-401
    date, 35-1-113, 35-2-114
    DNA, 44-6-101
    historic, 22-3-102
    historic records network, 22-3-102
    judicial, 1-1-202
    library, 22-1-1102
    medical record information, 33-19-104
    official, 2-6-301
    on appeal, Title 25, chapter 21, M.R.App.P., Rule 9
    ownership, 77-1-701

Record(s) (Continued)

- property tax, 15-8-701
- public, 2-6-202, 2-6-401, 39-71-221
- shareholder, 35-1-826
- state records committee, 2-6-202
- tract of, 76-3-103
- vital, 50-15-101

Recording(s)
- officer, 70-23-102
- sound, 30-13-141
- writings and, Title 26, chapter 10, M.R.Ev., Rule 1001

Recoverable medical assistance, 53-6-165

Recovery, 53-6-165
- enhanced, 82-11-101
- enhanced recovery project, 15-36-303
- existing enhanced recovery project, 15-36-303
- expanded enhanced recovery project, 15-36-303
- new enhanced recovery project, 15-36-303
- primary, 15-36-303
- resource, 75-10-203
- resource recovery facility, 75-10-103, 75-10-203
- resource recovery system, 75-10-203
- secondary recovery project, 15-36-303
- tertiary recovery project, 15-36-303

Recreational
- commercial or concentrated recreational use, 77-1-101
- general recreational use, 77-1-101
- interest, 60-11-112
- interest in real property having recreational, conservation, or wildlife value, 72-16-446
- purposes, 70-16-301
- use, 23-2-301
- vehicle, 31-1-202, 50-60-101, 61-1-132

Recreation land, park and, 7-16-2401

Recyclable, 69-12-101

Recycled material, 15-32-601

Recycling, 75-10-802

Redemptioners, 25-13-801

Redevelopment, 7-15-4206

Red Rock River basin, 85-2-327

Reduction
- fire hazard reduction agreement, 76-13-401
- fire hazard reduction or management, 76-13-401
- master fire hazard reduction agreement, 76-13-401
- of administrative staff, 20-4-208
- of sentence, 53-30-401
- waste, 75-10-802

Reenlistment, 10-1-803

Refer, 33-25-105

Reference monument, 70-22-103

Refinancing, 7-7-4602

Refiner, 30-14-803, 90-4-302

Refinery, 90-4-302

Reflectance, luminous, 61-9-405

Refunding bonds, 7-7-4602, 60-11-1102, 60-11-1202

Refuse, 82-4-403

Regents, 20-1-101
    board of, 20-1-101
Region, trauma, 50-6-401
Regional
    airport authority, 67-1-101
    authority, 67-1-101
    correctional facility, 53-30-503
    detention facility, 41-5-103
    nonprofit tourism corporation, 15-65-101
Register, 2-4-102, 22-3-421, 40-5-103, 72-6-301, 76-12-104
    hospital trauma, 50-6-401
    state trauma, 50-6-401
Registered
    advanced practice registered nurse, 37-8-102
    broker-dealer, 30-10-103
    form, 30-8-102
    land surveyor, 76-3-103
    mail, 1-1-202
    marked, unmarked, unrecorded, registered, or unregistered grave or burial ground, 22-3-803
    professional engineer, 76-3-103, 76-4-102
    properly, 61-3-712
    property, 22-3-421
    sanitarian, 37-40-101, 76-4-102
    surveyor, 70-22-103
Registering
    entity, 72-6-301
    tribunal, 40-5-103
Registrant, 30-13-301, 52-2-703, 80-8-102, 80-10-101, 80-15-102
Registrar, 13-1-101
    local, 50-15-101
Registration, 50-15-101, 52-2-703, 61-1-508, 75-3-103
    certificate, 52-2-703
    certificate of, 23-2-601
    system of, 17-5-1102
Regular
    basis, 52-2-703
    benefits, 39-51-2501
    contributions, 19-2-303
    copies of entries in the regular course of business, Title 26, chapter 10, M.R.Ev., Rule 1001
    destruction in the regular course of business, 32-1-494
    election, 13-1-101
    employment, 39-71-116
    ground beef, 50-31-103
    hamburger, 50-31-103
    interest, 19-2-303, 19-20-101
    over a regular route, 69-12-101
    reproduction in the regular course of business, 32-1-494
Regularly employed, 39-51-204
Regulated
    companies, 69-1-201, 69-1-401
    lender, 31-1-111
    substance, 75-10-403, 75-11-203
    telecommunications service, 69-3-803, 69-3-901
Regulations
    building, 50-60-101

Regulations (Continued)

- code of federal, 81-22-101
- local zoning, 76-2-401

Regulator, plant, 80-8-102

Regulatory
- action level event, 33-2-1905
- action level RBC, 33-2-1902

Rehabilitation, 7-15-4206, 15-24-1602, 90-6-103
- benefits, 39-71-1011
- board of rehabilitation certification, 39-71-1011
- engineering, 53-7-101, 53-7-301
- facility, 50-5-101
- plan, 39-71-1011, 53-7-101, 53-7-301
- project, 60-11-1102
- provider, 39-71-1011
- services, 39-71-1011
- training, 53-7-101, 53-7-301
- vocational, 53-7-101, 53-7-301
- vocational rehabilitation programs, 18-5-402
- vocational rehabilitation services, 53-7-101, 53-7-301

Reimbursement for school facilities, state, 20-9-370

Reinsurance
- intermediary, 33-2-1501
- intermediary-broker, 33-2-1501
- intermediary-manager, 33-2-1501

Reinsurer, 33-2-1501

Reinsuring carrier, 33-22-1803

Related
- by blood or marriage, 52-2-703
- person, 35-1-461
- services, 20-7-401

Relations, deviate sexual, 45-2-101

Relationship
- contractual, 75-10-715
- parent and child, 40-6-102
- parent-child legal, 41-3-603

Relative, 31-2-328
- eligible, 39-29-101
- of the divorced individual's former spouse, 72-2-814
- specified caretaker, 53-4-201

Relay
- dual-party relay system, 53-19-302
- method, 10-4-101

Release, 75-10-602, 75-10-701, 75-11-302
- accidental, 75-11-302
- of test results, 50-16-1003
- threat of, 10-3-1203
- threatened, 10-3-1203

Relevant
- costs, 69-3-811
- evidence, Title 26, chapter 10, M.R.Ev., Rule 401
- information, 61-3-106

Reliable
- continuing and reliable source of revenue, 17-1-502
- documentation, 50-9-102

Religious corporation, 35-2-114

Relinquishment, 40-8-103
Relocation, cost of, 60-4-401
Remainder, 70-15-211
Remainder beneficiary, 72-34-402
Remains, 35-21-102
    cremated, 37-19-101
    human, 35-21-102, 37-19-101
    human skeletal, 22-3-803
    paleontological, 22-3-421
Remain unlawfully, enter or, 45-6-201
Remedial action, 75-10-602, 75-10-701
    contract, 75-10-701
    contractor, 75-10-701
    costs, 75-10-701
Remedy(ies), 30-1-201
    judicial, 27-1-101
Remining, 82-4-203
Remitter, 30-3-102
Removal, 85-15-106
Renal dialysis facility, end-stage, 50-5-101
Renderer, licensed, 81-9-311
Rendering, licensed rendering plant, 81-9-311
Renewable
    alternative renewable energy source, 90-4-102
    resource grant and loan program state special revenue account, 85-1-102
    resource loan debt service fund, 85-1-102
    resource loan proceeds account, 85-1-102
Renewal, 33-15-1102
    urban renewal agency, 7-15-4206
    urban renewal area, 7-15-4206
    urban renewal plan, 7-15-4206
    urban renewal project, 7-15-4206
Renovated butter, 81-22-101
Rent, 70-24-103
    -equivalent tax paid, 15-30-171
    gross, 15-30-171
Rental
    agreement, 70-24-103
    net share, 72-16-331
Repairs, 85-15-106
Repaved, 7-12-2101, 7-12-4101
Repayment account, workers' compensation bond, 39-71-2501
Replaced property, 72-16-349
Replacement property, qualified, 72-16-331, 72-16-349
Report(s), 5-11-210, 15-60-101
    appraisal, 37-54-102
    certified appraisal, 37-54-102
    consumer, 31-3-102, 33-19-104
    financial, 2-7-501
    investigative consumer, 31-3-102, 33-19-104
    missing child, 44-2-502
    preliminary, 33-25-105
    progress, 82-4-403
    RBC, 33-2-1902
    RBC adjusted, 33-2-1902

Reporting
  annual reporting date, 15-37-102
  consumer reporting agency, 31-3-102, 33-19-104
Repository, state, 44-5-103
Representative, 30-1-201
  authorized, 50-5-1103, 50-72-102
  customer service, 33-17-102
  designated, 50-78-102
  exclusive, 39-31-103
  foreign personal, 72-1-103
  in a representative capacity, 1-5-602
  investment adviser, 30-10-103
  legal, 53-2-612, 72-26-502
  local personal, 72-4-101
  manufacturer's, 61-4-221
  of a person, 72-2-811
  personal, 72-1-103, 72-26-502
  successor personal, 72-1-103
Represented person, 30-3-308
  authorized signature of the, 30-3-403
Reproduced, 7-1-4121
Reproduction
  in the regular course of business, 32-1-494
  make available for examination and, 46-1-202
Repurchase agreement, 7-6-213
Request, 72-6-201
  for proposals, 18-4-301, 52-2-302
Requesting agency, 17-7-102
Required
  disclosure, 35-1-461
  interest amount, 72-16-471
Requirement
  minimum capital reserve, 90-6-119
  preferred dividend, 33-2-819
Resale
  immediate, 81-8-213
  of telecommunications service, 69-3-803
Research, 50-15-101
  and development, 85-3-101
  and development firm, 15-1-101
  and development project, 90-3-102, 90-9-103
  and development project loan, 90-3-102, 90-9-103
  facility, 81-30-102
  medical facility research and development project, 90-3-102
Reservation, 85-2-602
  indian, 16-11-155
Reserve(s), 33-35-103
  annuity, 19-20-101
  capital reserve account, 90-6-103, 90-7-102
  estimates, 33-16-1008
  fund, 17-5-1604
  minimum capital reserve requirement, 90-6-119
  officer, 7-32-201
  pension, 19-20-101
  primary, 82-11-206

Reservoir, 85-15-106
  underground, 82-10-301
Residence, 1-1-215, 18-1-103
  district, 61-1-409
  legal, 61-3-712
  owner-occupied, 15-1-1001
  single family, 70-24-103
  state, 52-2-521
Residency
  approved, 37-3-102
  training, 50-5-602
Resident, 15-30-101, 18-1-103, 33-10-202, 37-47-101, 50-5-101, 50-5-1103, 53-1-401, 53-20-102, 87-2-102
  bidder, 18-1-101
  bona fide resident of Montana, 18-2-401
  contractor, 39-3-701
  creditor, 72-4-101
  domestic insurer, 33-1-201
  full-time equivalent resident load, 53-1-401
  long-term, 53-1-401
  long-term care preadmission screening and resident review, 53-6-101
  manager, 37-60-101
  of this state, 33-1-202
  physician, 50-5-602
  student, 20-25-501, 20-26-103
Residential
  care facility, 50-5-101
  community residential facility, 76-2-411
  electrician, 37-68-102
  facility, 53-20-102
  facility screening team, 53-20-102
  family residential unit, 7-13-202, 7-13-4502
  occupancy, 50-61-103
  psychiatric care, 50-5-101
  real estate-related transaction, 49-2-305
  treatment facility, 20-7-436, 50-5-101
Residual
  market mechanism, 33-19-104
  lessor's residual interest, 30-2A-103
Resolution, 7-1-4121
Resort
  area, 7-6-4461, 16-4-202
  community, 7-6-4461
Resource(s)
  aquatic, 75-7-303
  data and information technology, 2-15-102
  emergency resources management plan, 10-3-502
  geothermal, 77-4-102
  human resource development council, 53-10-501
  Montana rangeland resource program, 76-14-103
  natural, 75-10-701, 75-10-950
  outstanding resource waters, 75-5-103
  public, 90-2-1103
  recovery, 75-10-203
  recovery facility, 75-10-103, 75-10-203
  recovery system, 75-10-203

Resource(s) (Continued)

- renewable resource grant and loan program state special revenue account, 85-1-102
- renewable resource loan debt service fund, 85-1-102
- renewable resource loan proceeds account, 85-1-102
- third-party, 53-1-401

Respiratory
- care, 37-28-102
- care practitioner, 37-28-102
- student respiratory care practitioner, 37-28-102

Respite
- care, 41-3-1102
- care provider, 41-3-1102

Respondent, 53-20-102, 53-21-102
- friend of, 53-21-102

Responding
- state, 40-5-103
- tribunal, 40-5-103

Responder, emergency, 75-10-716

Response
- alarm response runner, 37-60-101
- duration of, 10-3-1203
- hazardous material incident response team, 10-3-1203
- local emergency response authority, 10-3-1203
- state hazardous material incident response team, 10-3-1203

Responsibility, 30-3-420
- proof of financial, 61-6-102

Responsible
- a person responsible for a child's welfare, 41-3-102
- bidder, 18-5-501
- bidder or offeror, 18-4-301
- charge, 37-67-101
- financially responsible person, 53-1-401
- person, 53-20-102, 82-11-101
- political subdivision, 76-5-103

Responsive bidder, 18-4-301

Rest area, safety, 75-15-103

Restaurant keeper, 87-4-701

Restitution, 41-5-103

Restoration, 15-24-1602, 87-1-256
- physical, 53-7-101, 53-7-301

Restrained, properly, 61-9-419

Restraint, physical, 20-4-302

Restricted
- landing area, 67-1-101
- network provision, 33-22-1803
- noxious weed seeds, 80-5-120
- subfund, 17-2-102
- -use pesticide, 80-8-102

Restriction, sanitary, 76-4-102

Restrictive, least restrictive setting, 52-2-302

Results, release of test, 50-16-1003

Resuscitate
- do not resuscitate order, 50-10-101
- do not resuscitate protocol, 50-10-101

Retail, 80-3-302
- buyer, 31-1-202

Retail (Continued)

  charge account agreement, 31-1-202
  dealer, 30-11-701
  establishment, 50-31-103
  installment contract, 31-1-202
  installment transaction, 31-1-202
  motor fuel outlet, 30-14-803
  price, 16-1-106
  sale(s), sell at, and sale at, 16-10-103
  seller, 31-1-202
  transient retail merchant, 7-21-2401
Retailer, 16-10-103, 16-11-102, 16-11-201, 30-11-701, 30-14-803, 80-8-102, 81-23-101
  cost to the, 16-10-103
  licensed, 16-11-102
Retardation, qualified mental retardation professional, 53-20-102
Retention group, risk, 33-11-102
Retired, 19-2-303
  judge, 19-5-101
  member, 19-17-102
Retiree, 19-17-102
Retirement, 19-2-303
  allowance, 19-20-101
  benefit, 19-2-303, 19-5-101, 19-6-101, 19-7-101, 19-8-101
  board, 19-20-101
  county retirement mill value per elementary ANB, 20-9-366
  county retirement mill value per high school ANB, 20-9-366
  date, 19-9-104, 19-13-104
  home, 23-5-406, 50-5-101, 50-51-102
  involuntary, 19-5-101
  minimum retirement date, 19-9-104, 19-13-104
  system, 19-2-303, 19-20-101
  teachers' retirement system, 19-21-102
Retrenchment, 39-2-1002
Return(s), 77-3-101
  sale or, 30-2-326
Return/verification envelope, 13-19-102
Revenue(s), 2-7-501, 7-7-4602, 85-7-1402, 90-7-102
  continuing and reliable source of, 17-1-502
  dedicated revenue provision, 17-1-502
  deferred, 17-8-107
  federal special revenue fund, 17-2-102
  general revenue source, 17-1-502
  gross, 15-53-101
  highway, 17-5-903
  internal revenue code, 15-31-131, 72-16-331, 72-16-451, 72-16-1001
  jurisdictional revenue disparity, 90-6-402
  renewable resource grant and loan program state special revenue account, 85-1-102
  special revenue fund type, 17-2-102
  state special revenue fund, 17-1-502, 17-2-102
Reverse annuity mortgage loan, 90-6-503
Reversion, 70-15-210
Review
  board of, 30-16-103
  comparative, 50-5-101
  institutional review board, 50-16-504
  loan review committee, 17-6-503

Review (Continued)

- long-term care preadmission screening and resident, 53-6-401
- peer, 50-16-504
- preservation review board, 22-3-421
- utilization, 33-32-102

Reviewing authority, 76-4-102
Revocable, 72-2-813, 72-2-814
- credit, 30-5-103

Revocation, 61-1-504
Revocatory act on the will, 72-2-527
Revolving
- fund, 75-5-1102
- loan fund, 17-6-403

Rider, elimination, 33-22-109
Ridership, weighted, 20-10-101
Right(s), 7-3-4201, 30-1-201
- available for withdrawal from the account as a matter of, 32-7-117
- change in appropriation, 85-2-102
- co-owners with right of survivorship, 72-2-712
- existing, 85-2-102
- fractional interest in property held in joint tenancy with the right of survivorship, 72-2-222
- joint tenants with the right of survivorship, 72-1-103
- -of-way, 60-1-103, 61-1-406, 69-14-931
- to income, 72-2-222
- water, 85-2-422

Ring, blood, 81-20-205
Risk(s)
- assets, 32-3-704
- inherent in equine activities, 27-1-726
- numerical risk assessment, 80-15-102
- personal risk liability, 33-11-102
- retention group, 33-11-102
- single, 33-4-502

Ritual abuse of a minor, 27-2-217
River, 87-1-256
- beaverhead river basin, 85-2-327
- jefferson river basin, 85-2-340
- madison river basin, 85-2-340
- red rock river basin, 85-2-327
- swan river state forest, 77-5-102
- teton river basin, 85-2-329
- thompson river state forest, 77-5-102
- upper clark fork river basin, 85-2-335
- upper missouri river basin, 85-2-342

Road(s), 60-1-103
- county, 7-14-2101, 60-1-103
- emergency road service, 61-12-301
- forest development, 61-8-110
- private, 61-1-205
- public roads and highways of this state, 15-70-301, 15-70-701
- rural road mileage, 60-3-206
- special service, 61-8-110
- tractor, 61-1-110

Roadblock, temporary, 46-1-202
Roadside menagerie, 87-4-801

Roadway, 23-2-601, 61-1-206, 61-8-605
    laned, 61-1-207
Rocky mountain double, 61-10-104
Rodent, 7-22-2207
Rodeo producer, 81-3-211
Rollback, 15-7-403
Rolling stock, 60-11-1202
    project, 60-11-1202
    railroad, 60-11-1202
Roomer, 70-24-103
Roominghouse, 50-51-102
Rot
    black, 81-20-205
    white, 81-20-205
Route
    bus, 20-10-101
    over a regular, 69-12-101
Routine practice, Title 26, chapter 10, M.R.Ev., Rule 406
Rule(s), 2-3-102, 2-4-102, 2-5-103, 16-1-106, 33-7-108
    funds-transfer system, 30-4A-501
    substantive, 2-4-102
Rulemaking
    negotiated, 2-5-103
    negotiated rulemaking committee, 2-5-103
Runner, alarm response, 37-60-101
Running
    covenants running with the land, 70-17-201, 70-17-203
    irons, 81-4-214
Run, poker, 23-5-318
Rural
    area, 15-30-188, 35-18-102
    county, 50-1-403
    polling place, 13-3-207
    population, 60-3-206
    road mileage, 60-3-206
    value of rural lands, 60-3-206
Safe
    drinking water act, 75-6-102
    reasonably safe place to work, 39-71-116
    reasonably safe tools and appliances, 39-71-116
    temperature, 81-22-101
Safety
    codes, 50-71-311
    consultation services, 39-71-1503
    glazing materials, 61-9-408
    highway traffic safety program, 61-2-102
    imminent danger to the health and safety of the public, 82-4-203
    instructor of motorcycle safety training, 20-7-501
    margin of, 80-15-102
    material safety data sheet, 50-78-102
    motorcycle safety training course, 20-7-501
    private safety agency, 10-4-101
    public safety agency, 10-4-101
    public safety answering point, 10-4-101
    public safety communications officer, 7-31-201, 44-4-302

Safety (Continued)

- rest area, 75-15-103
- zone, 61-1-405

Salary(ies)
- and expenses, 3-7-204
- base, 2-18-101
- current, 19-5-101
- entry, 2-18-101
- final average, 19-3-520, 19-6-101, 19-7-101, 19-8-101
- market, 2-18-101

Sale(s), 15-31-302, 16-10-103, 16-11-102, 16-11-201, 30-2-106; 30-10-103, 30-11-101, 30-12-101, 30-14-803, 37-53-102, 80-7-903, 80-11-201, 80-11-402, 82-15-101, 87-4-701
- agreement for, 30-11-103
- appropriate sale criteria, 33-22-1107
- at retail, 16-10-103
- at wholesale, 16-10-103
- bin-run seed, 80-5-120
- by auction, 30-11-501
- cash sale price, 31-1-202
- conditional, 1-1-205
- contract for, 30-2-106
- contract sales price, 15-35-102
- factor, 15-31-310
- finance company, 31-1-202
- no arrival, no sale, 30-2-324
- on approval, 30-2-326
- or return, 30-2-326
- personal solicitation, 30-14-502
- present, 30-2-106
- retail, 16-10-103
- stop sale order, 80-3-302
- tax, 15-17-121
- tax sale certificate, 15-17-121
- test station, 81-8-213
- timber, 76-13-102, 77-5-302
- time sale price, 31-1-202
- wholesale, 16-10-103

Salesperson, 30-10-103, 37-51-102
- timeshare, 37-53-102

Salon
- cosmetology, 37-31-101
- manicuring, 37-31-101

Salvage, 76-13-302, 85-2-102
- certificate, 61-3-210
- vehicle, 61-3-210
- vehicle purchaser, 61-3-210

Same
- members of the same family, 81-3-211
- parts of the, 87-4-701
- transaction, 46-1-202

Sample
- drug, 37-7-602
- official, 80-9-101, 80-10-101

Samplers, 80-4-402
- official grain, 80-4-402

Sanitarian, 37-40-101
  -in-training, 37-40-101
  practice the profession of, 37-40-101
  registered, 37-40-101, 76-4-102
Sanitary
  facilities, 50-70-103
  restriction, 76-4-102
Sanitation device, marine, 23-2-522
Satellite
  terminal, 32-6-103
  video livestock auction market, 81-8-213
Satisfaction, 28-1-1402
Savings
  account, 32-2-101
  and loan association, 32-2-101
  annuity savings fund, 19-20-602
  bank, 32-1-102, 32-1-106, 32-1-421
  medical care savings account, 15-61-102
Sawmill, portable, 76-13-501
SBIC, 15-33-103
Scaffold, 50-77-101
Scaffolding, 50-77-101
Scale weight ticket, 80-4-402
Scheduled airline company, 15-23-401
Scheme
  chain distributor, 45-6-319
  common, 45-2-101
School, 20-5-402, 20-6-501
  administrative school district employee, 20-9-512
  air, 67-1-101
  approved, 37-32-102
  approved medical, 37-3-102
  bus, 20-10-101, 61-1-116
  county high, 20-6-101, 20-6-501
  county retirement mill value per high school ANB, 20-9-366
  day, 20-9-802
  district, 20-9-402, 44-2-511
  election, 20-20-101
  elementary, 20-6-501
  facility entitlement, 20-9-370
  fiscal year, 20-1-301
  food services, 20-1-101
  4-year high, 20-6-501
  high, 20-6-501
  high school district, 20-6-101
  home, 20-5-102
  junior high, 20-6-501
  K-12 school district, 20-6-701
  middle, 20-6-501
  nonpublic, 20-5-102
  of acupuncture, 37-13-103
  postsecondary, 20-5-402
  public school building or property, 20-5-411
  senior high, 20-6-501
  6-year high, 20-6-501

School (Continued)

state advance for school facilities, 20-9-370
state reimbursement for school facilities, 20-9-370
statewide high school guaranteed tax base ratio, 20-9-366
statewide mill value per high school ANB, 20-9-366
total school facility entitlement, 20-9-370
Science
and technology development project, 90-3-102
and technology development project loan agreement, 90-3-102
clinical laboratory science practitioner, 37-34-103
mortuary, 37-19-101
practice of clinical laboratory, 37-34-103
Scientifically justifiable, 22-3-803
Scientist, clinical laboratory, 37-34-103
Scored procedure, 39-29-101
Screening, 80-5-120
long-term care preadmission screening and resident review, 53-6-401
residential facility screening team, 53-20-102
trade, 30-14-303
Seal, 1-4-201
facsimile, 17-5-1102
private, 1-4-201
public, 1-4-201
Search warrant, 46-1-202
Season
closed, 87-2-101
forest fire, 76-13-102
open, 87-2-101
Seasonably, 30-1-204
Seasonal
employee, 2-18-601
position, 2-18-101
Seating position, passenger, 20-10-101
Seclusion, 53-20-146
Second
city of the second class, 7-1-4111
home, 90-6-109
Secondary
federal-aid secondary system, 60-1-103
highway system, 60-2-125
medical services, 39-71-116
recovery project, 15-36-303
Secrecy envelope, 13-19-102
Secretary, 10-1-803, 35-1-113, 35-1-628, 35-2-114, 75-15-103
of health and human services, 19-1-102
Secret, trade, 30-14-402, 50-78-102
Section, 2-15-104, 44-5-502
tail, 61-3-210
Sector, private, 2-8-301, 90-3-102, 90-9-103
Secure
detention, 41-5-313, 41-5-1001
detention facility, 41-5-103
Secured
claim, 33-2-1303
party, 30-9-105

Security(ies), 15-70-202, 15-70-341, 30-8-102, 30-10-103, 30-10-402, 72-1-103, 72-6-301
  account, 72-6-301
  act of 1933, 30-10-103
  agreement, 30-9-105
  alarm system, 37-60-101
  armed private security guard, 37-60-101
  certificated, 30-8-102
  contract security company, 37-60-101
  creation of a security interest, 30-2A-303
  deposit, 70-25-101
  equity, 33-3-441
  exchange act of 1934, 30-10-103
  federally insured, 90-6-103
  interest, 23-2-502, 30-1-201, 45-6-315
  private security guard, 37-60-101
  procedure, 30-4A-201
  proprietary security organization, 37-60-101
  public, 2-16-114
  purchase money security interest, 30-9-107
  social security act, 19-1-102
  unarmed private security guard, 37-60-101
  uncertificated, 30-8-102
  voting, 33-2-1101
Securityholder, 33-2-1101
Sedation, conscious, 37-4-101
Sedentary labor activity, 39-71-703
Seed(s)
  agricultural, 80-5-120
  bin-run seed sales, 80-5-120
  canola seed oil processing facility, 15-6-136
  capital project, 90-3-102, 90-9-103
  capital project loan, 90-3-102, 90-9-103
  certified seed potatoes, 80-5-402
  conditioning plant, 80-5-120
  damaged, 80-4-302
  dealer, 80-5-120
  flower, 80-5-120
  heat damaged, 80-4-302
  indigenous, 80-5-120
  labeler, 80-5-120
  Montana certified seed grower, 80-5-120
  name of state in which the seed was grown, 80-5-120
  noxious weed seed free, 80-7-903
  other crop, 80-5-120
  potato, 80-5-402
  potatoes, 80-5-402
  prohibited noxious weed, 80-5-120
  restricted noxious weed, 80-5-120
  tough mustard, 80-4-305
  vegetable, 80-5-120
  weed, 80-5-120
  weevily mustard, 80-4-306
Selection, product, 37-7-502
Self-funded multiple employer welfare arrangement, 33-35-103

Self-insurer
    insolvent private, 39-71-2603
    private, 39-71-2603
Self-sufficiency trust, 53-18-101
Sell, 16-10-103, 16-11-102, 16-11-201, 30-10-103, 30-12-101, 37-53-102, 61-4-402, 80-5-120, 80-7-903, 82-15-101
    agreement to, 30-11-104
    agreement to sell and buy, 30-11-106
    at retail, 16-10-103
    at wholesale, 16-10-103
    offer to, 30-10-103
Seller, 27-1-719, 30-2-103, 30-14-502, 30-14-1102, 31-1-202, 37-51-102, 69-14-1101, 81-9-401
    agent, 37-51-102
    in-house seller agent designate, 37-51-102
    lessor, or lender, 30-14-1102
    person in the position of a seller, 30-2-707
    retail, 31-1-202
    subagent, 37-51-102
Selling
    buying and selling service, 61-12-301
    practice of selling, dispensing, and fitting hearing aids, 37-16-102
Semitrailer, 15-6-201, 61-1-112
Send, 30-1-201
Sender, 30-4A-103, 30-4A-202
Senior
    citizen center, 23-5-112
    high school, 20-6-501
Sensitizer, strong, 50-30-208
Sentence, 46-1-202
    reduction of, 53-30-401
Separate office of bank, 30-1-111, 30-4-106
Septage, 37-41-104
Serial bonds, 7-7-2211, 7-7-4210, 7-12-2171, 7-12-4203, 7-14-2528, 20-9-408
Series benchmark, class, 2-18-101
Serious
    bodily injury, 45-2-101
    force likely to cause death or serious bodily harm, 45-3-101
    juvenile offender, 41-5-103
Seriously
    developmentally disabled, 53-20-102
    mentally ill, 53-21-102
Serological test, standard, 40-1-206, 50-19-101
Servant, 39-2-601
    public, 45-2-101
Service(s), 7-1-4121, 7-6-101, 7-6-401, 17-3-301, 17-8-241, 18-4-123, 19-2-303, 19-17-102, 19-20-101, 20-9-225, 31-1-202, 52-2-202, 52-2-302
    additional, 17-7-102
    agency, 17-3-102
    ancillary, 53-6-145
    armed carrier, 37-60-101
    armored car, 37-60-101
    assistive technology, 20-7-401
    audit, 5-13-401
    bail bond, 61-12-301
    basic, 53-6-145

Service(s) (Continued)

- basic health care, 33-31-102
- break in, 2-18-601
- buying and selling, 61-12-301
- carrier access, 15-53-101
- children with multiagency service needs, 52-2-202
- child welfare, 52-2-101
- child with multiagency service needs, 52-2-302
- communication, 69-4-303
- community, 90-14-102
- community-based, 53-20-102
- community-based medicaid, 53-6-401
- computer, 45-2-101
- consulting, 18-8-102
- contract, 61-12-301
- credit, 19-2-303
- creditable, 19-20-101, 19-20-401
- credited, 19-2-303
- customer service representative, 33-17-102
- debt service account, 17-5-401, 17-5-507, 17-5-801
- debt service fund type, 17-2-102
- delivery area, 53-2-1103
- disaster and emergency, 10-3-103
- discount, 61-12-301
- domestic, 41-2-103
- education or educational, 20-30-101
- educational service agency, 39-51-2108
- elector in the united states, 13-2-211
- electrical, 69-4-303
- emergency, 10-4-101, 33-22-1703
- emergency medical, 50-6-302, 50-6-401
- emergency medical services advisory council, 50-6-401
- emergency medical services personnel, 50-9-102, 50-10-101
- emergency road, 61-12-301
- emergency services provider, 50-16-701
- emergency service vehicles, 61-1-120
- established geographic service area, 33-22-1803
- exchange access, 10-4-101
- fees, 17-6-302
- financial, 61-12-301
- fire protection, 10-3-1103
- food programs and nutrition, 50-49-103
- food service establishment, 50-31-103, 50-50-102
- full-time, 19-20-101
- health, 33-30-101
- health care, 33-22-1703, 33-31-102, 33-32-102
- health care services agreement, 33-31-102
- health service corporation, 33-22-1201, 33-22-1501, 33-30-101
- home infusion therapy, 50-5-101
- independent appraisal, 37-54-102
- individual in need of home-based, 53-6-145
- internal service fund type, 17-2-102
- legal, 61-12-301
- long-term care medicaid, 53-6-401
- map, 61-12-301
- mark, 30-13-301

Service(s) (Continued)

- medical, 50-15-702
- membership, 19-2-303
- minimum 9-1-1, 10-4-101
- motor club, 61-12-301
- motorist, 60-5-502
- multijurisdictional service district, 53-30-503
- net amount billed for the exchange access service fee, 10-4-204
- new, 69-3-810
- new service area, 69-4-102
- out-of-state mail service pharmacy, 37-7-702
- part-time, 19-20-101
- party emergency, 10-3-1103
- personal assistant, 53-6-145
- planning and service area, 52-3-401
- primary medical, 39-71-116
- prior, 19-20-101
- private parking, 61-12-102
- private telecommunications, 69-3-803
- professional, 35-4-109, 35-8-102
- protective, 52-3-202, 53-2-101
- provider, 50-19-303
- regulated telecommunications, 69-3-803, 69-3-901
- rehabilitation, 39-71-1011
- related, 20-7-401
- renewable resource loan debt service fund, 85-1-102
- resale of telecommunications, 69-3-803
- safety consultation, 39-71-1503
- school food, 20-1-101
- secondary medical, 39-71-116
- secretary of health and human, 19-1-102
- sewer service line, 76-4-102
- special service road, 61-8-110
- street patrol, 37-60-101
- subordinate service district, 7-3-122
- support, 53-7-202
- temporary service contractors, 39-8-102, 39-71-116
- theft, 61-12-301
- to the aged, 52-3-401
- touring, 61-12-301
- towing, 61-12-301
- transportation service area, 20-10-101
- utility, 69-4-1102
- vocational rehabilitation, 53-7-101, 53-7-301
- water service line, 76-4-102
- years of, 19-2-303
- youth detention, 41-5-1001

Servient tenement, 70-17-103
Session Laws, 5-11-211
Set
- one complete, 5-11-211
- small business set-aside, 18-5-303

Setting, least restrictive, 52-2-302
Settle, 30-4-104
Settlement, 72-1-103
Several, 1-1-201

Severe
    community home for persons with severe disabilities, 52-4-202, 53-19-102
    disability, 52-4-202, 53-7-202
    individual with severe handicaps, 53-19-102
    person with severe disabilities, 53-19-102
Sewage, 75-5-103, 75-6-102
    extension of public sewage disposal system, 76-4-102
    public sewage disposal system, 76-4-102
    public sewage system, 75-6-103
    system, 75-5-103
Sewer
    public sewer system, 37-69-101
    service line, 76-4-102
Sex, prurient interest in, 45-8-205
Sexual
    abuse, 41-3-102, 50-20-203, 52-3-803
    childhood sexual abuse, 27-2-216
    conduct, 45-5-620, 45-8-205
    contact, 45-2-101
    deviate sexual relations, 45-2-101
    exploitation, 41-3-102
    intercourse, 45-2-101
    in the course of committing sexual assault, 45-5-502
    in the course of committing sexual intercourse without consent, 45-5-503
    offense, 44-6-101, 46-23-502
    or violent offender, 46-23-502
    ultimate sexual act, 45-8-205
Sexually transmitted diseases, 50-18-101
Shaft, 50-73-102
Sharps, 75-10-1003
Shaped tract of land, irregularly, 76-3-103
Share(s), 35-1-113, 35-1-535, 35-1-628
    authorized, 35-1-113
    membership capital share deposit, 32-3-805
    net share rental, 72-16-331
    participating, 35-1-815
    qualified, 35-1-464
    voting, 35-1-815
Shareholder, 35-1-113, 35-1-541, 35-1-826, 35-1-1107
    beneficial, 35-1-826
    principal, 32-1-109
    record, 35-1-826
Sharing, job, 2-18-101
Sheep, 81-6-101
Sheet, material safety data, 50-78-102
Shelter care, 7-6-501, 41-5-103
    facility, 41-5-103
Sheltered
    certified sheltered workshop, 18-5-101
    employment, 53-7-202
Sherbet
    ice, 81-22-101
    milk, 81-22-101
Sheriff, 19-7-101
Shielding, 75-10-501

Shift, travel, 2-18-502
Shipper's(s')
  custodial account for shippers' proceeds, 81-8-213
  weight, load and count, 30-7-301
Shipping point inspection, 80-3-302
Shoplifting, 46-6-506
Short-term
  detention center, 41-5-103
  obligations, 7-6-1101
Shown, good cause, 85-2-233
Sick
  leave, 2-18-601
  -pay plan, 2-18-601
Sidewalk, 61-1-208
Sign
  business, 60-5-502
  motorist information, 60-5-502
  railroad, 61-1-404
  specific information, 60-5-502
  tourist-oriented directional, 60-5-502
Signal
  railroad, 61-1-404
  traffic-control, 61-1-402, 61-8-349
Signature, 1-1-203
  authorized signature of the represented person, 30-3-403
  facsimile, 2-16-114, 5-2-105, 17-5-1102
  guarantee of the, 30-8-402
Signed, 30-1-201
Significant
  object of significant artistic merit, 72-16-446
  other, 50-16-1003
  site of significant historical interest, 72-16-446
Silicosis, 39-72-102, 39-73-101
Similar character, work of a, 18-2-401
Simple, fee, 60-1-103, 70-15-203, 70-15-204
Simulated, 45-5-620
Simulcast, 23-4-101
  facility, 23-4-101
Single
  -family dwelling, 90-6-503
  family residence, 70-24-103
  purpose, 7-14-2531
  risk, 33-4-502
Singular includes plural, 1-2-105, 30-1-102
Sire, 81-2-401
Sister, 15-30-113
Site
  burial, 22-3-803
  container, 75-10-103
  of significant historical interest, 72-16-446
  power, 77-4-202
Situation, emergency, 53-21-102
6-year high school, 20-6-501
Size
  program, 17-7-102

Size (Continued)

  program size indicator, 17-7-102
Skeletal remains, human, 22-3-803
Ski
  area operator, 23-2-732
  trails, 23-2-732
Skier, 23-2-732
Skilled nursing care, 15-60-101, 50-5-101, 50-5-216
Skimmed milk cheese, 81-22-101
Slander, 27-1-803
Slide-in camper, 61-9-405
Slope, 50-73-102
Slot machine, 23-5-112
  antique, 23-5-153
Slow-moving vehicle, 61-8-311
Small
  business, 15-31-123, 18-5-303, 33-27-103
  business corporation, 15-31-201
  business investment company, 15-33-103
  business set-aside, 18-5-303
  business stationary source, 75-2-103
  certified Montana small business investment capital company, 90-8-104
  employer, 33-22-1803
  employer carrier, 33-22-1803
  miner, 82-4-303
  qualified Montana small business investment capital company, 90-8-104
  qualifying small power production facility, 69-3-601
  telecommunications provider, 69-3-901
Smoke
  approved smoke detector, 70-24-303
  detector, 70-20-113
  to, 50-40-103
Smoking, 50-40-103, 50-40-203
  area, 50-40-103
  designated smoking area, 50-40-203
Snowmobile, 23-2-601, 23-2-652
  area, 23-2-652
  area operators, 23-2-652
  new, 23-2-601
Snowmobiler, 23-2-652
Social
  security act, 19-1-102
  work, 37-22-102
  worker, 41-3-102
Society, 22-3-102, 33-7-108, 33-22-1501
  fraternal benefit, 33-7-105
Software, computer, 45-2-101
Soil(s)
  amendment, 80-10-101
  materials, 82-4-403
Solar system, passive, 15-32-102
Sold, 61-4-402
Sole
  distributor, 16-10-103, 16-11-102
  proprietor, 39-71-116
Solicit, 45-2-101

Solicitation, 45-2-101
    personal, 30-14-502
    personal solicitation sale, 30-14-502
Solid
    dosage form, 50-31-301
    municipal solid waste landfill, 75-10-203
    state solid waste plan, 75-10-103
    tire, 61-1-126
    waste(s), 7-13-202, 75-2-103, 75-10-103, 75-10-203, 75-10-903, 76-4-102, 80-8-110
    waste landfill, 75-10-903
    waste management district, 7-13-202
    waste management system, 75-10-103, 75-10-203
Sound recording, 30-13-141
Source(s)
    alternative renewable energy, 90-4-102
    approved, 50-31-103
    collateral, 27-1-307, 53-9-103
    continuing and reliable source of revenue, 17-1-502
    general revenue, 17-1-502
    income from sources within this state, 15-31-403
    institutional, 33-19-104
    material, 75-3-103
    nonpoint, 80-15-102
    point, 75-5-103, 80-15-102
    principal data source agencies, 90-15-102
    small business stationary, 75-2-103
South zone, Montana coordinate system NAD 27, 70-22-202, 70-22-205
Space
    interment, 35-21-102
    navigable air, 67-1-101
Sparkling water, 50-31-103
Special
    administrator, 72-1-103
    agents, 28-10-102
    deposit claim, 33-2-1303
    district, 18-8-202
    education, 20-7-401
    election, 13-1-101
    examination, 32-1-214
    federal special revenue fund, 17-2-102
    fuel, 15-70-301, 75-11-302
    fuel dealer, 15-70-301
    fuel user, 15-70-301
    indorsement, 30-3-204
    lien, 71-3-101
    mobile equipment, 61-1-104
    nuclear material, 75-3-103
    proceedings, 27-1-102
    renewable resource grant and loan program state special revenue account, 85-1-102
    revenue fund type, 17-2-102
    service road, 61-8-110
    state special revenue fund, 17-1-502, 17-2-102
    waste, 75-10-802
Specialist, 20-4-131
    clinical laboratory, 37-34-103

Specialist (Continued)

  K-12, 20-4-131
  physical therapy, 37-11-101
  teacher or, 20-4-101
  teacher or specialist certificate, 20-4-101
Specialized telecommunications equipment, 53-19-302
Specialty
  contractor, 39-9-102
  fertilizer, 80-10-101
  pet, 80-9-101
  pet food, 80-9-101
Species, endangered, 87-5-102
Specific
  information sign, 60-5-502
  learning disability, 20-7-401
  license, 75-3-103
  lienholder, 61-3-106
Specification, 18-4-231
  class, 2-18-101
Specified caretaker relative, 53-4-201
Speech-language
  pathologist, 37-15-102
  pathology aide, 37-15-102
  practice of speech-language pathology, 37-15-102
Speech-language impairment, 20-7-401
Speleogen, 23-2-902
Speleothem, 23-2-902
Split-interest trust, 72-34-201
Spoil, 82-4-403
Spoiled, 81-22-101
Sponsor, 46-23-401
  equine activity, 27-1-726
  housing, 90-6-103
  limited-profit housing, 90-6-103
  nonprofit housing, 90-6-103
Sports
  fantasy sports league, 23-5-801
  pool, 23-5-501
  tab, 23-5-501
  tab game, 23-5-501
Spot
  bank-offered spot rate, 25-9-702
  blood, 81-20-205
  meat, 81-20-205
  rate, 25-9-702
Spousal support order, 40-5-103
Spouse
  eligible, 39-30-103
  relative of the divorced individual's former, 72-2-814
  surviving, 19-6-101, 19-9-104, 19-13-104, 19-17-102
Spraying program, cropland, 80-7-501
Spring water, 50-31-103
Stability, medical, 39-71-116
Staff, 49-2-101
  commission, 49-2-101
  detention center, 7-32-2120, 7-32-2241

Staff (Continued)

- personal, 2-18-101
- reduction of administrative, 20-4-208

Stamp
- food stamp or coupon, 45-6-312
- food stamp program, 53-2-902

Standard(s), 80-15-102
- accepted actuarial, 33-16-1008
- effluent, 75-5-103
- grain standards act, 80-4-402
- health benefit plan, 33-22-1803
- interim numerical, 80-15-102
- nonpromulgated federal, 80-15-102
- official grain, 80-4-402
- of performance, 75-5-103
- OSHA, 50-78-102
- petroleum product, 82-15-201
- point of standards application, 80-15-102
- present compendium, 37-7-502
- prevailing rate of wages, 18-2-401
- prevailing wage, 18-2-401
- promulgated federal, 80-15-102
- serological test, 40-1-206, 50-19-101

Standing, 61-1-407
- member in good, 33-6-102

Startup capital project, 90-3-102

State, 1-1-201, 2-9-101, 7-15-4402, 15-31-302, 17-3-301, 25-9-702, 27-2-502, 30-10-103, 33-1-201, 33-2-1303, 33-11-109, 35-1-113, 35-8-102, 35-10-102, 35-12-504, 37-2-101, 39-51-201, 40-5-103, 40-7-103, 45-2-101, 46-30-101, 50-9-102, 50-32-101, 52-2-521, 61-6-102, 72-1-103, 72-16-601, 72-17-102, 72-26-502, 90-3-102, 90-9-103
- accredited, 33-2-1501
- advance for school facilities, 20-9-370
- agency(ies), 1-2-116, 2-2-102, 2-10-103, 2-18-111, 5-12-102, 5-13-102, 17-2-110, 17-3-102, 17-4-101, 18-8-102, 18-8-202, 19-1-102, 22-1-211, 22-3-421, 23-1-302, 50-60-101, 52-2-202, 53-21-212, 77-1-701, 90-4-602
- agency of this, 76-15-103
- airway, 67-1-101
- ancillary, 33-2-1303
- appropriate authority in the receiving state, 41-4-104
- assumption, 53-2-802
- board, 15-1-101
- board of education, 20-1-101
- building code, 50-60-101
- clearwater state forest, 77-5-102
- coal creek state forest, 77-5-102
- coordinator, 76-14-103
- deputy state stock inspector, 81-3-201
- direct state aid, 20-9-306
- district, 76-16-103
- -district, 2-16-602
- domiciliary, 33-2-1303
- eligible state employee, 16-2-401
- employee, 2-9-601, 2-18-809
- equalization aid, 20-9-343
- expenditures, 17-8-105
- foreign, 25-9-602

State (Continued)

forests, 77-5-101
fund, 39-71-2501
game warden, 19-8-101
governmental unit, 90-4-102
hazardous material incident response team, 10-3-1203
health plan, 50-5-101
highway, 60-1-103
highways, 60-2-125
home, 40-5-103, 40-7-103
hospital, 53-21-102
income from sources within this, 15-31-403
initiating, 40-5-103
issuer, 17-5-1302
land, 77-1-101, 77-1-701
law, 39-51-2501
law enforcement agency of another, 44-11-303
law enforcement agency of this, 44-11-303
legally accessible state lands, 77-1-101
lincoln state forest, 77-5-102
liquor warehouse, 16-1-106
located in this, 32-1-382
lottery, 23-7-103
multilibrary card, 22-1-301
mutual insurer, 33-4-102
name of state in which the seed was grown, 80-5-120
new state building, 22-2-403
officer, 2-2-102
officers and employees, 2-9-601
or local child support enforcement agency, 39-51-3106
or local governmental agency, 49-3-101
other, 45-2-101
plan, 52-3-401
portion, 17-5-1302
prison, 46-23-401
property, 18-5-402, 18-5-501
publication, 22-1-211
public body, 7-14-4602
public procurement unit, 18-4-401
public roads and highways of this, 15-70-301, 15-70-701
reciprocal, 33-2-1303
reciprocating, 33-3-502
records committee, 2-6-202
reimbursement for school facilities, 20-9-370
renewable resource grant and loan program state special revenue account, 85-1-102
repository, 44-5-103
residence, 52-2-521
resident of this, 33-1-202
responding, 40-5-103
solid waste plan, 75-10-103
special revenue fund, 17-1-502, 17-2-102
stillwater state forest, 77-5-102
stock inspector, 81-3-201
sula state forest, 77-5-102
swan river state forest, 77-5-102
this, 45-2-101

State (Continued)

- thompson river state forest, 77-5-102
- trauma register, 50-6-401
- treasure state endowment fund, 90-6-701
- treasure state endowment program, 90-6-701
- uniform state waterway marking system, 23-2-502
- united, 15-31-321, 35-1-113, 35-2-114
- university, 20-1-101
- waters, 37-42-102, 75-5-103, 75-6-102, 82-11-101
- waters of this, 23-2-502
- ways of this, 76-13-601
- ways of this state open to the public, 61-6-102, 61-8-101
- youth correctional facility, 41-5-103

Statement(s), 35-10-102, 46-1-202; Title 26, chapter 10, M.R.Ev., Rule 801
- attorney general's explanatory, 13-27-315
- financing, 30-9-402
- ingredient, 80-8-102
- initial transaction, 30-8-408
- which are not hearsay, Title 26, chapter 10, M.R.Ev., Rule 801

Statewide
- data network, 2-17-501
- elementary guaranteed tax base ratio, 20-9-366
- high school guaranteed tax base ratio, 20-9-366
- mill value per elementary ANB, 20-9-366
- mill value per high school ANB, 20-9-366

Station, 80-4-402
- agricultural experiment, 20-1-101
- milk or cream, 81-22-101
- test station sale, 81-8-213

Stationary source, small business stationary, 75-2-103

Statistical
- information, 44-5-103
- plan, 33-16-1008

Statistics
- system of vital, 50-15-101
- vital, 50-15-101

Status
- familial, 49-2-305
- permanent, 2-18-101

Statute, 45-2-101
- federal, 2-1-403
- private, 1-1-106
- public, 1-1-106

Statutory
- appropriation, 17-7-502
- broker, 37-51-102
- close corporation, 35-9-103

Steam sterilization, 75-10-1003

Steering committee, ground water assessment, 85-2-903

Stepchild, 72-2-613, 72-2-716

Sterilization, 50-5-501
- steam, 75-10-1003

Steward(s), 23-4-101
- board of, 23-4-101

Stillwater State Forest, 77-5-102

Stinger-steered automobile or boat transporter, 61-10-104

Stock
    association, 32-2-101
    capital, 32-1-109, 32-2-101
    deputy state stock inspector, 81-3-201
    dividends, 15-30-101
    domestic stock insurer, 33-3-102
    lane, 7-14-2621
    nonreadily tradable, 72-16-455
    nursery, 80-7-105
    nursery stock certification, 80-7-105
    private corporate capital, 17-6-201
    railroad rolling, 60-11-1202
    rolling, 60-11-1202
    rolling stock project, 60-11-1202
    state stock inspector, 81-3-201
    water use, 85-20-103
Stockholder, 32-2-101
Stolen property, 45-2-101
Stop, 45-2-101, 61-1-407
    sale order, 80-3-302
Stopping, 61-1-407
Storage, 75-10-203, 75-10-403, 75-10-1003
    depot, 16-1-106
    electronic storage of documents, 3-1-114
    petroleum storage tank, 75-11-302
    underground, 82-10-301
    underground storage tank, 75-10-403, 75-11-203
    underground storage tank system, 75-11-302
Store, agency liquor, 16-1-106
Straw, poppy, 50-32-101
Stream, 75-7-103
    perennial flowing, 85-2-306
Streamside management zone, 77-5-302
Street(s), 7-12-2101, 7-12-4101, 60-1-103, 61-1-203, 76-1-103
    arterial, 61-1-204
    intersection, 7-12-2101, 7-12-4101
    main, 7-12-2101, 7-12-4101
    patrol service, 37-60-101
Strike, 39-32-102
Strip mining, 15-35-102, 39-4-104, 82-4-103, 82-4-203
    contour, 82-4-203
Stripper
    natural gas, 15-36-303
    oil, 15-36-303
Strips, emergency landing, 67-5-102
Strong sensitizer, 50-30-208
Structure(s), 7-1-4121, 67-1-101
    base year, 15-30-101
    building or, 67-1-101
    center, 61-3-210
    height of buildings and, 67-1-101
    manufactured, 31-1-202
    occupied, 45-2-101
Student, 15-30-112, 20-25-701, 72-16-331
    guaranteed student loan program, 20-26-1101

Student (Continued)

- loan fund, 17-2-102
- mineral development, 90-6-402
- physical therapy, 37-11-101
- physical therapist assistant, 37-11-101
- resident, 20-25-501, 20-26-103
- respiratory care practitioner, 37-28-102
- teacher, 20-4-101

Studies, American Indian, 20-4-211
Study
- ground water characterization, 85-2-903
- home, 40-8-103
- plan of operation or a feasibility, 33-11-102

Stumpage value, 15-44-102
Subagent
- buyer, 37-51-102
- seller, 37-51-102

Subdivided land(s), 15-7-202, 76-4-1101, 76-4-1202
Subdivider, 76-3-103, 76-4-1202
Subdivision(s), 76-3-103, 76-3-104, 76-4-102, 76-4-103, 76-4-1101, 76-4-1202
- governmental, 35-1-113, 35-2-114
- local government, 10-3-1103
- political, 2-9-101, 2-16-602, 7-1-4121, 7-6-101, 7-7-109, 10-3-103, 10-3-502, 13-1-101, 13-19-102, 17-5-101, 19-1-102, 19-2-101, 50-52-101, 61-2-102, 67-1-101, 76-5-103, 85-2-102
- responsible political, 76-5-103

Subfund
- auxiliary, 17-2-102
- designated, 17-2-102
- restricted, 17-2-102
- unrestricted, 17-2-102

Subject of insurance, 33-2-1201
Subjobber, 16-11-102
- licensed, 16-11-102

Sublease, 30-2A-103
Subordinate
- employee, 7-32-106
- service district, 7-3-122

Subpoena, 26-2-101
Subscriber(s), 10-4-101, 27-1-735, 33-16-102, 33-22-1703, 35-1-113, 69-3-901
Subscribing witness, 1-1-203
Subscription, 1-1-203
Subsequent
- condition, 28-1-405
- purchaser, 30-8-102, 30-9-314

Subsidence, 82-4-203
Subsidiary, 33-2-822, 33-2-1101
- trust company, 32-1-802

Substance
- banned hazardous, 50-30-203
- controlled, 44-12-101
- counterfeit, 50-32-101
- hazardous, 10-3-1203, 50-30-201, 75-10-602
- hazardous or deleterious, 75-10-701
- intoxicating, 45-2-101
- misbranded hazardous, 50-30-202
- radioactive, 50-30-210

Substance (Continued)

- regulated, 75-10-403, 75-11-203

Substantial
- credible information, 85-2-102
- gift of substantial value, 2-2-102

Substantially equal qualifications, 17-5-1526, 17-5-1527, 17-6-325, 39-30-103, 90-5-114
Substantive rules, 2-4-102
Substation, transmission, 75-20-104
Substitute
- care, 41-3-1102, 41-5-103
- primary substitute gift, 72-2-613, 72-2-717
- younger-generation substitute gift, 72-2-613, 72-2-717

Subterminal warehouse, 80-4-402
Subwarehouse, 16-1-106
Successor(s), 72-1-103
- designated, 30-11-801
- personal representative, 72-1-103

Suitable
- clothing, 18-4-133
- employment, 39-51-2602
- work, 39-51-2304

Sula State Forest, 77-5-102
Summons, 46-1-202
Sums on deposit, 72-6-201
Sunscreening material, 61-9-405
Super
- lean ground beef, 50-31-103
- lean hamburger, 50-31-103

Superintendent
- county, 20-1-101
- district, 20-1-101
- of public instruction, 20-1-101

Superseded notes, 46-1-202
Supervised
- administration, 72-1-103, 72-3-401
- work program, 53-7-202

Supervising
- agent, 46-23-401
- authority, 46-18-1001

Supervision, 37-4-405, 45-8-314
- direct, 37-4-405, 37-16-405
- general, 37-4-405
- youth in need of, 41-5-103

Supervisor(s), 7-22-2101, 23-2-301, 75-7-103, 76-15-103
- board of, 85-9-103
- written consent of the supervisors, 75-7-103

Supervisory employee, 39-31-103
Supplemental
- appropriation, 17-7-305
- cost, 19-2-303
- insurance, 19-17-102
- proposed supplemental appropriation, 17-7-301

Supplementary rate information, 33-16-1008
Supplement policy, medicare, 33-22-903
Supplier, 16-3-415, 30-2A-103
- different, 69-3-112

Supplier (Continued)

  electric, 69-5-102
  prime petroleum, 90-4-302
Supply(ies), 7-6-401, 17-8-241, 18-4-123, 18-4-226, 20-9-225
  contract, 30-2A-103
  energy supply alert, 90-4-302
  extension of public water supply system, 76-4-102
  medical, 7-6-4461
  office, 18-4-301
  public water, 37-69-101
  public water supply system, 75-6-102, 76-4-102
  surplus, 18-4-226
  water supply system, 37-42-102
Support, 40-2-102
  child support guidelines, 40-5-804
  child support obligations, 39-51-3106
  child support order, 40-5-103
  child support pass-through payments, 53-2-902
  debt, 40-5-201, 40-5-701
  duty of, 40-5-103
  enforcement agency, 40-5-103
  enforcement entity, 40-5-701
  family support act of 1988, 53-4-702
  judgment, 40-6-102
  medical support order, 40-5-804
  obligation, 40-5-201, 40-5-701
  order, 40-5-103, 40-5-201, 40-5-403, 40-5-701, 40-6-102
  qualified medical child support order, 40-5-804
  services, 53-7-202
  spousal support order, 40-5-103
  state or local child support enforcement agency, 39-51-3106
Supported employment, 53-7-202
Supporting information, 33-16-1008
Surety, 28-11-401, 30-1-201
  insurance, 33-1-211
Surface
  abandonment of surface or underground mining, 82-4-303
  mining, 82-4-303
  owner, 82-4-203, 82-10-502
  unit of surface-mined area, 82-4-303
  water, 23-2-301
Surgeon, 39-71-116, 72-17-102
  oral, 37-4-515
Surgery, minor, 37-26-103
Surgical facility, ambulatory, 50-5-101
Surplus, 32-1-109, 33-2-307, 33-4-102
  eligible surplus lines insurer, 33-2-301
  lines insurance, 33-2-301
  lines insurance producer, 33-2-301
  money, 19-18-403
  supplies, 18-4-226
  to policyholders, 33-2-1201
Surrogate parent, 20-7-401
Survey
  certificate of, 76-3-103
  public land survey corner, 70-22-103

Surveying
  architectural, engineering, and land, 18-8-202
  practice of land, 37-67-101
Surveyor
  examining land, 76-3-103
  land surveyor intern, 37-67-101
  licensed architect, professional engineer, professional land surveyor, 18-8-202
  professional land, 37-67-101
  registered, 70-22-103
  registered land, 76-3-103
Survive, 72-1-103
Surviving
  ancestor, 72-2-719
  beneficiary, 72-2-716, 72-2-717
  child, 72-2-719
  descendant, 72-2-116, 72-2-613, 72-2-716, 72-2-717, 72-2-719
  devisee, 72-2-613
  limited liability company, 35-8-102
  spouse, 19-6-101, 19-9-104, 19-13-104, 19-17-102
Survivor, 19-6-101, 19-9-104
Survivorship
  benefit, 19-2-303, 19-17-102
  co-owners with right of, 72-2-712
  fractional interest in property held in joint tenancy with the right of, 72-2-222
  joint tenants with the right of, 72-1-103
Suspends payments, 30-4-104
Suspension, 61-1-503
Sustainable yield, annual, 77-5-221
Sustenance, aid or, 39-71-116
Swan River State Forest, 77-5-102
Swimming pool, public, 50-53-102
Switchblade knife, 45-8-331
Syndicalism, criminal, 45-8-105
Synthetically compounded, 50-31-103
System(s), 7-13-3001, 20-1-101
  cable television, 35-18-102
  classification, 33-15-1102, 33-16-1008
  community water, 37-42-102, 75-6-102
  comprehensive developmental disability, 53-20-202
  computer, 45-2-101, 61-3-347
  criminal justice information, 44-5-103
  disposal, 75-5-103
  distribution, 85-7-1921
  double-walled tank, 75-11-302
  drainage, 37-69-101
  dual-party relay, 53-19-302
  extension of public sewage disposal, 76-4-102
  extension of public water supply system, 76-4-102
  federal-aid, 60-4-401
  federal-aid highway, 60-1-103
  federal-aid interstate system, 60-1-103
  federal-aid primary system, 60-1-103
  federal-aid secondary system, 60-1-103
  funds-transfer, 30-4A-105
  funds-transfer system rule, 30-4A-501

System(s) (Continued)

- geothermal, 15-32-102
- industrial waste discharge, 75-6-102
- insurance holding company, 33-2-1101
- interstate, 60-4-401, 75-15-103, 75-15-203
- investor-owned public water, 75-6-202
- library, 22-1-402
- Montana coordinate system NAD 27, 70-22-201, 70-22-202, 70-22-205
- Montana coordinate system NAD 27, central zone, 70-22-202, 70-22-205
- Montana coordinate system NAD 27, north zone, 70-22-202, 70-22-205
- Montana coordinate system NAD 27, south zone, 70-22-202, 70-22-205
- Montana coordinate system NAD 83, 70-22-201, 70-22-205
- national highway, 60-2-125
- natural areas, 76-12-104
- of registration, 17-5-1102
- of vital statistics, 50-15-101
- passive solar, 15-32-102
- plumbing, 37-69-101
- primary, 75-15-103, 75-15-203
- primary highway, 60-2-125
- public sewage, 75-6-103
- public sewage disposal, 76-4-102
- public sewer, 37-69-101
- public water, 75-6-202
- public water supply, 75-6-102, 76-4-102
- resource recovery, 75-10-203
- retirement, 19-2-303, 19-20-101
- secondary highway, 60-2-125
- security alarm, 37-60-101
- sewage, 75-5-103
- solid waste management, 75-10-103, 75-10-203
- teachers' retirement, 19-21-102
- telemetry, 69-14-116
- transient noncommunity water, 75-6-102
- trauma care, 50-6-401
- underground storage tank, 75-11-203
- uniform state waterway marking, 23-2-502
- university system unit, 5-13-401, 17-7-102
- urban highway, 60-2-125
- water distribution, 37-42-102
- water supply, 37-42-102

Tab
- sports, 23-5-501
- sports tab game, 23-5-501

Table, 23-5-112
- card game, 23-5-112
- wine, 16-1-106
- wine distributor, 16-1-106

Tactical
- incident, 10-3-702
- team, 10-3-702

Tail section, 61-3-210

Take, 87-5-102

Taken
- lawfully taken wildlife, 87-3-117
- unlawfully taken wildlife, 87-3-117

Taking, 87-3-141
  action with taking or damaging implications, 2-10-103
  or damaging, 2-10-103
Talented children, gifted and, 20-7-901
Tame pasture, 76-14-103
Tamper, 45-2-101
Tampering, 69-4-1102
Tank(s)
  double-walled tank system, 75-11-302
  petroleum storage, 75-11-302
  underground storage, 75-10-403, 75-11-203
  underground storage tank system, 75-11-203
Task force, 50-1-403
Tattoo, 50-2-116
Tax(es), 7-15-4283, 15-1-801, 15-17-121, 39-51-201, 39-71-2501, 72-16-601
  act, 17-5-1302
  adjusted tax difference with respect to the estate, 72-16-338
  amount of taxes levied, 15-10-402
  district guaranteed tax base ratio, 20-9-366
  employee, 19-1-102
  federal generation-skipping transfer, 72-16-1001
  increment, 7-15-4283
  increment provision, 7-15-4283
  liability, 72-16-338
  paid on production, 15-35-102
  property, 15-17-121
  property tax lien, 15-17-121
  property tax paid, 15-30-171
  property tax record, 15-8-701
  rent-equivalent tax paid, 15-30-171
  sale, 15-17-121
  sale certificate, 15-17-121
  statewide elementary guaranteed tax base ratio, 20-9-366
  statewide high school guaranteed tax base ratio, 20-9-366
  year, 15-30-101
Taxable
  actual taxable value, 7-15-4283
  base taxable value, 7-15-4283
  gross taxable value, 15-36-303
  income, 15-30-101
  increased taxable value, 7-15-4292
  incremental taxable value, 7-15-4283
  property, 7-6-4254
  valuation, 7-1-2111, 85-9-103, 90-6-402
  value, 15-1-101, 15-8-111
  wage base, 39-51-1121
  year, 15-30-101, 15-31-103
Taxing
  body, 7-15-4283
  general taxing authority, 19-9-209, 19-13-214
  jurisdiction(s), 15-1-111, 15-31-702
  local government taxing jurisdiction, 15-1-112
  unit, 15-1-101
Taxpayer(s), 15-1-211, 15-30-101, 15-30-195

Teacher(s), 20-1-101
  approved teacher education program, 20-4-131
  of traffic education, 20-7-501
  or specialist, 20-4-101
  or specialist certificate, 20-4-101
  retirement system, 19-21-102
  student, 20-4-101
Teaching of cosmetology, practice and, 37-31-101
Team, 75-7-103
  group or team of employees, 2-18-1101
  hazardous material incident response, 10-3-1203
  individual treatment planning, 53-20-102
  residential facility screening, 53-20-102
  state hazardous material incident response, 10-3-1203
  tactical, 10-3-702
Technical words and phrases
  construction, 1-2-106
  interpretation, 28-3-502
Technically
  feasible, 90-2-1103
  inaccessible but usable polling place, 13-3-207
Technician, 72-17-102
  clinical laboratory, 37-34-103
  emergency medical, 50-6-202
  limited permit, 37-14-102
  pharmacy technician or auxiliary, 37-7-101
Technologist, radiologic, 37-14-102
Technology
  assistive technology device, 20-7-401
  assistive technology service, 20-7-401
  data and information technology resources, 2-15-102
  innovative, 90-3-102
  innovative agricultural, 90-9-103
  science and technology development project, 90-3-102
  science and technology development project loan agreement, 90-3-102
  transfer, 90-3-102
  transfer and assistance project, 90-9-103
Telecommunications
  private telecommunications service, 69-3-803
  regulated telecommunications service, 69-3-803, 69-3-901
  resale of telecommunications service, 69-3-803
  small telecommunications provider, 69-3-901
  specialized telecommunications equipment, 53-19-302
Telegram, 30-1-201
Telemetry system, 69-14-116
Telephone
  access line, 53-19-302
  business, 15-53-101
Television system, cable, 35-18-102
Teller's check, 30-3-104
Temperature, safe, 81-22-101
Temporary
  container, 37-19-101
  detention center, 44-4-302
  employee, 2-18-601

Temporary (Continued)

- housing, 10-3-103
- partial disability, 39-71-116
- position, 2-18-101
- premises, 7-21-2401
- receiving vault, 35-21-102
- roadblock, 46-1-202
- service contractor(s), 39-8-102, 39-71-116
- total disability, 39-71-116
- worker, 39-71-116

Tenancy with the right of survivorship, fractional interest in property held in joint, 72-2-222

Tenant(s), 70-24-103
- joint tenants with the right of survivorship, 72-1-103

Tenement
- dominant, 70-17-103
- servient, 70-17-103

Term(s), 5-2-401, 30-1-201
- contract, 18-4-301
- future interest under the terms of a trust, 72-2-717
- of the account, 72-6-201

Terminal
- bulk pipeline, 90-4-302
- condition, 50-9-102
- electronic, 32-6-103
- grain warehouse, 80-4-402
- satellite, 32-6-103
- vessel, 23-2-522

Termination, 30-2-106, 30-2A-103, 72-2-222
- of an insurance policy, 33-19-104
- of insurance coverage, 33-19-104
- pay, 19-20-101

Termini, between fixed, 69-12-101

Tertiary recovery project, 15-36-303

Test, 81-22-101
- blood, 40-6-102
- clinical laboratory, 37-34-103
- HIV-related, 50-16-1003
- official, 81-22-101
- paternity blood, 40-5-201
- release of test results, 50-16-1003
- standard serological, 40-1-206, 50-19-101
- station sale, 81-8-213

Testacy
- formal testacy proceedings, 72-3-302
- proceeding, 72-1-103

Testator, 72-1-103, 72-2-613

Tested, 81-22-101

Testify, 1-1-202

Testing, 81-22-101
- DNA, 44-6-101

Teton River basin, 85-2-329

Text, 33-15-325, 33-15-337, 33-22-201

Textbook, 20-1-101
- dealer, 20-1-101

Theater, 30-14-303

Theft
    in the course of committing a, 45-5-401
    service, 61-12-301
Therapeutically equivalent, 37-7-502
Therapist(s)
    manual, 37-11-101
    occupational, 37-24-103
    physical, 37-11-101
    physical therapist assistant, 37-11-101
    physical therapist assistant student, 37-11-101
Therapy
    certified occupational therapy assistant, 37-24-103
    home infusion therapy agency, 50-5-101
    home infusion therapy services, 50-5-101
    occupational, 37-24-103
    occupational therapy aide, 37-24-103
    physical, 37-11-101
    physical therapy aide, 37-11-101
    physical therapy intern, 37-11-101
    physical therapy practitioner, 37-11-101
    physical therapy specialist, 37-11-101
    physical therapy student, 37-11-101
Thereto, addition, 75-20-104
Thing in action, 70-2-101
Third
    city of the third class, 7-1-4111
    party, 33-27-103, 53-2-612
    -party custodian, 40-5-804
    -party resource, 53-1-401
    persons, 1-1-206
Thirty acres, 71-1-303
Thompson River State Forest, 77-5-102
Threat, 45-2-101
    of release, 10-3-1203
Threatened
    harm to a child's health or welfare, 41-3-102
    release, 10-3-1203
Threshold limit values, 50-70-103
Through highway, 61-1-210
Throughway, 60-5-102
    intersection area, 60-5-102
Ticket
    free, 69-11-207
    scale weight, 80-4-402
Timber, 15-44-102
    operations, 72-16-331
    sale, 76-13-102, 77-5-302
Time
    deposits, 32-1-109, 32-1-445
    of commitment, 35-1-461
    of injury, 39-71-807, 39-71-808
    reasonable, 30-1-204
    reasonable period of, 30-4-406
    sale price, 31-1-202
    seasonably, 30-1-204

Timeshare
  broker, 37-53-102
  expenses, 37-53-102
  instrument, 37-53-102
  interest, 37-53-102
  interval, 37-53-102
  owner, 37-53-102
  salesperson, 37-53-102
  unit, 37-53-102
Tire
  metal, 61-1-127
  pneumatic, 61-1-125
  solid, 61-1-126
Title
  document of, 30-1-201
  insurance, 33-1-212
  insurance business, 33-25-105
  insurance policy, 33-25-105
  insurance producer, 33-25-105
  insurer, 33-25-105
  plant, 33-25-105
  producer of title business, 33-25-105
To
  close, 75-11-203
  cooperate, 33-2-1310
  install, 75-11-203
  smoke, 50-40-103
Tobacco product, 16-11-302, 20-5-411
Ton, 15-35-102, 30-12-101, 80-9-101, 80-10-101
Tools and appliances, reasonably safe, 39-71-116
Topical
  drugs, 37-26-103
  medications, 37-11-101
Topsoil, 82-4-203
Total
  adjusted capital, 33-2-1902
  disability, 39-72-102
  disability insurance premium, 33-22-1513
  environment, 15-38-103
  Montana total personal income, 17-8-105
  per-ANB entitlement, 20-9-306
  permanent total disability, 19-17-102, 39-71-116
  school facility entitlement, 20-9-370
  temporary total disability, 39-71-116
  unemployment, 39-51-2101
  vote cast, 13-16-202
Totally
  disabled, 39-72-102
  permanently and totally disabled, 15-30-111
  unemployed, 39-51-2101
Tough mustard seed, 80-4-305
Touring service, 61-12-301
Tourism corporation, regional nonprofit, 15-65-101
Tourist
  home, 50-51-102

Tourist (Continued)

-oriented directional sign, 60-5-502
Tournament, card game, 23-5-112
Tow
  commercial tow truck, 61-9-416
  commercial tow truck operator, 61-8-903
  qualified tow truck operator, 61-8-903
Towing service, 61-12-301
Town, 7-1-4111, 19-9-104, 19-13-104, 19-18-101, 19-19-101
  incorporated city or, 19-18-101
Townsite land, entry, 70-28-301
Toxic, 50-30-204
  highly, 50-30-205
Trackless trolley coach, 61-1-122
Tract
  irregularly shaped tract of land, 76-3-103
  of record, 76-3-103
Tractor, 61-3-321
  farm, 61-1-109
  road, 61-1-110
  truck, 61-1-108
Tradable stock, nonreadily, 72-16-455
Trade, 30-12-101, 30-14-102
  handled in the primary channels of, 80-11-303
  name, 30-13-301
  screening, 30-14-303
  secret, 30-14-402, 50-78-102
  usage of, 30-1-205
Traded limited partnership, publicly, 39-71-2501
Trading commission, commodity futures, 30-10-103
Trademark, 30-13-301
Traffic, 61-1-401
  -control signal, 61-1-402, 61-8-349
  education, 20-7-501
  education account, 20-7-501
  education course, 20-7-501
  habitual traffic offender, 61-11-203
  highway traffic safety program, 61-2-102
  official traffic-control devices, 61-1-403
  teacher of traffic education, 20-7-501
Trail(s)
  bicycle, 60-3-302
  ski, 23-2-732
Trailer(s), 15-6-201, 61-1-111
  combined trailer length, 61-10-104
  court, 50-52-101
  dealer, 61-1-315
  pole, 61-1-114
  travel, 61-1-131
Training
  employment and training demonstration project, 53-2-902
  instructor of motorcycle safety, 20-7-501
  job training partnership act, 53-2-1103
  job training plan, 53-2-1103
  motorcycle safety training course, 20-7-501
  rehabilitation, 53-7-101, 53-7-301

Training (Continued)

- residency, 50-5-602
- sanitarian-in-training, 37-40-101

Train, railroad, 61-1-124
Tramway, passenger, 23-2-702
Transact, 30-10-103, 33-1-201
- business, 30-10-103

Transaction, 30-10-103, 69-14-1101
- conflict of interest, 35-2-418
- credit, 33-21-103, 49-2-101
- director's conflicting interest, 35-1-461
- initial transaction statement, 30-8-408
- insurance, 33-19-104
- open-end credit, 33-14-301
- real estate, 37-51-102
- residential real estate-related, 49-2-305
- retail installment, 31-1-202
- same, 46-1-202

Transfer(s), 2-18-601, 15-7-303, 30-10-402, 31-2-328, 33-2-1303, 35-10-102, 70-1-501, 72-2-222, 72-16-101, 72-26-502
- agent, 30-10-402
- decedent's nonprobate transfers to others, 72-2-222
- electronic funds, 15-1-801, 17-8-301, 32-6-103
- federal generation-skipping transfer tax, 72-16-1001
- funds, 30-4A-104
- generation-skipping, 72-16-1001
- hazardous waste transfer facility, 75-10-403
- method, 10-4-101
- price, 30-14-803
- technology, 90-3-102
- technology transfer and assistance project, 90-9-103
- voluntary, 70-1-502

Transferor, 72-26-502
- original, 72-16-1001

Transient
- guest, 50-51-102
- retail merchant, 7-21-2401

Transmission
- light, 61-9-405
- substation, 75-20-104

Transmitted diseases, sexually, 50-18-101
Transmitting utility, 30-9-105
Transplantation, 87-5-702
Transport, 75-10-203
Transportation, 20-10-101, 69-14-101, 75-10-403, 75-10-1003
- cost, 30-14-803
- free, 69-11-207
- individual, 20-10-101
- marine and transportation insurance, 33-1-209
- service area, 20-10-101

Transportee, eligible, 20-10-101
Transporter, 75-10-403
- stinger-steered automobile or boat, 61-10-104

Trap, 87-2-101
- wild, 80-6-1102

Trauma, 50-6-401
  care committee, 50-6-401
  care system, 50-6-401
  facility, 50-6-401
  hospital trauma register, 50-6-401
  region, 50-6-401
  state trauma register, 50-6-401
Traumatic brain injury, 20-7-401, 53-6-501
Travel
  expenses, 2-18-501
  shift, 2-18-502
  trailer, 61-1-131
Traveler's check, 30-3-104
Treasurer, 7-6-4202, 17-5-401, 17-5-801
  city, 7-12-4101
  county, 7-12-2101, 72-16-101
Treasure state endowment
  fund, 90-6-701
  program, 90-6-701
Treasury cash account, 17-6-202
Treating physician, 39-71-116
Treatment, 33-22-131, 33-31-102, 53-24-103, 75-10-203, 75-10-403, 75-10-1003
  approved course of, 50-17-102
  approved private treatment facility, 53-24-103
  approved public treatment facility, 53-24-103
  chemical dependency treatment center, 33-22-702
  individual treatment planning team, 53-20-102
  life-sustaining, 50-9-102
  mental health treatment center, 33-22-702
  plan, 41-3-603
  residential treatment facility, 20-7-436, 50-5-101
  wastewater treatment plant, 37-42-102
  water treatment plant, 37-42-102
  withholding of medically indicated, 41-3-102
  works, 75-5-103
Tree(s), 67-1-101
  cultivated christmas, 15-44-102
Trend, negative, 33-2-1902
Trending, loss, 33-16-1008
Trial
  field, 87-4-915
  jury, 3-15-104
  new, 25-11-101, 46-1-202
  place of, 46-1-202
Tribal
  government, 18-11-102, 53-30-303
  group, 22-3-803
Tribe, indian, 75-6-202
Tribunal, 40-5-103, 40-5-804
  initiating, 40-5-103
  issuing, 40-5-103
  registering, 40-5-103
  responding, 40-5-103
Tributary(ies), interstate, 85-20-103
Trolley coach, trackless, 61-1-122

Truck(s), 61-1-107
    bucket, 50-76-101
    commercial tow, 61-9-416
    commercial tow truck operator, 61-8-903
    line, 50-76-101
    qualified tow truck operator, 61-8-903
    tractor, 61-1-108
Truncation agreement, 30-4-111
Trust, 72-1-103, 72-33-108
    breach of, 72-34-501
    business, 35-5-101
    charitable, 72-34-201
    company, 32-1-102, 32-1-107, 72-26-502, 72-33-108
    expendable trust fund type, 17-2-102
    foreign trust company, 32-1-1001
    future interest under the terms of a, 72-2-717
    indenture, 7-15-4402, 71-1-303
    massachusetts, 35-5-101
    nonexpendable trust fund type, 17-2-102
    office, 32-1-802
    pension trust fund, 19-2-303, 19-17-102
    pension trust fund type, 17-2-102
    property, 72-33-108
    self-sufficiency, 53-18-101
    split-interest, 72-34-201
    subsidiary trust company, 32-1-802
Trustee(s), 20-1-101, 22-3-102, 71-1-303, 72-1-103, 72-34-402, 72-33-108
Trusteed assets, 33-2-202
Trustor, 72-33-108
Tuberculosis, 50-17-102
Twice, 7-12-2106, 7-12-4107
Type
    agency fund, 17-2-102
    capital projects fund, 17-2-102
    consumer type loan business, 32-5-102
    debt service fund, 17-2-102
    enterprise fund, 17-2-102
    expendable trust fund, 17-2-102
    internal service fund, 17-2-102
    nonexpendable trust fund, 17-2-102
    pension trust fund, 17-2-102
    special revenue fund, 17-2-102
Ultimate
    sexual act, 45-8-205
    user, 50-32-101
Unallocated annuity contract, 33-10-202
Unarmed
    private investigator, 37-60-101
    private security guard, 37-60-101
Unauthorized, 30-1-201
    insurer, 33-1-201, 33-2-301, 33-19-104
Unavailability as a witness, Title 26, chapter 10, M.R.Ev., Rule 804
Unborn child, 50-20-303
Uncertificated
    public obligation, 17-5-1102

Uncertificated (Continued)

security, 30-8-102
Unclaimed funds, 70-9-202
Unconditional guaranty, 28-11-107
Uncovered expenditures, 33-31-102
Under
    common control with, 33-2-1101, 33-19-104
    honorable conditions, 39-29-101
    land under water, 85-16-104
    protest, 30-1-207
Underground
    abandonment of surface or underground mining, 82-4-303
    electric or communication facilities, 69-4-303
    facility, 69-4-501
    identified but unlocatable underground facility, 69-4-501
    locatable underground facility, 69-4-501
    mining, 15-35-102, 82-4-103, 82-4-203, 82-4-303
    reservoir, 82-10-301
    storage, 82-10-301
    storage tank system, 75-11-203
    storage tank, 75-10-403, 75-11-203
Underinsured employer, 39-71-521
Undertaking, 7-7-4402, 85-7-1402
Under the influence, 61-8-401, 67-1-204
Underwrite, 33-2-1501
Underwriting decision, adverse, 33-19-104
Undivided
    profits, 32-1-109
    profits accounts, 32-1-109
Undue influence, 28-2-407
Unearned premium, 33-14-102, 33-23-217
Unemployed, totally, 39-51-2101
Unemployment
    benefits, 39-51-3106
    insurance administration fund, 39-51-201, 39-51-406
    rate of insured, 39-51-2501
    total, 39-51-2101
Unfair labor practice, 39-31-103
Unfit, 81-22-101
    eggs unfit for human food, 81-20-205
Unforeseen emergency, 20-3-322, 20-9-802
Unfunded
    actuarial liabilities, 19-2-303
    liabilities, 19-2-303
Ungulate, cloven-hoofed, 87-4-406
Uniform state waterway marking system, 23-2-502
Uninsured
    employer, 39-71-501
    motor vehicle, 33-23-201
Union, credit, 32-3-102
Unique identification device, 32-6-103
Unit(s), 2-15-102, 37-53-102, 70-23-102, 77-6-221
    affected local government, 90-6-402
    animal, 76-16-103, 77-6-507
    appropriate, 39-31-103, 39-32-102
    association of unit owners, 70-23-102

Unit(s) (Continued)

- commercial, 30-2-105, 30-2A-103
- designation, 70-23-102
- dwelling, 70-20-113, 70-24-103
- eligible government, 17-5-1604
- employing, 39-51-201
- family, 80-6-101
- family residential, 7-13-202, 7-13-4502
- governmental, 50-5-101
- local government, 90-6-302, 90-6-402; Const., XI, 1
- local public procurement, 18-4-401
- majority of the unit owners, 70-23-102
- nontransporting medical, 50-6-302
- of government, 76-1-103
- of local government, 7-11-203, 53-30-303
- of surface-mined area, 82-4-303
- owner, 70-23-102
- planned unit development, 76-3-103
- public procurement, 18-4-401
- state governmental, 90-4-102
- state public procurement, 18-4-401
- taxing, 15-1-101
- timeshare, 37-53-102
- university system, 5-13-401, 17-7-102

Unitary business, 15-31-312
- operation, 15-31-141

United States, 1-1-201, 7-6-101, 15-31-321, 17-3-301, 30-9-103, 35-1-113, 35-2-114, 76-15-103
- agencies of the, 76-15-103
- elector in the united states service, 13-2-211
- qualified united states financial institution, 33-2-1217, 33-2-1501

University, 20-1-101
- accredited college or, 37-17-102
- state, 20-1-101
- system unit, 5-13-401, 17-7-102

Unlawful
- detainer, 70-27-108
- object of contract, 28-2-701

Unlawfully
- enter or remain, 45-6-201
- taken wildlife, 87-3-117

Unless otherwise agreed, 30-1-102

Unlocatable underground facility, identified but, 69-4-501

Unmarked, unrecorded, registered, or unregistered grave or burial ground — marked, 22-3-803

Unprocessed farm products, raw and, 50-50-102

Unprofessional conduct, 5-7-102

Unrecorded, registered, or unregistered grave or burial ground — marked, unmarked, 22-3-803

Unregistered grave or burial ground — marked, unmarked, unrecorded, registered, or, 22-3-803

Unrestricted subfund, 17-2-102

Unwarranted failure to comply, 82-4-203

Unwholesome, 81-22-101

Unwritten law, 1-1-107

Unzoned commercial or industrial area, 75-15-103

Upland game birds, 87-2-101

Upper
- clark fork river basin, 85-2-335
- missouri river basin, 85-2-342

Urban
  area, 75-15-103, 76-6-104
  community and urban forestry, 77-5-402
  district, 61-1-410
  highway system, 60-2-125
  population, 60-3-211
  renewal agency, 7-15-4206
  renewal area, 7-15-4206
  renewal plan, 7-15-4206
  renewal project, 7-15-4206
Urn, 37-19-101
  garden, 35-21-102
Usage, 1-1-206
  of trade, 30-1-205
Use(es), 7-14-301, 15-70-201, 15-70-301, 80-15-102
  agricultural, 15-70-201, 15-70-301
  beneficial, 85-2-102
  commercial or concentrated recreational, 77-1-101
  computer, 45-6-310
  domestic, 85-20-103
  existing, 75-5-103
  general recreational, 77-1-101
  industrial, 16-1-106
  loan for, 70-7-102
  multiple, 7-8-2503
  nonconsumptive, 85-2-329, 85-2-340, 85-2-342
  obtain the use of, 45-6-310
  qualified, 72-16-331
  reasonable allowance for, 61-4-501
  reasonably anticipated future, 75-10-701
  recreational, 23-2-301
  stock water, 85-20-103
Used
  lines used for the distribution of electricity, 69-4-102
  motor vehicle, 61-1-117
  oil, 75-10-403
User(s)
  habitual user of drugs, 37-2-111
  of rangeland, 76-14-103
  special fuel, 15-70-301
  ultimate, 50-32-101
Using agency, 18-4-123
Usual, 1-1-206
Utilization
  fee, 15-60-101
  plan, 37-7-101
  review, 33-32-102
Utility(ies), 60-4-401, 69-3-601, 69-4-1102, 70-9-102, 75-20-104, 76-1-103
  electric, 69-5-102
  natural gas public, 82-10-301
  overhead utility line, 69-4-401
  public, 69-3-101, 69-3-221, 69-3-1203, 69-4-303
  public utility applicator, 80-8-102
  public utility holding company act of 1935, 30-10-103
  service, 69-4-1102

Utility(ies) (Continued)

- transmitting, 30-9-105

Vacancy(ies), 5-2-401, 7-4-2106, 7-4-2206
Vacation, 7-14-2601
- leave, 2-18-601

Valid lien, 31-2-328
Valley floor, alluvial, 82-4-203
Valuation, taxable, 7-1-2111, 85-9-103, 90-6-402
Value(s), 15-7-303, 15-35-103, 30-1-201, 45-2-101, 72-16-451
- actual taxable, 7-15-4283
- adjusted, 72-16-331
- annual gross value of product, 15-37-102
- anything of, 13-1-101
- assessed, 15-1-101, 15-8-111
- average wholesale, 15-1-101
- base taxable, 7-15-4283
- benefit, 33-22-1803
- county retirement mill value per elementary ANB, 20-9-366
- county retirement mill value per high school ANB, 20-9-366
- current fair market, 70-30-313
- district mill value per ANB, 20-9-366
- fair, 35-1-826
- fair market, 69-14-931
- forest productivity, 15-44-102
- full face value of insignia, 16-11-102
- full market, 77-3-101
- gift of substantial, 2-2-102
- gross taxable, 15-36-303
- gross value of product, 15-23-801, 15-38-103, 15-38-125 — 15-38-127, 15-38-129
- historic dollar, 72-30-102
- increased taxable, 7-15-4292
- incremental taxable, 7-15-4283
- interest in real property having recreational, conservation, or wildlife, 72-16-446
- inventory, 72-34-402
- market, 15-8-111
- market value f.o.b. mine, 15-35-107
- merchantable, 15-23-801
- of in-kind payment, 72-16-446
- of rural lands, 60-3-206
- present, 30-1-201
- statewide mill value per elementary ANB, 20-9-366
- statewide mill value per high school ANB, 20-9-366
- stumpage, 15-44-102
- taxable, 15-1-101, 15-8-111
- threshold limit, 50-70-103

Van, 61-1-138
Variance, 80-10-507
Variation, 50-71-102
Varieties, protected, 80-5-120
Vault, 35-21-102
- temporary receiving, 35-21-102

Vegetable seeds, 80-5-120
Vegetative cover, 82-4-303
Vehicle(s), 45-2-101, 61-1-103, 61-3-313
- apportionable, 61-3-712
- authorized emergency, 61-1-119

Vehicle(s) (Continued)

- commercial motor, 61-1-134
- emergency service, 61-1-120
- flag, 61-1-412
- funeral escort, 61-1-413
- funeral lead, 61-1-414
- gross vehicle weight, 61-1-502
- identification number, 61-3-210
- junk, 75-10-501
- motor, 7-14-301, 7-14-4103, 15-70-201, 15-70-301, 15-70-701, 31-1-202, 33-23-204, 61-1-102, 61-4-111, 61-4-501, 69-12-101
- motor vehicle graveyard, 75-10-501
- motor vehicle liability policy, 33-23-204, 61-6-103
- motor vehicle wrecking facility, 75-10-501
- multipurpose, 61-9-405
- new motor, 61-3-502
- new motor vehicle dealer, 61-4-201
- off-highway, 23-2-801
- police, 61-1-118
- recreational, 31-1-202, 50-60-101, 61-1-132
- salvage, 61-3-210
- salvage vehicle purchaser, 61-3-210
- slow-moving, 61-8-311
- uninsured motor, 33-23-201
- used motor, 61-1-117

Vending
- facility, 18-5-402, 18-5-501
- machine, 18-5-402, 18-5-501

Vendor, 16-3-107, 30-14-202
- blind, 18-5-402
- cigarette, 16-11-102
- itinerant, 7-21-2301

Venture capital company, 90-3-102

Verb tense, definitional rule, 1-2-105

Verification, 39-9-102
- upon oath or affirmation, 1-5-602

Verify, 37-7-307

Vertebrate pests, 7-22-2501, 80-7-1101
- management of, 7-22-2501

Vessel, 1-1-207, 23-2-502
- documented, 23-2-502
- terminal, 23-2-522

Vested, 19-2-303
- future interest, 70-1-323
- member, 19-2-303

Veteran(s), 10-2-101, 39-29-101
- disabled, 39-29-101

Veterinary medicine, 37-18-102

Viability, 50-20-104
- percentage, 80-5-120

Vicious dog, 7-23-2109

Victim(s), 46-18-243, 53-9-103
- member of victim's family, 46-24-205

Video
- auction market, 81-8-213
- gambling machine, 23-5-112

Video (Continued)

- satellite video livestock auction market, 81-8-213

View
- gift in view of death, 70-3-201
- public, 75-10-501

Violation, 32-1-901
- willful, 30-14-142

Violence, crime of, 45-8-302, 46-18-104, 53-30-303

Violent
- felony offense, 46-18-1001
- offense, 44-6-101, 46-23-502
- sexual or violent offender, 46-23-502

Vision, low, 53-7-301

Visible, 75-15-103

Visit, 39-71-704

Visitor(s), 72-5-313
- nonprofit convention and visitors bureau, 15-65-101

Visual
- impairment, 20-7-401
- medium, 45-5-620

Vital
- records, 50-15-101
- statistics, 50-15-101
- system of vital statistics, 50-15-101

Vocational
- education, 20-1-101
- K-12 vocational education, 20-1-101
- rehabilitation, 53-7-101, 53-7-301
- rehabilitation programs, 18-5-402
- rehabilitation services, 53-7-101, 53-7-301
- -technical education, 20-1-101

Vocationally handicapped, 18-5-101, 39-71-901

Volume cap, 17-5-1302

Voluntary
- deposit, 70-6-102
- transfer, 70-1-502

Volunteer, 7-33-4109, 90-14-102
- firefighter, 19-17-102, 39-71-118
- hours, 39-71-118

Vote, 35-2-114
- total vote cast, 13-16-202

Voting
- group, 35-1-113
- machine, 13-17-305
- machine or device, 13-1-101
- power, 35-2-114
- security, 33-2-1101
- shares, 35-1-815

Wage(s), 15-30-201, 15-31-131, 19-1-102, 39-3-201, 39-3-402, 39-51-201, 39-71-123, 39-71-2501, 39-72-102
- actual wage loss, 39-71-116
- average weekly, 39-71-116
- broker, 31-1-303
- heavy highway construction wage rates, 18-2-401
- lost, 39-2-903
- minimum, 39-3-404

Wage(s) (Continued)

- standard prevailing, 18-2-401
- standard prevailing rate of, 18-2-401
- taxable wage base, 39-51-1121

Waiver, 82-4-203
Ward, 72-1-103, 72-5-101
- indian, 53-2-101
- minor, 72-5-101

Warden, state game, 19-8-101
Warehouse(s), 16-1-106, 80-4-402
- food, 50-50-102
- operator, 80-4-402
- public, 16-11-102, 80-4-402
- receipt, 30-1-201, 80-4-402
- state liquor, 16-1-106
- subterminal, 80-4-402
- terminal grain, 80-4-402

Warehouseman, 30-7-102
Warning, health, 16-11-302
Warrant, 90-3-102, 90-9-103
- administrative, 46-5-212
- arrest, 46-1-202
- for distraint, 15-1-701
- search, 46-1-202

Warranty, 30-11-209
- period, 61-4-501

Waste(s), 82-11-101, 85-2-102
- commercial hazardous waste incinerator, 75-2-103
- hazardous, 75-2-103, 75-10-403, 75-10-602, 80-8-110
- hazardous waste management, 75-10-403
- hazardous waste management facility, 75-10-403
- hazardous waste transfer facility, 75-10-403
- household, 75-10-203
- household hazardous, 75-10-203
- industrial, 75-5-103, 75-6-102
- industrial waste discharge system, 75-6-102
- infectious, 75-10-1003
- integrated waste management, 75-10-802
- medical, 75-2-103
- municipal solid waste landfill, 75-10-203
- other, 75-5-103, 75-6-102
- pesticide, 80-8-102
- reduction, 75-10-802
- solid, 7-13-202, 75-2-103, 75-10-103, 75-10-203, 75-10-903, 76-4-102, 80-8-110
- solid waste landfill, 75-10-903
- solid waste management district, 7-13-202
- solid waste management system, 75-10-103, 75-10-203
- special, 75-10-802
- state solid waste plan, 75-10-103

Wastewater treatment plant, 37-42-102
Water(s), 85-2-102
- air and water pollution equipment, 15-6-135
- apprentice water well driller, 37-43-102
- artesian, 50-31-103
- bottled, 50-31-103
- -bottling plant, 50-31-103

Water(s) (Continued)

- carbonated, 50-31-103
- class I, 23-2-301
- class II, 23-2-301
- community water system, 37-42-102, 75-6-102
- demineralized, 50-31-103
- development activity, 85-1-102
- development project, 85-1-102
- distilled, 50-31-103
- distribution system, 37-42-102
- diverted away from a natural water body, 23-2-301
- division(s), 85-2-102
- drinking, 50-31-103
- -edge combined group, 15-31-321
- extension of public water supply system, 76-4-102
- fluoridated, 50-31-103
- ground, 80-15-102, 85-2-102, 85-2-329, 85-2-340, 85-2-342, 85-2-501
- ground water area, 85-2-501
- ground water assessment steering committee, 85-2-903
- ground water characterization program, 85-2-903
- ground water characterization study, 85-2-903
- ground water monitoring program, 85-2-903
- high-quality, 75-5-103
- ice, 81-22-101
- investor-owned public water system, 75-6-202
- joint local water quality districts, 7-13-4527
- judge, 85-2-102
- land under, 85-16-104
- local water quality district, 7-13-4502
- master, 85-2-102
- mineral, 50-31-103
- of this state, 23-2-502
- outstanding resource, 75-5-103
- public water supply, 37-69-101
- public water supply system, 76-4-102
- public water system, 75-6-202
- purified, 50-31-103
- quality protection practices, 75-2-103
- right, 85-2-422
- safe drinking water act, 75-6-102
- service line, 76-4-102
- sparkling, 50-31-103
- spring, 50-31-103
- state, 37-42-102, 75-5-103, 75-6-102, 82-11-101
- stock water use, 85-20-103
- supply system, 37-42-102
- surface, 23-2-301
- transient noncommunity water system, 75-6-102
- treatment plant, 37-42-102
- well, 37-43-102, 50-31-103, 75-5-103
- well contractor, 37-43-102
- well driller, 37-43-102

Watercourse, 76-5-103, 85-2-102
Watercraft, personal, 23-2-502
Waterway marking system, uniform state, 23-2-502

Ways of this state, 76-13-601
  open to the public, 61-6-102, 61-8-101
Weapon, 45-2-101
  concealed, 45-8-315
Weather modification and control, 85-3-101
Weed(s), 7-22-2101, 80-8-102
  crop, 80-7-801
  management, 7-22-2101
  noxious, 7-22-2101, 80-7-801
  noxious weed seed free, 80-7-903
  prohibited noxious weed seeds, 80-5-120
  restricted noxious weed seeds, 80-5-120
  seeds, 80-5-120
Week, 1-1-301, 39-51-201
Weekly
  average weekly wage, 39-71-116
  benefit amount, 39-51-201
Weevily mustard seed, 80-4-306
Weighers, official grain, 80-4-402
Weight(s), 30-12-101, 45-9-110
  and measures, 30-12-101
  declared, 61-1-510
  gross vehicle, 61-1-502
  scale weight ticket, 80-4-402
  shipper's weight, load and count, 30-7-301
Weighted ridership, 20-10-101
Welfare
  a person responsible for a child's, 41-3-102
  child welfare services, 52-2-101
  harm to a child's health or, 41-3-102
  multiple employer welfare arrangement, 33-35-103
  person interested in the welfare of such protected person, 72-5-413
  self-funded multiple employer welfare arrangement, 33-35-103
  threatened harm to a child's health or, 41-3-102
Well(s), 15-36-303, 82-10-402, 85-2-102
  apprentice water well driller, 37-43-102
  -child care, 33-22-303, 33-22-512, 33-30-1014
  class II injection, 82-11-101
  horizontally completed, 15-36-303
  monitoring, 37-43-102
  monitoring well constructor, 37-43-102
  post-1985, 15-36-303
  pre-1985, 15-36-303
  water, 37-43-102, 50-31-103, 75-5-103
  water well contractor, 37-43-102
  water well driller, 37-43-102
Wellhead
  certified wellhead protection area, 75-6-102
  Montana wellhead protection program, 75-6-102
Wheelchair, 30-14-1202
  dealer, 30-14-1202
When he deems himself insecure, 30-1-208, 30-2A-109
White
  bloody, 81-20-205
  rot, 81-20-205

Wholesale, 37-7-101, 80-3-302
  average wholesale value, 15-1-101
  distributor, 61-4-402
  drug distribution, 37-7-602
  drug distributor, 37-7-602
  price(s), 16-11-201
  sale(s), sell at, and sale at, 16-10-103
Wholesaler, 16-10-103, 16-11-102, 16-11-201, 30-11-701, 30-14-803, 61-1-319, 61-4-201
  cost to the, 16-10-103
  licensed, 16-11-102
Wild
  animal, 50-23-101, 87-3-141, 87-4-801
  buffalo, 87-2-101
  trap, 80-6-1102
Wildlife, 87-5-102, 87-5-702
  interest in real property having recreational, conservation, or wildlife value, 72-16-446
  lawfully taken, 87-3-117
  nongame, 87-2-101, 87-5-102
  unlawfully taken, 87-3-117
Will, 1-1-205, 72-1-103
  at, 30-1-208, 30-2A-109
  international, 72-2-901
  living will protocol, 50-9-102
  person authorized to act in connection with international, 72-2-901
  revocatory act on the, 72-2-527
Willful, 33-16-102
  violation, 30-14-142
Willfully, 1-1-204, 33-16-102
Wine, 16-1-106
  table, 16-1-106
  table wine distributor, 16-1-106
Winnings that are subject to withholding, 15-30-247
Winter work
  committee, 7-16-4301
  program, 7-16-4301
With
  associated with a political party, 13-10-507
  knowledge, 45-2-101
  negligence, 45-2-101
  the purpose, 45-2-101
Withdrawal
  available for withdrawal from the account as a matter of right, 32-7-117
  event of withdrawal of a general partner, 35-12-504
Withholding
  of medically indicated treatment, 41-3-102
  winnings that are subject to, 15-30-247
Without
  consent, 45-5-501
  in the course of committing sexual intercourse without consent, 45-5-503
  prejudice, 30-1-207
Witness, 26-1-101, 45-2-101, 46-1-202
  subscribing, 1-1-203
  unavailability as a, Title 26, chapter 10, M.R.Ev., Rule 804
Woman, man includes, 1-1-201
Women, men includes, 1-1-201

Wood
    low emission wood or biomass combustion device, 15-32-102
    mean annual net wood production, 15-44-102
Woodland(s)
    grazeable, 76-14-103
    qualified, 72-16-331
Words
    and phrases defined in title 61, chapter 1, 61-1-101
    giving joint authority, 1-1-218
Work(s), 7-12-2101, 7-12-4101, 85-1-102, 85-9-103
    activity, 53-7-202
    activity center, 18-5-101
    appurtenant, 85-15-106
    area, 50-78-102
    camp, 50-52-101
    commencement of, 71-3-522
    cost of, 85-1-102, 85-9-103
    of a similar character, 18-2-401
    of art, 22-2-403
    place, 50-70-103
    place of, 50-40-103
    preparatory, 82-4-103
    product, 46-1-202
    reasonably safe place to, 39-71-116
    social, 37-22-102
    suitable, 39-51-2304
    supervised work program, 53-7-202
    treatment, 75-5-103
    winter work committee, 7-16-4301
    winter work program, 7-16-4301
Worked, 16-2-401
Worker(s), 39-71-118, 50-70-103, 50-71-102
    compensation bond repayment account, 39-71-2501
    disabled, 39-71-1011
    farm, 39-3-402
    federal workers' compensation legislation, 39-71-2501
    social, 41-3-102
    temporary, 39-71-116
Working(s), 50-73-102
    interest owner, 15-36-303
Workman, 39-71-118
Workplace, 39-71-401, 50-78-102
    chemical list, 50-78-102
Workshop, certified sheltered, 18-5-101
Wrecking facility, motor vehicle, 75-10-501
Writ, 1-1-202
    of prohibition, 27-27-101
Writing(s), 1-1-203, 2-6-101, 30-1-201
    and recordings, Title 26, chapter 10, M.R.Ev., Rule 1001
    private, 2-6-101
    public, 2-6-101
Written, 30-1-201
    application, 19-2-303
    consent, 82-4-203
    consent of the supervisors, 75-7-103

Written (Continued)

- informed consent, 50-16-1003, 50-16-1007
- law, 1-1-104
- net direct written premiums, 33-10-102

X-ray procedures, performance of, 37-14-102
Year(s), 1-1-301, 20-4-106, 39-71-116, 39-72-102
- annual payroll for the preceding, 39-71-116
- base year structure, 15-30-101
- benefit, 39-51-201
- fiscal, 17-2-110, 19-2-303, 19-17-102, 33-27-103, 39-51-1121, 39-71-116
- last fiscal year, 30-10-104
- leap, 1-1-303
- license, 37-47-101
- of service, 19-2-303
- preceding, 61-3-712
- program, 53-2-1103
- school fiscal, 20-1-301
- tax, 15-30-101
- taxable, 15-30-101, 15-31-103

Yield
- annual sustainable, 77-5-221
- gross metal, 15-23-801

Yolk, adherent, 81-20-205
Younger-generation
- devise, 72-2-613
- future interest, 72-2-717
- substitute gift, 72-2-613, 72-2-717

Youth, 7-6-501, 41-3-102, 41-5-103
- camp, 50-52-101
- care facility, 41-3-1102
- correctional facility of the department, 52-5-113
- court, 41-5-103
- delinquent, 41-5-103
- detention facility, 41-5-103
- detention service, 41-5-1001
- foster home, 41-3-1102
- group home, 41-3-1102
- in need of care, 41-3-102, 41-3-603, 41-5-103
- in need of supervision, 41-5-103
- operator of a youth care facility, 41-3-1102
- state youth correctional facility, 41-5-103

Zero-coupon bonds, 7-7-4214
Zone, 77-5-302
- commercial or industrial, 75-15-103
- mixing, 75-5-103
- Montana coordinate system NAD 27, central, 70-22-202, 70-22-205
- Montana coordinate system NAD 27, north, 70-22-202, 70-22-205
- Montana coordinate system NAD 27, south, 70-22-202, 70-22-205
- safety, 61-1-405
- streamside management, 77-5-302

Zoning regulations, local, 76-2-401
Zoo, 87-4-801
- public museums, art galleries, zoos, and observatories, 15-6-201

POPULAR NAMES AND SHORT TITLES INDEX

ABORTION CONTROL ACT, Title 50, chapter 20, part 1
ABSENCE AS EVIDENCE OF DEATH AND ABSENTEE'S PROPERTY ACT, UNIFORM, 72-1-108
ACCIDENT REPORTING ACT, UNIFORM, Title 61, chapter 7
ACCOMMODATIONS TAX, Title 15, chapter 65, part 1
ACUPUNCTURE PRACTICE ACT OF 1974, Title 37, chapter 13
ADMINISTRATIVE PROCEDURE ACT, Title 2, chapter 4
ADOPTION ACT OF 1977, THE SUBSIDIZED, Title 52, chapter 2, part 5
ADOPTION ACT, UNIFORM, Title 40, chapter 8, part 1
ADVERTISING ACT, OUTDOOR, Title 75, chapter 15, part 1
AERONAUTICS, UNIFORM STATE LAW FOR, Title 67, chapter 1, part 2
AGRICULTURAL CHEMICAL GROUND WATER PROTECTION ACT, Title 80, chapter 15
AGRICULTURAL LOAN AUTHORITY ACT, Title 80, chapter 12
AGRICULTURAL WAREHOUSE, COMMODITY DEALER, AND GRAIN STANDARDS ACT, Title 80, chapter 4, parts 4 — 7
AIDS PREVENTION ACT, Title 50, chapter 16, part 10
AIRPORT AUTHORITIES ACT, Title 67, chapter 11
AIRPORT ZONING ACT, Title 67, chapter 6
ALCOHOLIC BEVERAGE CODE, Title 16, chapters 1 — 4, 6
ALCOHOL TAX INCENTIVE AND ADMINISTRATION ACT OF 1983, Title 15, chapter 70, part 5
ALFALFA LEAF-CUTTING BEE MANAGEMENT ACT, Title 80, chapter 6, part 11
ALFALFA SEED INDUSTRY ACT, Title 80, chapter 11, part 3
"ALFORD PLEA", 46-12-212
ANATOMICAL GIFT ACT, UNIFORM, Title 72, chapter 17
ANHYDROUS AMMONIA FACILITIES SAFETY ACT, Title 80, chapter 10, part 5
ANIMAL IMPORTATION PERMIT AND HEALTH CERTIFICATE ACT OF 1981, Title 81, chapter 2, part 7
ANTILAPSE STATUTE, 72-2-613
APPELLATE DEFENDER ACT, 2-15-1020, 3-5-901, 46-8-210 — 46-8-213
APPELLATE PROCEDURE, RULES OF, Title 25, chapter 21
ARBITRATION ACT, UNIFORM, Title 27, chapter 5
ASBESTOS CONTROL ACT, Title 75, chapter 2, part 5
"BABY DOE" PROVISION, 41-3-102
BANK ACT, Title 32, chapter 1, parts 1 — 5
BANK DEPOSITS AND COLLECTIONS, UNIFORM COMMERCIAL CODE, Title 30, chapter 4
BED TAX, Title 15, chapter 65, part 1
BILL OF RIGHTS FOR LONG-TERM CARE RESIDENTS, 50-5-1101 — 50-5-1107
BILL OF RIGHTS, TAXPAYER, 15-1-221 — 15-1-223
BLIND BIDDING LAW, Title 30, chapter 14, part 3
BLUE-EYED NURSE'S LAW, Title 39, chapter 32
BLUE SKY LAW, Title 30, chapter 10, parts 1 — 3
BOND VALIDATING ACT, Title 17, chapter 5, part 2
BRAIN DEATH ACT, UNIFORM, 50-22-101
BUDGET ACT, Title 17, chapter 7, part 1
BUDGET LAW, MUNICIPAL, Title 7, chapter 6, part 42
BUSINESS CORPORATION ACT, Title 35, chapter 1
BUSINESS IMPROVEMENT DISTRICT ACT, Title 7, chapter 12, part 11
BUSINESS LICENSING COORDINATION ACT, SMALL, Title 30, chapter 16
BUSINESS RECORDS AS EVIDENCE ACT, UNIFORM, Title 26, chapter 10, M.R.Ev., Rule 803
CAMPAIGN PRACTICES, CODE OF FAIR, Title 13, chapter 35, part 3

CAPITAL COMPANY ACT, Title 90, chapter 8
CAVE CONSERVATION ACT, Title 23, chapter 2, part 9
CHEMICAL DEPENDENCY PLAN, 53-24-204
CHILD CARE ACT, Title 52, chapter 2, part 7
CHILD CUSTODY JURISDICTION ACT, UNIFORM, Title 40, chapter 7
CHILD LABOR STANDARDS ACT, Title 41, chapter 2, part 1
CHILD SUPPORT ENFORCEMENT ACT, Title 40, chapter 5, part 4
CHILD SUPPORT INCOME DEDUCTION ACT OF 1981, Title 40, chapter 5, part 3
CHIROPRACTIC LEGAL PANEL ACT, Title 27, chapter 12
CIGARETTE SALES ACT, Title 16, chapter 10
CIGARETTE TAX LAW, Title 16, chapter 11, part 1
CIRCUIT BREAKER LAW, 15-30-171 — 15-30-179
CITY AND JUSTICE COURT RULES OF CIVIL PROCEDURE, Title 25, chapter 23
CIVIL DEFENSE ACT, 10-3-101, 10-3-103 — 10-3-105, 10-3-111, 10-3-112, 10-3-202, 10-3-203, 10-3-302 — 10-3-305
CIVIL DEFENSE ACT, MODEL STATE, Title 10, chapter 3, parts 1 and 2
CIVIL PROCEDURE, RULES OF, Title 25, chapter 20
CLASSIFICATION AND PAY PLAN, STATEWIDE, Title 2, chapter 18, parts 2 and 3
CLEAN AIR ACT OF MONTANA, Title 75, chapter 2, parts 1 — 4
CLEAN HANDS DOCTRINE, 27-1-416
CLEAN INDOOR AIR ACT OF 1979, Title 50, chapter 40, part 1
CLINICAL LABORATORY SCIENCE PRACTICE ACT, Title 37, chapter 34
CLOSE CORPORATION ACT, Title 35, chapter 9
CLOSE PURSUIT, UNIFORM ACT ON, 46-6-411
COAL MINING CODE, Title 50, chapter 73
CODE OF FAIR CAMPAIGN PRACTICES, Title 13, chapter 35, part 3
CODE OF FAIR PRACTICES, Title 49, chapter 3
COLLECTION OF WAGES ACT OF 1977, THE RECIPROCAL AGREEMENT FOR, Title 39, chapter 3, part 3
COLLEGIATE LICENSE PLATES ACT, 61-3-461 — 61-3-467
COMMERCIAL CODE, UNIFORM, Title 30, chapters 1 — 9
COMMERCIAL CODE, UNIFORM — BANK DEPOSITS AND COLLECTIONS, Title 30, chapter 4
COMMERCIAL CODE, UNIFORM — DOCUMENTS OF TITLE, Title 30, chapter 7
COMMERCIAL CODE, UNIFORM — FUNDS TRANSFERS, Title 30, chapter 4A
COMMERCIAL CODE, UNIFORM — INVESTMENT SECURITIES, Title 30, chapter 8
COMMERCIAL CODE, UNIFORM — LEASES, Title 30, chapter 2A
COMMERCIAL CODE, UNIFORM — LETTERS OF CREDIT, Title 30, chapter 5
COMMERCIAL CODE, UNIFORM — NEGOTIABLE INSTRUMENTS, Title 30, chapter 3
COMMERCIAL CODE, UNIFORM — SALES, Title 30, chapter 2
COMMERCIAL CODE, UNIFORM — SECURED TRANSACTIONS, Title 30, chapter 9
COMMON TRUST ACT, UNIFORM, Title 32, chapter 1, part 7
COMMUNITY AND URBAN FORESTRY ACT, Title 77, chapter 5, part 4
COMMUNITY CORRECTIONS ACT, Title 53, chapter 30, part 3
COMMUNITY DEVELOPMENT ACT OF 1973, PLANNED, Title 7, chapter 2, part 47
COMMUNITY PROPERTY RIGHTS AT DEATH ACT, UNIFORM DISPOSITION OF, Title 72, chapter 9, part 1
COMMUNITY SERVICE ACT, Title 90, chapter 14, part 1
COMPREHENSIVE ENVIRONMENTAL CLEANUP AND RESPONSIBILITY ACT, Title 75, chapter 10, part 7
COMPREHENSIVE STATE INSURANCE PLAN AND TORT CLAIMS ACT, Title 2, chapter 9, parts 1 — 3
CONCILIATION LAW, Title 40, chapter 3
CONFLICT OF LAWS — LIMITATIONS ACT, UNIFORM, 27-2-501 — 27-2-507
CONSUMER LOAN ACT, Title 32, chapter 5
CONSUMER PRODUCT SAFETY ACT OF 1975, Title 50, chapter 30

CONSUMER PROTECTION ACT, Title 30, chapter 14, part 1
CONTINUITY IN GOVERNMENT ACT, Title 10, chapter 3, part 6
CONTROLLED SUBSTANCES ACT, UNIFORM, Title 50, chapter 32
COOPERATIVE MARKETING ACT, Title 35, chapter 17
CORNER RECORDATION ACT OF MONTANA, Title 70, chapter 22, part 1
CORPORATE LICENSE TAX CREDIT ACT OF 1975, 15-31-124 — 15-31-127
CORPORATION INCOME TAX, Title 15, chapter 31, part 4
CORRECTIONS COMPACT, INTERSTATE, Title 46, chapter 19, part 4
CORRECTIONS COMPACT, WESTERN INTERSTATE, Title 46, chapter 19, part 3
CREDIT LIFE INSURANCE AND CREDIT DISABILITY INSURANCE, MODEL ACT FOR THE REGULATION OF, Title 33, chapter 21
CREDIT UNION ACT, Title 32, chapter 3
CRIME VICTIMS COMPENSATION ACT OF MONTANA, Title 53, chapter 9, part 1
CRIMINAL CODE OF 1973, Title 45
CRIMINAL JUSTICE INFORMATION ACT OF 1979, Title 44, chapter 5
DAM SAFETY ACT, Title 85, chapter 15
D.A.R.E. PROGRAM, 15-30-158; Title 44, chapter 2, part 7
DEATH ACT, UNIFORM DETERMINATION OF, 50-22-101
DECLARATORY JUDGMENTS ACT, UNIFORM, Title 27, chapter 8
DENTISTRY REGULATION ACT, Title 37, chapter 4
DENTURE SERVICES ACT OF 1984, FREEDOM OF CHOICE IN, Title 37, chapter 29
DETAINERS, INTERSTATE AGREEMENT ON, Title 46, chapter 31
DEVELOPMENTAL DISABILITIES SERVICES AND FACILITIES ACT OF 1974, Title 53, chapter 20, part 2
DEVELOPMENTALLY DISABLED ABUSE PREVENTION ACT, MONTANA ELDER AND, Title 52, chapter 3, part 8
DEVELOPMENT CORPORATION ACT, Title 32, chapter 4
DIRECT-ENTRY MIDWIFERY LICENSING ACT, Title 37, chapter 27
DISASTER ACT OF 1977, Title 10, chapter 3, parts 1 — 4
DISCLOSURE OF MATERIAL TRANSACTIONS ACT, 33-3-701 — 33-3-704
DISPLACED HOMEMAKER ACT, Title 39, chapter 7, part 3
DISTRIBUTOR'S GASOLINE LICENSE TAX ACT, 15-70-103, 15-70-104, 15-70-201 — 15-70-212, 15-70-221 — 15-70-226, 15-70-232
DISTRICT COURT RULES, UNIFORM, Title 25, chapter 19
DIVORCE ACT, UNIFORM MARRIAGE AND, Title 40, chapters 1 and 4
DOCUMENTS OF TITLE, UNIFORM COMMERCIAL CODE, Title 30, chapter 7
DRAM SHOP LAW, 27-1-710
DRIVER LICENSE COMPACT, Title 61, chapter 5, part 4
DRUG PARAPHERNALIA ACT, MODEL, Title 45, chapter 10
DRUG PRODUCT SELECTION ACT, Title 37, chapter 7, part 5
DRUG TESTING FOR EMPLOYMENT, 39-2-304
DURABLE POWER OF ATTORNEY ACT, UNIFORM, 72-5-501, 72-5-502
ECONOMIC DEVELOPMENT BOND ACT OF 1983, Title 17, chapter 5, part 15
EDUCATIONAL PERSONNEL, INTERSTATE AGREEMENT ON QUALIFICATION OF, 20-4-121 — 20-4-123
ELDER AND DEVELOPMENTALLY DISABLED ABUSE PREVENTION ACT, Title 52, chapter 3, part 8
ELECTRIC AND TELEPHONE COOPERATIVE ACT, RURAL, Title 35, chapter 18
ELECTRONIC FUNDS TRANSFER ACT, Title 32, chapter 6
EMPLOYEE AND COMMUNITY HAZARDOUS CHEMICAL INFORMATION ACT, Title 50, chapter 78
EMPLOYEE OWNERSHIP OPPORTUNITY ACT, Title 90, chapter 5, part 3
ENVIRONMENTAL POLICY ACT, Title 75, chapter 1, parts 1 — 3
ESCHEATED ESTATES ACT, Title 72, chapter 14, parts 1 — 3
ESCROW BUSINESSES ACT, REGULATION OF, Title 32, chapter 7

EVIDENCE, RULES OF, Title 26, chapter 10
EXCESS TAX REFUND AGREEMENT or EXTRA, 15-30-195
EXCLUSIONARY RULE, 46-13-301, 46-13-302
EXECUTIVE CLEMENCY ACT, PAROLE AND, Title 46, chapter 23, parts 1 — 3 and 10
EXECUTIVE REORGANIZATION ACT, Title 2, chapter 15
EXTRADITION ACT, UNIFORM CRIMINAL, Title 46, chapter 30
FACILITY SITING ACT, Title 75, chapter 20
FACSIMILE SIGNATURES OF PUBLIC OFFICIALS ACT, UNIFORM, 2-16-114
FAIR CAMPAIGN PRACTICES, CODE OF, Title 13, chapter 35, part 3
FAIR PRACTICES, CODE OF, Title 49, chapter 3
FAMILY POLICY ACT, Title 41, chapter 7, part 1
FAMILY PRACTICE TRAINING ACT, 50-5-601 — 50-5-603, 50-5-611
FAMILY SUPPORT ACT, UNIFORM INTERSTATE, Title 40, chapter 5, part 1
FARM ANIMAL AND RESEARCH FACILITIES PROTECTION ACT, Title 81, chapter 30, part 1
FEDERAL COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980, Title 75, chapter 10, part 6
FEDERAL LIEN REGISTRATION ACT, UNIFORM, Title 71, chapter 3, part 2
FEDERAL MANDATES ACT, Title 2, chapter 1, part 4
FELONY MURDER RULE, 45-5-102
FIDUCIARY SECURITY TRANSFERS, UNIFORM ACT FOR THE SIMPLIFICATION OF, Title 30, chapter 10, part 4
55 ALIVE MATURE DRIVING PROGRAM, 33-16-203, 33-16-221 — 33-16-225
FIREFIGHTERS' COMPENSATION ACT, VOLUNTEER, Title 19, chapter 17
FIREFIGHTERS' UNIFIED RETIREMENT ACT, Title 19, chapter 13
FIRST SPECIAL SERVICE FORCE MEMORIAL MONUMENT PERMANENT TRUST ACT, 35-21-901 — 35-21-903
FISH AND WILDLIFE CRIMESTOPPERS ACT, Title 87, chapter 5, part 6
FLATHEAD BASIN COMMISSION ACT OF 1983, Title 75, chapter 7, part 3
FOOD AND NUTRITION ACT, MONTANA ACCESS TO, Title 50, chapter 49, part 1
FOOD, DRUG, AND COSMETIC ACT, Title 50, chapter 31
FOOTPATH AND BICYCLE TRAIL ACT OF 1975, Title 60, chapter 3, part 3
FOREIGN JUDGMENTS ACT, UNIFORM ENFORCEMENT OF, 25-9-501 — 25-9-508
FOREIGN LAND SALES PRACTICES ACT, Title 76, chapter 4, part 12
FOREIGN-MONEY CLAIMS ACT, Title 25, chapter 9, part 7
FOREIGN MONEY-JUDGMENTS RECOGNITION ACT, Title 25, chapter 9, part 6
FORENSIC SCIENCE SYSTEM ACT, Title 44, chapter 3
FOREST LANDS TAX ACT, 15-44-101 — 15-44-105
FORESTRY ACT, COMMUNITY AND URBAN, Title 77, chapter 5, part 4
FORT PECK-MONTANA COMPACT, 85-20-201
40-ACRE LAW, Title 76, chapter 2, parts 1 and 2
FRAUDULENT TRANSFER ACT, UNIFORM, Title 31, chapter 2, part 3
FREEDOM OF CHOICE IN DENTURE SERVICES ACT OF 1984, Title 37, chapter 29
FUNDS TRANSFERS, UNIFORM COMMERCIAL CODE, Title 30, chapter 4A
GAME WARDENS' RETIREMENT ACT, Title 19, chapter 8
GASOLINE LICENSE TAX ACT, DISTRIBUTOR'S, 15-70-103, 15-70-104, 15-70-201 — 15-70-212, 15-70-221 — 15-70-226, 15-70-232
GENDER BALANCE LAW, 2-15-108
GOOD FAITH DONORS ACT, 27-1-716
GOOD SAMARITAN LAW, 27-1-714
GOVERNMENT HEALTH CARE INFORMATION ACT, Title 50, chapter 16, part 6
GRASS CONSERVATION ACT, Title 76, chapter 16
GREENBELT LAW, Title 15, chapter 7, part 2
GROUND WATER ASSESSMENT ACT, Title 85, chapter 2, part 9
GROWTH THROUGH AGRICULTURE ACT, Title 90, chapter 9
HADLEY RULE, 27-1-311

HANDICAPPED PERSONS' EMPLOYMENT PREFERENCE ACT, Title 39, chapter 30
HAZARDOUS CHEMICAL INFORMATION ACT, EMPLOYEE AND COMMUNITY, Title 50, chapter 78
HAZARDOUS WASTE AND UNDERGROUND STORAGE TANK ACT, Title 75, chapter 10, part 4
HEALTH CARE INFORMATION ACT, UNIFORM, Title 50, chapter 16, part 5
HEALTH FACILITY AUTHORITY ACT, Title 90, chapter 7
HEALTH MAINTENANCE ORGANIZATION ACT, Title 33, chapter 31
HIGHER EDUCATION COMPACT, WESTERN REGIONAL, Title 20, chapter 25, part 8
HIGHER EDUCATION, WESTERN INTERSTATE COMMISSION FOR, Title 20, chapter 25, part 8
HIGHWAY PATROL OFFICERS' RETIREMENT ACT, Title 19, chapter 6
HIGHWAY REVENUE BONDS ACT OF 1983, Title 17, chapter 5, part 9
HIGHWAY TRANSPORTATION AGREEMENT, MULTISTATE, 61-10-1101
HISTORIC SITES AND BUILDINGS ACT, LOCAL MANAGEMENT OF, Title 22, chapter 3, part 6
HOUSING ACT OF 1975, Title 90, chapter 6, part 1
HOUSING AUTHORITIES LAW, Title 7, chapter 15, parts 21, 44, and 45
HUMAN RIGHTS ACT, Title 49, chapter 2
HUMAN SKELETAL REMAINS AND BURIAL SITE PROTECTION ACT, Title 22, chapter 3, part 8
IMPORTATION PERMIT AND HEALTH CERTIFICATE ACT OF 1981, ANIMAL, Title 81, chapter 2, part 7
INDEPENDENT LIABILITY FUND ACT, Title 33, chapter 27
INDIVIDUAL FAMILY DISABILITY INSURANCE CONTINUITY OF COVERAGE ACT, 33-22-305 — 33-22-311
INFECTIOUS WASTE MANAGEMENT ACT, Title 75, chapter 10, part 10
INFORMATION ACCESS MONTANA ACT, 22-1-325 — 22-1-331
INLAND MARINE DEFINITION ACT, NATIONWIDE, 33-1-221 — 33-1-229
IN-STATE INVESTMENT ACT OF 1983, Title 17, chapter 6, part 3
INSTITUTIONAL FUNDS ACT, UNIFORM MANAGEMENT OF, Title 72, chapter 30
INSURANCE CODE, Title 33
INSURANCE CONSULTANT LICENSURE ACT, Title 33, chapter 17, part 5
INSURANCE FRAUD PROTECTION ACT, Title 33, chapter 1, part 12
INSURANCE GUARANTY ASSOCIATION ACT, Title 33, chapter 10, part 1
INSURANCE INFORMATION AND PRIVACY PROTECTION ACT, Title 33, chapter 19
INSURANCE POLICY LANGUAGE SIMPLIFICATION ACT, LIFE AND DISABILITY, 33-15-321 — 33-15-329
INSURANCE PREMIUM FINANCE COMPANY ACT, Title 33, chapter 14
INSURANCE PRODUCER AND CONSULTANT CONTINUING EDUCATION ACT, 33-17-1201 — 33-17-1207
INSURERS PROCESS ACT, UNAUTHORIZED, 33-1-611 — 33-1-616
INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION ACT, Title 33, chapter 2, part 13
INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION MODEL ACT, Title 33, chapter 2, part 13
INTEGRATED LEAST-COST RESOURCE PLANNING AND ACQUISITION ACT, 69-3-1201 — 69-3-1206
INTEGRATED WASTE MANAGEMENT ACT, Title 75, chapter 10, part 8
INTERLOCAL COOPERATION ACT, Title 7, chapter 11, part 1
INTERSTATE AGREEMENT ON DETAINERS, Title 46, chapter 31
INTERSTATE AGREEMENT ON QUALIFICATION OF EDUCATIONAL PERSONNEL, 20-4-121 — 20-4-123
INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN, Title 41, chapter 4, part 1
INTERSTATE COMPACT ON JUVENILES, Title 41, chapter 6
INTERSTATE COMPACT ON MENTAL HEALTH, Title 53, chapter 22, part 1
INTERSTATE COMPACT TO CONSERVE OIL AND GAS, Title 82, chapter 11, part 3
INTERSTATE CORRECTIONS COMPACT, Title 46, chapter 19, part 4
INTERSTATE CORRECTIONS COMPACT, WESTERN, Title 46, chapter 19, part 3

INTERSTATE EMERGENCY SERVICES MUTUAL AID ACT, Title 10, chapter 3, part 11
INTERSTATE FAMILY SUPPORT ACT, UNIFORM, Title 40, chapter 5, part 1
INTERSTATE LAW ENFORCEMENT MUTUAL AID ACT, Title 44, chapter 11, part 3
INTERSTATE LIBRARY COMPACT, 22-1-601, 22-1-602
INTERSTATE MULTISTATE TAX COMPACT, 15-1-601
INTERSTATE MUTUAL AID COMPACT, 10-3-204, 10-3-205, 10-3-207, 10-3-208
INTERSTATE NUCLEAR COMPACT, WESTERN, Title 90, chapter 5, part 2
INVESTMENT PROGRAM, UNIFIED, Title 17, chapter 6, part 2
INVESTMENT SECURITIES, UNIFORM COMMERCIAL CODE, Title 30, chapter 8
IRRIGATION DISTRICT REVENUE BOND ACT, Title 85, chapter 7, part 14
JOB INVESTMENT ACT, Title 17, chapter 6, part 5
JUDICIAL NOTICE OF FOREIGN LAW ACT, UNIFORM, Title 26, chapter 10, M.R.Ev., Rule 202
JURISDICTION TO DETERMINE JURISDICTION OF PROVIDERS OF HEALTH CARE BENEFITS ACT, Title 33, chapter 1, part 11
JUSTICE AND CITY COURT RULES OF CIVIL PROCEDURE, Title 25, chapter 23
JUVENILES, INTERSTATE COMPACT ON, Title 41, chapter 6
LANDLORD AND TENANT ACT OF 1977, THE MONTANA RESIDENTIAL, Title 70, chapter 24
LANDOWNER NOTIFICATION ACT, Title 82, chapter 2, part 3
LAND SALES PRACTICES ACT, FOREIGN, Title 76, chapter 4, part 12
LANDSCAPE ARCHITECTURE REGISTRATION AND LICENSING ACT, Title 37, chapter 66
LAW ENFORCEMENT ACADEMY ACT, Title 44, chapter 10
LAW ENFORCEMENT MUTUAL AID ACT, INTERSTATE, Title 44, chapter 11, part 3
LEASES, UNIFORM COMMERCIAL CODE, Title 30, chapter 2A
LEGISLATIVE AUDIT ACT, Title 5, chapter 13
LEGISLATIVE FINANCE ACT, Title 5, chapter 12
LEGISLATIVE HISTORY ACT, Title 5, chapter 4, part 4
LEGISLATIVE INTERN ACT OF 1974, Title 5, chapter 6
LEMON LAW II, Title 61, chapter 4, part 5
LETTERS OF CREDIT, UNIFORM COMMERCIAL CODE, Title 30, chapter 5
LIBRARY COMPACT, INTERSTATE, 22-1-601, 22-1-602
LIBRARY RECORDS CONFIDENTIALITY ACT, Title 22, chapter 1, part 11
LICENSING COORDINATION ACT, SMALL BUSINESS, Title 30, chapter 16
LIFE AND DISABILITY INSURANCE POLICY LANGUAGE SIMPLIFICATION ACT, 33-15-321 — 33-15-329
LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT, Title 33, chapter 10, part 2
LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION MODEL ACT, Title 33, chapter 10, part 2
LIMITED LIABILITY COMPANY ACT, Title 35, chapter 8
LIMITED PARTNERSHIP ACT, UNIFORM, Title 35, chapter 12
LITTLE DAVIS-BACON ACT, Title 18, chapter 2, part 4
LIVESTOCK CRIMESTOPPERS ACT, Title 81, chapter 6, part 3
LIVESTOCK MARKETING ACT, Title 81, chapter 8, part 2
LIVESTOCK TAX REFORM ACT OF 1975, 15-6-207, 15-8-201, 15-24-903, 15-24-904
LOBLE LAW, 41-5-521
LOCAL CITIZEN REVIEW BOARD PILOT PROGRAM ACT, Title 41, chapter 3, part 10
LOCAL MANAGEMENT OF HISTORIC SITES AND BUILDINGS ACT, Title 22, chapter 3, part 6
LONG-TERM CARE REFORM ACT, 53-6-601 — 53-6-603
LONG-TERM CARE INSURANCE ACT, Title 33, chapter 22, part 11
LONG-TERM CARE RESIDENTS' BILL OF RIGHTS, 50-5-1101 — 50-5-1107
LORD CAMPBELL'S ACT, 27-1-501
MACHINE GUN ACT, UNIFORM, 45-8-301 — 45-8-309
MAJOR FACILITY SITING ACT, Title 75, chapter 20
MARRIAGE AND DIVORCE ACT, UNIFORM, Title 40, chapters 1 and 4
MATURE DEFENSIVE DRIVING ACT, 33-16-203, 33-16-221 — 33-16-225
MAUSOLEUM-COLUMBARIUM ACT, Title 35, chapter 21

MEAT AND POULTRY INSPECTION ACT, 81-9-216 — 81-9-220, 81-9-226 — 81-9-236
MEDAL OF VALOR, 1-1-515
MEDIA CONFIDENTIALITY ACT, Title 26, chapter 1, part 9
MEDICAL CARE SAVINGS ACCOUNT ACT OF 1995, Title 15, chapter 61
MEDICAL LEGAL PANEL ACT, Title 27, chapter 6
MEDICAL PRACTICE ACT, Title 37, chapter 3
MEDICAL SUPPORT REFORM ACT, Title 40, chapter 5, part 8
MEDICARE SUPPLEMENT INSURANCE MINIMUM STANDARDS ACT, Title 33, chapter 22, part 9
MEGALANDFILL SITING ACT, Title 75, chapter 10, part 9
MENTAL HEALTH, INTERSTATE COMPACT ON, Title 53, chapter 22, part 1
METROPOLITAN POLICE LAW, Title 7, chapter 32, parts 2 and 41
MIAMI ACT, Title 50, chapter 19, part 3
MICROBUSINESS DEVELOPMENT ACT, Title 17, chapter 6, part 4
MIDWIFERY LICENSING ACT, Title 37, chapter 27
MILK RIVER MORATORIUM, 85-2-321 — 85-2-323
MISSING CHILDREN ACT OF 1985, Title 44, chapter 2, part 5
MODEL ACT FOR THE REGULATION OF CREDIT LIFE INSURANCE AND CREDIT DISABILITY INSURANCE, Title 33, chapter 21
MODEL ACT FOR THE REGULATION OF CREDIT LIFE INSURANCE AND CREDIT ACCIDENT AND HEALTH INSURANCE, Title 33, chapter 21
MODEL BUSINESS CORPORATION ACT, Title 35, chapter 1
MODEL DRUG PARAPHERNALIA ACT, Title 45, chapter 10
MODEL NONPROFIT CORPORATION ACT, Title 35, chapter 2
MODEL PUBLIC OBLIGATIONS REGISTRATION ACT OF MONTANA, Title 17, chapter 5, part 11
MODEL SCHOOL INTEGRATED PEST AND PESTICIDE MANAGEMENT SAFETY PROGRAM ACT, Title 80, chapter 8, part 4
MODEL STATE CIVIL DEFENSE ACT, Title 10, chapter 3, parts 1 and 2
MONTANA ABORTION CONTROL ACT, Title 50, chapter 20, part 1
MONTANA ACCESS TO FOOD AND NUTRITION ACT, Title 50, chapter 49, part 1
MONTANA ADMINISTRATIVE PROCEDURE ACT, Title 2, chapter 4
MONTANA AGRICULTURAL CHEMICAL GROUND WATER PROTECTION ACT, Title 80, chapter 15
MONTANA AGRICULTURAL LOAN AUTHORITY ACT, Title 80, chapter 12
MONTANA ALCOHOLIC BEVERAGE CODE, Title 16, chapters 1 — 4, 6
MONTANA BUSINESS CORPORATION ACT, Title 35, chapter 1
MONTANA CAPITAL COMPANY ACT, Title 90, chapter 8
MONTANA CAVE CONSERVATION ACT, Title 23, chapter 2, part 9
MONTANA CHILD CARE ACT, Title 52, chapter 2, part 7
MONTANA CHIROPRACTIC LEGAL PANEL ACT, Title 27, chapter 12
MONTANA CIGARETTE SALES ACT, Title 16, chapter 10
MONTANA CLEAN INDOOR AIR ACT OF 1979, Title 50, chapter 40, part 1
MONTANA CLOSE CORPORATION ACT, Title 35, chapter 9
MONTANA COAL MINING CODE, Title 50, chapter 73
MONTANA COLLEGIATE LICENSE PLATES ACT, 61-3-461 — 61-3-467
MONTANA COMMUNITY CORRECTIONS ACT, Title 53, chapter 30, part 3
MONTANA COMMUNITY SERVICE ACT, Title 90, chapter 14, part 1
MONTANA COMPREHENSIVE STATE INSURANCE PLAN AND TORT CLAIMS ACT, Title 2, chapter 9, parts 1 — 3
MONTANA CONCILIATION LAW, Title 40, chapter 3
MONTANA CONSUMER LOAN ACT, Title 32, chapter 5
MONTANA CONSUMER PRODUCT SAFETY ACT OF 1975, Title 50, chapter 30
MONTANA CORPORATE LICENSE TAX CREDIT ACT OF 1975, 15-31-124 — 15-31-127
MONTANA CREDIT UNION ACT, Title 32, chapter 3
MONTANA CRIMINAL JUSTICE INFORMATION ACT OF 1979, Title 44, chapter 5
MONTANA DAM SAFETY ACT, Title 85, chapter 15

MONTANA DEVELOPMENTAL DISABILITIES SERVICES AND FACILITIES ACT OF 1974, Title 53, chapter 20, part 2
MONTANA DISASTER ACT OF 1977, Title 10, chapter 3, parts 1 — 4
MONTANA DRUG PRODUCT SELECTION ACT, Title 37, chapter 7, part 5
MONTANA ECONOMIC DEVELOPMENT BOND ACT OF 1983, Title 17, chapter 5, part 15
MONTANA ELDER AND DEVELOPMENTALLY DISABLED ABUSE PREVENTION ACT, Title 52, chapter 3, part 8
MONTANA ELECTRONIC FUNDS TRANSFER ACT, Title 32, chapter 6
MONTANA ENVIRONMENTAL POLICY ACT, Title 75, chapter 1, parts 1 — 3
MONTANA FAMILY POLICY ACT, Title 41, chapter 7, part 1
MONTANA FIREFIGHTERS' UNIFIED RETIREMENT ACT, Title 19, chapter 13
MONTANA FOOD, DRUG, AND COSMETIC ACT, Title 50, chapter 31
MONTANA FOOTPATH AND BICYCLE TRAIL ACT OF 1975, Title 60, chapter 3, part 3
MONTANA FORENSIC SCIENCE SYSTEM ACT, Title 44, chapter 3
MONTANA GAME WARDENS' RETIREMENT ACT, Title 19, chapter 8
MONTANA GROUND WATER ASSESSMENT ACT, Title 85, chapter 2, part 9
MONTANA GROWTH THROUGH AGRICULTURE ACT, Title 90, chapter 9
MONTANA HANDICAPPED PERSONS' EMPLOYMENT PREFERENCE ACT, Title 39, chapter 30
MONTANA HAZARDOUS WASTE AND UNDERGROUND STORAGE TANK ACT, Title 75, chapter 10, part 4
MONTANA HEALTH FACILITY AUTHORITY ACT, Title 90, chapter 7
MONTANA HEALTH MAINTENANCE ORGANIZATION ACT, Title 33, chapter 31
MONTANA HIGHWAY PATROL OFFICERS' RETIREMENT ACT, Title 19, chapter 6
MONTANA HIGHWAY REVENUE BONDS ACT OF 1983, Title 17, chapter 5, part 9
MONTANA INITIATIVE FOR THE ABATEMENT OF MORTALITY IN INFANTS (MIAMI) ACT, Title 50, chapter 19, part 3
MONTANA IN-STATE INVESTMENT ACT OF 1983, Title 17, chapter 6, part 3
MONTANA INSURANCE CODE, Title 33
MONTANA INSURANCE CONSULTANT LICENSURE ACT, Title 33, chapter 17, part 5
MONTANA INSURANCE GUARANTY ASSOCIATION ACT, Title 33, chapter 10, part 1
MONTANA INTEGRATED LEAST-COST RESOURCE PLANNING AND ACQUISITION ACT, 69-3-1201 — 69-3-1206
MONTANA INTEGRATED WASTE MANAGEMENT ACT, Title 75, chapter 10, part 8
MONTANA JUSTICE AND CITY COURT RULES OF CIVIL PROCEDURE, Title 25, chapter 23
MONTANA LAW ENFORCEMENT ACADEMY ACT, Title 44, chapter 10
MONTANA LIBRARY RECORDS CONFIDENTIALITY ACT, Title 22, chapter 1, part 11
MONTANA LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT, Title 33, chapter 10, part 2
MONTANA LIMITED LIABILITY COMPANY ACT, Title 35, chapter 8
MONTANA LITTLE DAVIS-BACON ACT, Title 18, chapter 2, part 4
MONTANA LIVESTOCK MARKETING ACT, Title 81, chapter 8, part 2
MONTANA LONG-TERM CARE REFORM ACT, 53-6-601 — 53-6-603
MONTANA LONG-TERM CARE RESIDENTS' BILL OF RIGHTS, 50-5-1101 — 50-5-1107
MONTANA MAJOR FACILITY SITING ACT, Title 75, chapter 20
MONTANA MEDICAL CARE SAVINGS ACCOUNT ACT OF 1995, Title 15, chapter 61
MONTANA MEDICAL LEGAL PANEL ACT, Title 27, chapter 6
MONTANA MEGALANDFILL SITING ACT, Title 75, chapter 10, part 9
MONTANA NATIONAL GUARD REENLISTMENT OR EXTENSION ACT OF 1981, Title 10, chapter 1, part 8
MONTANA NATURAL AREAS ACT OF 1974, Title 76, chapter 12, part 1
MONTANA NATURAL HERITAGE PROGRAM, Title 90, chapter 15
MONTANA NEGOTIATED RULEMAKING ACT, Title 2, chapter 5, part 1
MONTANA NONPROFIT CORPORATION ACT, Title 35, chapter 2
MONTANA OIL AND NATURAL GAS PRODUCTION TAX ACT, Title 15, chapter 36, part 3
MONTANA OLDER AMERICANS ACT, Title 52, chapter 3, part 5

MONTANA PESTICIDES ACT, Title 80, chapter 8, parts 1 — 3
MONTANA PLANNING AND ECONOMIC DEVELOPMENT ACT OF 1967, Title 90, chapter 1, part 1
MONTANA PRIMITIVE PARKS ACT, 23-1-115 — 23-1-118
MONTANA PROCUREMENT ACT, Title 18, chapter 4
MONTANA PRODUCE ACT, Title 80, chapter 3, part 3
MONTANA PROFESSIONAL CORPORATION ACT, Title 35, chapter 4
MONTANA PROFESSIONAL EMPLOYER ORGANIZATIONS AND GROUPS LICENSING ACT, Title 39, chapter 8
MONTANA PROFESSIONAL TOW TRUCK ACT, 61-8-901 — 61-8-911
MONTANA PUBLIC HEALTH IMPROVEMENT ACT, 50-1-401 — 50-1-406
MONTANA RADON CONTROL ACT, Title 75, chapter 3, part 6
MONTANA RANGELAND RESOURCES ACT, Title 76, chapter 14
MONTANA RECALL ACT, Title 2, chapter 16, part 6
MONTANA RELIGIOUS CORPORATION SOLE ACT, Title 35, chapter 3
MONTANA RESIDENTIAL LANDLORD AND TENANT ACT OF 1977, Title 70, chapter 24
MONTANA RESIDENT STUDENT FINANCIAL ASSISTANCE PROGRAM, Title 20, chapter 26, parts 1 and 2
MONTANA RESOURCE INDEMNITY TRUST AND GROUND WATER ASSESSMENT ACT, Title 15, chapter 38
MONTANA RESPONSE TO HAZARDOUS MATERIAL INCIDENTS ACT, Title 10, chapter 3, part 12
MONTANA RETAIL INSTALLMENT SALES ACT, Title 31, chapter 1, part 2
MONTANA RETAIL MOTOR FUEL MARKETING ACT, Title 30, chapter 14, part 8
MONTANA RIGHTS OF THE TERMINALLY ILL ACT, Title 50, chapter 9, parts 1 and 2
MONTANA RULES OF APPELLATE PROCEDURE, Title 25, chapter 21
MONTANA RULES OF CIVIL PROCEDURE, Title 25, chapter 20
MONTANA RULES OF EVIDENCE, Title 26, chapter 10
MONTANA RULES OF JUSTICE AND CITY COURT PROCEDURE, Title 25, chapter 23
MONTANA SAFETY ACT, Title 50, chapter 71
MONTANA SCIENCE AND TECHNOLOGY FINANCING ACT, Title 90, chapter 3
MONTANA SEATBELT USE ACT, Title 61, chapter 13, part 1
MONTANA SELF-INSURERS GUARANTY FUND ACT, Title 39, chapter 71, part 26
MONTANA SHERIFFS' RETIREMENT ACT, Title 19, chapter 7
MONTANA SMALL BUSINESS LICENSING COORDINATION ACT, Title 30, chapter 16
MONTANA SMALL BUSINESS PURCHASING ACT, Title 18, chapter 5, part 3
MONTANA SOIL SURVEY ACT, 76-11-201, 76-11-202
MONTANA SOLID WASTE MANAGEMENT ACT, Title 75, chapter 10, part 2
MONTANA STRIP AND UNDERGROUND MINE RECLAMATION ACT, Title 82, chapter 4, part 2
MONTANA SUBDIVISION AND PLATTING ACT, Title 76, chapter 3
MONTANA SUSTAINABLE AGRICULTURE RESEARCH AND EDUCATION ACT, 20-25-233 — 20-25-236
MONTANA TAXPAYER BILL OF RIGHTS, 15-1-221 — 15-1-223
MONTANA TELECOMMUNICATIONS ACT, Title 69, chapter 3, part 8
MONTANA TIMESHARE ACT, Title 37, chapter 53
MONTANA TITLE INSURANCE ACT, Title 33, chapter 25
MONTANA TRUTH IN LABELING ACT FOR ORGANIC FOODS, 50-31-221 — 50-31-223, 50-31-231
MONTANA UNDERGROUND STORAGE TANK INSTALLER LICENSING AND PERMITTING ACT, Title 75, chapter 11, part 2
MONTANA UNFAIR TRADE PRACTICES AND CONSUMER PROTECTION ACT OF 1973, Title 30, chapter 14, part 1
MONTANA UNIFIED VOLUME CAP BOND ALLOCATION PLAN ACT, Title 17, chapter 5, part 13
MONTANA UNIFORM TRANSFERS TO MINORS ACT, Title 72, chapter 26, parts 5—8
MONTANA VARIABLE CONTRACT LAW, Title 33, chapter 20, part 6

MONTANA WHEELCHAIR WARRANTY ACT, Title 30, chapter 14, part 12
MONTANA YOUTH COURT ACT, Title 41, chapter 5
MOTION PICTURE FAIR TRADE PRACTICES ACT, Title 30, chapter 14, part 3
MOTOR FUEL MARKETING ACT, MONTANA RETAIL, Title 30, chapter 14, part 8
MOTOR VEHICLE SAFETY-RESPONSIBILITY ACT, Title 61, chapter 6, part 1
MOTOR-VOTER REGISTRATION, 61-5-107
MULTISTATE HIGHWAY TRANSPORTATION AGREEMENT, 61-10-1101
MULTISTATE TAX COMPACT, 15-1-601
MUNICIPAL AIRPORTS ACT, Title 67, chapter 10
MUNICIPAL BUDGET LAW, Title 7, chapter 6, part 42
MUNICIPAL FINANCE CONSOLIDATION ACT OF 1983, Title 17, chapter 5, part 16
MUNICIPAL POLICE OFFICERS' RETIREMENT ACT, Title 19, chapter 9
MUNICIPAL REVENUE BOND ACT OF 1939, Title 7, chapter 7, part 44
MUSEUM LOAN ACT, Title 22, chapter 3, part 5
MUTUAL AID COMPACT, INTERSTATE, 10-3-204, 10-3-205, 10-3-207, 10-3-208
NATIONAL GUARD REENLISTMENT OR EXTENSION ACT OF 1981, Title 10, chapter 1, part 8
NATIONWIDE INLAND MARINE DEFINITION ACT, 33-1-221 — 33-1-229
NATURAL AREAS ACT OF 1974, Title 76, chapter 12, part 1
NATURAL HERITAGE PROGRAM, Title 90, chapter 15
NATURAL STREAMBED AND LAND PRESERVATION ACT OF 1975, Title 75, chapter 7, part 1
NATUROPATHIC HEALTH CARE PRACTICE ACT, Title 37, chapter 26
NEGOTIABLE INSTRUMENTS, UNIFORM COMMERCIAL CODE, Title 30, chapter 3
NEGOTIATED RULEMAKING ACT, Title 2, chapter 5, part 1
NEW COAL PRODUCTION INCENTIVE TAX CREDIT ACT OF 1985, Title 15, chapter 35, part 2
NEW HORIZONS ACT, Title 39, chapter 7, part 6
9-1-1 EMERGENCY TELEPHONE SYSTEM, Title 10, chapter 4, parts 1 — 3
1961 SECURITIES ACT OF MONTANA, Title 30, chapter 10, parts 1 — 3
NONFORFEITURE LAW FOR INDIVIDUAL DEFERRED ANNUITIES, STANDARD, Title 33, chapter 20, part 5
NONFORFEITURE LAW FOR LIFE INSURANCE, STANDARD, Title 33, chapter 20, part 2
NONGAME AND ENDANGERED SPECIES CONSERVATION ACT, Title 87, chapter 5, part 1
NONPROFIT CORPORATION ACT, Title 35, chapter 2
NORTHERN CHEYENNE-MONTANA COMPACT, 85-20-301
NORTHWEST INTERSTATE COMPACT ON LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT, 75-3-501, 75-3-502
NOTARIAL ACTS, UNIFORM LAW ON, Title 1, chapter 5, part 6
NOXIOUS WEED SEED FREE FORAGE ACT, Title 80, chapter 7, part 9
NUCLEAR COMPACT, WESTERN INTERSTATE, Title 90, chapter 5, part 2
NURSING PRACTICE ACT, Title 37, chapter 8
OCCUPATIONAL DISEASE ACT OF MONTANA, Title 39, chapter 72
OCCUPATIONAL HEALTH ACT OF MONTANA, Title 50, chapter 70
OCCUPATIONAL THERAPY PRACTICE ACT, Title 37, chapter 24
OFFICIAL REPORTS AS EVIDENCE ACT, UNIFORM, Title 26, chapter 10, M.R.Ev., Rule 803
OIL AND GAS, INTERSTATE COMPACT TO CONSERVE, Title 82, chapter 11, part 3
OIL AND NATURAL GAS PRODUCTION TAX ACT, Title 15, chapter 36, part 3
OLDER AMERICANS ACT, Title 52, chapter 3, part 5
120-HOUR RULE, 72-2-114
OPENCUT MINING ACT, Title 82, chapter 4, part 4
OPEN MEETING LAW, Title 2, chapter 3, part 2
OPEN-SPACE LAND AND VOLUNTARY CONSERVATION EASEMENT ACT, Title 76, chapter 6, part 1
ORGANIC FOODS, MONTANA TRUTH IN LABELING FOR, 50-31-221 — 50-31-223, 50-31-231
OUTDOOR ADVERTISING ACT, Title 75, chapter 15, part 1
OUT-OF-STATE PAROLEE SUPERVISION, UNIFORM ACT FOR, Title 46, chapter 23, part 11
PAINT SNIFFER LAW, 45-9-121

PARENTAGE ACT, UNIFORM, Title 40, chapter 6, part 1
PARENTAL NOTICE OF ABORTION ACT, Title 50, chapter 20, part 2
PARENT-CHILD LEGAL RELATIONSHIP TERMINATION ACT OF 1981, Title 41, chapter 3, part 6
PAROLE AND EXECUTIVE CLEMENCY ACT, Title 46, chapter 23, parts 1 — 3 and 10
PAROLEE SUPERVISION, UNIFORM ACT FOR OUT-OF-STATE, Title 46, chapter 23, part 11
PARTNERSHIP ACT, UNIFORM, Title 35, chapter 10
PAY PLAN, STATEWIDE CLASSIFICATION AND, Title 2, chapter 18, parts 2 and 3
PERCENT-FOR-ART ACT, Title 22, chapter 2, part 4
PERFECT TENDER RULE, 30-2-601
PERPETUITIES, UNIFORM STATUTORY RULE AGAINST, 72-2-1001 — 72-2-1007
PEST AND PESTICIDE MANAGEMENT SAFETY PROGRAM ACT, MODEL SCHOOL INTEGRATED, Title 80, chapter 8, part 4
PESTICIDES ACT, Title 80, chapter 8, parts 1 — 3
PHYSICIAN, NURSE, PHYSICAL THERAPIST, OCCUPATIONAL THERAPIST, CHIROPRACTOR, DENTIST, PSYCHOLOGIST, LICENSED SOCIAL WORKER, LICENSED PROFESSIONAL COUNSELOR, AND HOSPITAL LIEN ACT, Title 71, chapter 3, part 11
PLACEMENT OF CHILDREN, INTERSTATE COMPACT ON, Title 41, chapter 4, part 1
PLAIN LANGUAGE IN CONTRACTS ACT, Title 30, chapter 14, part 11
PLANNED COMMUNITY DEVELOPMENT ACT OF 1973, Title 7, chapter 2, part 47
PLANNING AND ECONOMIC DEVELOPMENT ACT OF 1967, Title 90, chapter 1, part 1
POLICE LAW, METROPOLITAN, Title 7, chapter 32, parts 2 and 41
POLLUTION RECIPROCAL ACCESS ACT, UNIFORM TRANSBOUNDARY, Title 75, chapter 16, part 1
POST-ASSESSMENT PROPERTY AND LIABILITY INSURANCE GUARANTY ASSOCIATION MODEL ACT, Title 33, chapter 10, part 1
POWER OF ATTORNEY ACT, UNIFORM DURABLE, 72-5-501, 72-5-502
PREFERRED PROVIDER AGREEMENTS ACT, 33-22-1701 — 33-22-1707
PREMARITAL AGREEMENT ACT, UNIFORM, Title 40, chapter 2, part 6
PRIMITIVE PARKS ACT, 23-1-115 — 23-1-118
PRINCIPAL AND INCOME ACT, REVISED UNIFORM, Title 72, chapter 34, part 4
PRINTING CONTROL ACT, STATE, Title 18, chapter 7, part 3
PRIVATE PROPERTY ASSESSMENT ACT, Title 2, chapter 10, part 1
PROBATE CODE, UNIFORM, Title 72, chapters 1 — 5; Title 72, chapter 16, part 6
PROCUREMENT ACT, Title 18, chapter 4
PRODUCE ACT, Title 80, chapter 3, part 3
PROFESSIONAL CORPORATION ACT, Title 35, chapter 4
PROFESSIONAL EMPLOYER ORGANIZATIONS AND GROUPS LICENSING ACT, Title 39, chapter 8
PROFESSIONAL TOW TRUCK ACT, 61-8-901 — 61-8-911
PROPERTY AND CASUALTY INSURANCE POLICY LANGUAGE SIMPLIFICATION ACT, 33-15-333 — 33-15-340
PROPERTY TAXPAYERS INFORMATION ACT OF 1974, 15-10-202 — 15-10-208
PROTECTIVE SERVICES ACT FOR AGED PERSONS OR DISABLED ADULTS, Title 52, chapter 3, part 2
PUBLIC CEMETERY DISTRICT ACT, Title 7, chapter 35, part 21
PUBLIC CEMETERY DISTRICT PERMANENT CARE AND IMPROVEMENT FUND ACT, Title 7, chapter 35, part 21
PUBLIC EMPLOYEES' RETIREMENT SYSTEM ACT, Title 19, chapter 3
PUBLIC HEALTH IMPROVEMENT ACT, 50-1-401 — 50-1-406
RACIAL BALANCE LAW, 2-15-108
RADON CONTROL ACT, Title 75, chapter 3, part 6
RANGELAND RESOURCES ACT, Title 76, chapter 14
REAL ESTATE APPRAISER LICENSING AND CERTIFICATION ACT, Title 37, chapter 54
REALTY TRANSFER ACT, Title 15, chapter 7, part 3
RECALL ACT, Title 2, chapter 16, part 6

RECIPROCAL AGREEMENT FOR COLLECTION OF WAGES ACT OF 1977, Title 39, chapter 3, part 3
RECLAMATION AND DEVELOPMENT GRANTS PROGRAM ACT, Title 90, chapter 2, part 11
REGIONAL CORRECTIONAL FACILITY ACT, Title 53, chapter 30, part 5
REGULATION OF ESCROW BUSINESSES ACT, Title 32, chapter 7
RELIGIOUS CORPORATION SOLE ACT, Title 35, chapter 3
REORGANIZATION ACT, EXECUTIVE, Title 2, chapter 15
REPORTERS' SHIELD LAW, Title 26, chapter 1, part 9
RESIDENTIAL LANDLORD AND TENANT ACT OF 1977, Title 70, chapter 24
RESIDENT STUDENT FINANCIAL ASSISTANCE PROGRAM, Title 20, chapter 26, parts 1 and 2
RESOURCE INDEMNITY TRUST AND GROUND WATER ASSESSMENT ACT, Title 15, chapter 38
RESPONSE TO HAZARDOUS MATERIAL INCIDENTS ACT, Title 10, chapter 3, part 12
RETAIL INSTALLMENT SALES ACT, MONTANA, Title 31, chapter 1, part 2
RETAIL MOTOR FUEL MARKETING ACT, MONTANA, Title 30, chapter 14, part 8
REVENUE BOND ACT OF 1939, MUNICIPAL, Title 7, chapter 7, part 44
REVENUE BOND REFINANCING ACT OF 1937, Title 7, chapter 7, part 46
REVERSE ANNUITY MORTGAGE LOAN ACT, Title 90, chapter 6, part 5
REVISED UNIFORM PRINCIPAL AND INCOME ACT, Title 72, chapter 34, part 4
RIGHTS OF THE TERMINALLY ILL ACT,, Title 50, chapter 9, parts 1 and 2
RISK-BASED CAPITAL FOR INSURERS ACT, Title 33, chapter 2, part 19
RULES OF APPELLATE PROCEDURE, Title 25, chapter 21
RULES OF CIVIL PROCEDURE, Title 25, chapter 20
RULES OF EVIDENCE, UNIFORM, Title 26, chapter 10
RULES OF JUSTICE AND CITY COURT PROCEDURE, Title 25, chapter 23
RURAL ELECTRIC AND TELEPHONE COOPERATIVE ACT, Title 35, chapter 18
RURAL ZONING LAW, Title 76, chapter 2, parts 1 and 2
SAFE DRINKING WATER TREATMENT REVOLVING FUND ACT, Title 75, chapter 6, part 2
SAFETY ACT, Title 50, chapter 71
SALES, UNIFORM COMMERCIAL CODE, Title 30, chapter 2
SCIENCE AND TECHNOLOGY FINANCING ACT, Title 90, chapter 3
SEATBELT USE ACT, Title 61, chapter 13, part 1
SECURED TRANSACTIONS, UNIFORM COMMERCIAL CODE, Title 30, chapter 9
SECURITIES ACT OF MONTANA, Title 30, chapter 10, parts 1 — 3
SECURITIES ACT, UNIFORM, Title 30, chapter 10, parts 1 — 3
SECURITY TRANSFERS, UNIFORM ACT FOR THE SIMPLIFICATION OF FIDUCIARY, Title 30, chapter 10, part 4
SEED POTATO DISEASE CONTROL ACT, Title 80, chapter 5, part 4
SELF-FUNDED MULTIPLE EMPLOYER WELFARE ARRANGEMENT REGULATION ACT, Title 33, chapter 35
SELF-INSURERS GUARANTY FUND ACT, Title 39, chapter 71, part 26
SEXUAL OR VIOLENT OFFENDER REGISTRATION ACT, 46-18-254, 46-18-255, 46-23-501 — 46-23-507
SHERIFFS' RETIREMENT ACT, Title 19, chapter 7
SHIELD LAW, 26-1-901 — 26-1-903
SIMPLIFICATION OF FIDUCIARY SECURITY TRANSFERS, UNIFORM ACT FOR THE, Title 30, chapter 10, part 4
SIMULTANEOUS DEATH ACT, 72-2-114
SINGLE AUDIT ACT, STATE OF MONTANA, Title 2, chapter 7, part 5
SMALL BUSINESS INVESTMENT INCENTIVE ACT, Title 15, chapter 33, part 1
SMALL BUSINESS LICENSING COORDINATION ACT, Title 30, chapter 16
SMALL BUSINESS PURCHASING ACT, Title 18, chapter 5, part 3
SMALL EMPLOYER HEALTH INSURANCE AVAILABILITY ACT, Title 33, chapter 22, part 18
SMALL TRACT FINANCING ACT OF MONTANA, Title 71, chapter 1, part 3
SMITH RIVER MANAGEMENT ACT, Title 23, chapter 2, part 4

SOIL SURVEY ACT, 76-11-201, 76-11-202
SOLID WASTE MANAGEMENT ACT, Title 75, chapter 10, part 2
SPECIAL FUEL TAX ACT, 15-70-101, 15-70-103, 15-70-111, 15-70-301 — 15-70-307, 15-70-323 — 15-70-336
STANDARD NONFORFEITURE LAW FOR INDIVIDUAL DEFERRED ANNUITIES, Title 33, chapter 20, part 5
STANDARD NONFORFEITURE LAW FOR LIFE INSURANCE, Title 33, chapter 20, part 2
STANDARD VALUATION OF RESERVE LIABILITIES LAW — LIFE INSURANCE, 33-2-521 — 33-2-529
STATE BUILDING CODE, 50-60-203
STATE BUILDING ENERGY CONSERVATION ACT, Title 90, chapter 4, part 6
STATE CHEMICAL DEPENDENCY PLAN, 53-24-204
STATE EMPLOYEE PROTECTION ACT, Title 2, chapter 18, part 12
STATE HEALTH PLAN, Title 50, chapter 5, part 4
STATE MEDICAL FACILITY PLAN, Title 50, chapter 5, part 4
STATE OF MONTANA SINGLE AUDIT ACT, Title 2, chapter 7, part 5
STATE PRINTING CONTROL ACT, Title 18, chapter 7, part 3
STATE-TRIBAL COOPERATIVE AGREEMENTS ACT, Title 18, chapter 11, part 1
STATE WATER PLAN, 85-1-203
STATEWIDE CLASSIFICATION AND PAY PLAN, Title 2, chapter 18, parts 2 and 3
STATE ZONING ENABLING ACT, Title 76, chapter 2, part 3
STREAM ACCESS LAW, Title 23, chapter 2, part 3
STREAMBED AND LAND PRESERVATION ACT OF 1975, NATURAL, Title 75, chapter 7, part 1
STRIP AND UNDERGROUND MINE RECLAMATION ACT, Title 82, chapter 4, part 2
STRIP AND UNDERGROUND MINE SITING ACT, Title 82, chapter 4, part 1
SUBCHAPTER S CORPORATIONS, Title 15, chapter 31, part 2
SUBDIVISION AND PLATTING ACT, Title 76, chapter 3
SUBSIDIARY TRUST COMPANY ACT OF 1975, Title 32, chapter 1, part 8
SUBSIDIZED ADOPTION ACT OF 1977, Title 52, chapter 2, part 5
SURPLUS LINES INSURANCE LAW, Title 33, chapter 2, part 3
SUSTAINABLE AGRICULTURE RESEARCH AND EDUCATION ACT, 20-25-233 — 20-25-236
TACTICAL INCIDENT ASSISTANCE ACT, 10-3-701 — 10-3-705
TAX COMPACT, MULTISTATE, 15-1-601
TAX INCREMENT FINANCING INDUSTRIAL DEVELOPMENT ACT, 7-15-4297 — 7-15-4299
TAXPAYER BILL OF RIGHTS, 15-1-221 — 15-1-223
TAXPAYERS INFORMATION ACT OF 1974, 15-10-202 — 15-10-208
TELECOMMUNICATIONS ACT, Title 69, chapter 3, part 8
TERRITORIAL INTEGRITY ACT OF 1971, Title 69, chapter 5, part 1
TESTAMENTARY ADDITIONS TO TRUSTS ACT, UNIFORM, 72-2-531
"THREE STRIKES AND YOU ARE OUT", 46-18-219
"310 LAW", Title 75, chapter 7, part 1
TIMESHARE ACT, Title 37, chapter 53
TITLE INSURANCE ACT, Title 33, chapter 25
TOD SECURITY REGISTRATION ACT, Title 72, chapter 6, part 3
TORT CLAIMS ACT, Title 2, chapter 9, parts 1 — 3
TRADE SECRETS ACT, UNIFORM, Title 30, chapter 14, part 4
TRANSACTIONAL RULE, 26-1-103
TRANSBOUNDARY POLLUTION RECIPROCAL ACCESS ACT, UNIFORM, Title 75, chapter 16, part 1
TRANSFERS TO MINORS ACT, MONTANA UNIFORM, Title 72, chapter 26, parts 5—8
TREASURY FUND STRUCTURE ACT, 17-2-101 — 17-2-107
TRUST CODE, Title 72, chapters 33 — 36
TRUTH IN LABELING ACT FOR ORGANIC FOODS, 50-31-221 — 50-31-223, 50-31-231
TUMOR REGISTRY ACT, Title 50, chapter 15, part 7
"TWO STRIKES AND YOU ARE OUT", 46-18-219

UNAUTHORIZED INSURERS PROCESS ACT, 33-1-611 — 33-1-616
UNCLAIMED PROPERTY ACT, UNIFORM, Title 70, chapter 9, parts 1 — 3
UNDERGROUND CONVERSION OF UTILITIES LAW, Title 69, chapter 4, part 3
UNDERGROUND STORAGE TANK INSTALLER LICENSING AND PERMITTING ACT, Title 75, chapter 11, part 2
UNEMPLOYMENT INSURANCE LAW, Title 39, chapter 51
UNFAIR PRACTICES ACT, Title 30, chapter 14, part 2
UNFAIR TRADE PRACTICES AND CONSUMER PROTECTION ACT OF 1973, Title 30, chapter 14, part 1
UNIFIED INVESTMENT PROGRAM, Title 17, chapter 6, part 2
UNIFIED VOLUME CAP BOND ALLOCATION PLAN ACT, Title 17, chapter 5, part 13
UNIFORM ABSENCE AS EVIDENCE OF DEATH AND ABSENTEE'S PROPERTY ACT, 72-1-108
UNIFORM ACCIDENT REPORTING ACT, Title 61, chapter 7
UNIFORM ACT FOR OUT-OF-STATE PAROLEE SUPERVISION, Title 46, chapter 23, part 11
UNIFORM ACT FOR THE SIMPLIFICATION OF FIDUCIARY SECURITY TRANSFERS, Title 30, chapter 10, part 4
UNIFORM ACT ON CLOSE PURSUIT, 46-6-411
UNIFORM ADOPTION ACT, Title 40, chapter 8, part 1
UNIFORM ANATOMICAL GIFT ACT, Title 72, chapter 17
UNIFORM ARBITRATION ACT, Title 27, chapter 5
UNIFORM BRAIN DEATH ACT, 50-22-101
UNIFORM BUSINESS RECORDS AS EVIDENCE ACT, Title 26, chapter 10, M.R.Ev., Rule 803
UNIFORM CHILD CUSTODY JURISDICTION ACT, Title 40, chapter 7
UNIFORM COMMERCIAL CODE, Title 30, chapters 1 — 9
UNIFORM COMMERCIAL CODE, BANK DEPOSITS AND COLLECTIONS, Title 30, chapter 4
UNIFORM COMMERCIAL CODE, DOCUMENTS OF TITLE, Title 30, chapter 7
UNIFORM COMMERCIAL CODE, FUNDS TRANSFERS, Title 30, chapter 4A
UNIFORM COMMERCIAL CODE, INVESTMENT SECURITIES, Title 30, chapter 8
UNIFORM COMMERCIAL CODE, LEASES, Title 30, chapter 2A
UNIFORM COMMERCIAL CODE, LETTERS OF CREDIT, Title 30, chapter 5
UNIFORM COMMERCIAL CODE, NEGOTIABLE INSTRUMENTS, Title 30, chapter 3
UNIFORM COMMERCIAL CODE, SALES, Title 30, chapter 2
UNIFORM COMMERCIAL CODE, SECURED TRANSACTIONS, Title 30, chapter 9
UNIFORM COMMON TRUST ACT, Title 32, chapter 1, part 7
UNIFORM CONFLICT OF LAWS — LIMITATIONS ACT, 27-2-501 — 27-2-507
UNIFORM CONTROLLED SUBSTANCES ACT, Title 50, chapter 32
UNIFORM CRIMINAL EXTRADITION ACT, Title 46, chapter 30
UNIFORM DECLARATORY JUDGMENTS ACT, Title 27, chapter 8
UNIFORM DETERMINATION OF DEATH ACT, 50-22-101
UNIFORM DISPOSITION OF COMMUNITY PROPERTY RIGHTS AT DEATH ACT, Title 72, chapter 9, part 1
UNIFORM DISTRICT COURT RULES, Title 25, chapter 19
UNIFORM DURABLE POWER OF ATTORNEY ACT, 72-5-501, 72-5-502
UNIFORM ENFORCEMENT OF FOREIGN JUDGMENTS ACT, 25-9-501, 25-9-508
UNIFORM FACSIMILE SIGNATURES OF PUBLIC OFFICIALS ACT, 2-16-114
UNIFORM FEDERAL LIEN REGISTRATION ACT, Title 71, chapter 3, part 2
UNIFORM FOREIGN-MONEY CLAIMS ACT, Title 25, chapter 9, part 7
UNIFORM FOREIGN MONEY-JUDGMENTS RECOGNITION ACT, Title 25, chapter 9, part 6
UNIFORM FRAUDULENT TRANSFER ACT, Title 31, chapter 2, part 3
UNIFORM HEALTH CARE INFORMATION ACT, Title 50, chapter 16, part 5
UNIFORM INTERSTATE FAMILY SUPPORT ACT, Title 40, chapter 5, part 1
UNIFORM JUDICIAL NOTICE OF FOREIGN LAW ACT, Title 26, chapter 10, M.R.Ev., Rule 202
UNIFORM LAW ON NOTARIAL ACTS, Title 1, chapter 5, part 6
UNIFORM LIMITED PARTNERSHIP ACT, Title 35, chapter 12
UNIFORM MACHINE GUN ACT, 45-8-301 — 45-8-309

UNIFORM MANAGEMENT OF INSTITUTIONAL FUNDS ACT, Title 72, chapter 30
UNIFORM MARRIAGE AND DIVORCE ACT, Title 40, chapters 1 and 4
UNIFORM OFFICIAL REPORTS AS EVIDENCE ACT, Title 26, chapter 10, M.R.Ev., Rule 803
UNIFORM PARENTAGE ACT, Title 40, chapter 6, part 1
UNIFORM PARTNERSHIP ACT, Title 35, chapter 10
UNIFORM PREMARITAL AGREEMENT ACT, Title 40, chapter 2, part 6
UNIFORM PRINCIPAL AND INCOME ACT, REVISED, Title 72, chapter 34, part 4
UNIFORM PROBATE CODE, Title 72, chapters 1 — 5; Title 72, chapter 16, part 6
UNIFORM RULES OF EVIDENCE, Title 26, chapter 10
UNIFORM SECURITIES ACT, Title 30, chapter 10, parts 1 — 3
UNIFORM STATE LAW FOR AERONAUTICS, Title 67, chapter 1, part 2
UNIFORM STATUTORY RULE AGAINST PERPETUITIES, 72-2-1001 — 72-2-1007
UNIFORM TESTAMENTARY ADDITIONS TO TRUSTS ACT, 72-2-531
UNIFORM TOD SECURITY REGISTRATION ACT, Title 72, chapter 6, part 3
UNIFORM TRADE SECRETS ACT, Title 30, chapter 14, part 4
UNIFORM TRANSBOUNDARY POLLUTION RECIPROCAL ACCESS ACT, Title 75, chapter 16, part 1
UNIFORM TRANSFERS TO MINORS ACT, MONTANA, Title 72, chapter 26, parts 5 — 8
UNIFORM UNCLAIMED PROPERTY ACT, Title 70, chapter 9, parts 1 — 3
UNIT OWNERSHIP ACT, Title 70, chapter 23
URBAN RENEWAL LAW, Title 7, chapter 15, parts 42 and 43
UTILITY SITING ACT, Title 75, chapter 20
VARIABLE CONTRACT LAW, Title 33, chapter 20, part 6
VEHICLE EQUIPMENT SAFETY COMPACT, Title 61, chapter 2, part 2
VOLUNTARY CLEANUP AND REDEVELOPMENT ACT, 75-10-730 — 75-10-738
VOLUNTARY ZONING LAW, Title 76, chapter 2, parts 1 and 2
VOLUNTEER FIREFIGHTERS' COMPENSATION ACT, Title 19, chapter 17
VOLUNTEER PROTECTION, 27-1-732
WAGES ACT OF 1977, THE RECIPROCAL AGREEMENT FOR COLLECTION OF, Title 39, chapter 3, part 3
WASTEWATER TREATMENT REVOLVING FUND ACT, Title 75, chapter 5, part 11
WATER PLAN, 85-1-203
WATER STORAGE POLICY ACT, 85-1-701 — 85-1-704
WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION, Title 20, chapter 25, part 8
WESTERN INTERSTATE CORRECTIONS COMPACT, Title 46, chapter 19, part 3
WESTERN INTERSTATE NUCLEAR COMPACT, Title 90, chapter 5, part 2
WESTERN REGIONAL HIGHER EDUCATION COMPACT, Title 20, chapter 25, part 8
WHEELCHAIR WARRANTY ACT, Title 30, chapter 14, part 12
WICHE, Title 20, chapter 25, part 8
WINE DISTRIBUTION ACT, Title 16, chapter 3, part 4
WOMAN'S RIGHT-TO-KNOW ACT, Title 50, chapter 20, part 3
WORKERS' COMPENSATION ACT, Title 39, chapter 71
WRONGFUL DISCHARGE FROM EMPLOYMENT ACT, Title 39, chapter 2, part 9
YELLOWSTONE RIVER MORATORIUM, Title 85, chapter 2, part 6
YELLOWSTONE RIVER COMPACT, 85-20-101
YOUTH ACCESS TO TOBACCO PRODUCTS CONTROL ACT, Title 16, chapter 11, part 3
YOUTH COURT ACT, Title 41, chapter 5
YOUTH VOTING ACT, Title 13, chapter 22
ZONING ENABLING ACT, STATE, Title 76, chapter 2, part 3
ZONING LAW, VOLUNTARY, Title 76, chapter 2, parts 1 and 2

DOES NOT
CIRCULATE

State Law Library Of Montana
KFM9030 1995 .A2
Montana code annotated : adopted by chap
c. 2 v 12
3 0000 00066 7299